

Constitution of the student government association

PREAMBLE

We, the undergraduate students of Anderson University, for the purpose of establishing a representative student voice to promote our development spiritually, intellectually, socially, and physically; to encourage and facilitate communication and unity between students, faculty, staff, and administration; and to assume responsibility for furthering an effective, balanced, and healthy campus atmosphere, do establish this Constitution.

ARTICLE I

Organization of Government

- A.** The representative voice of the student body of Anderson University shall be called the Anderson University Student Government Association, herein referred to as SGA.
- B.** The SGA shall consist of three separate but equal branches: Legislative, Executive, and Judicial.
- C.** The Associate Dean of Students shall serve as advisor to all branches of the SGA.

ARTICLE II

Legislative Branch

- A.** The Legislative Branch shall be known as the Student Senate.
- B.** The Student Senate shall have the powers and responsibility:
 - 1. To meet weekly during the school year.
 - 2. To adopt rules of procedure.
 - 3. To vote on all recommendations and investigate all General Statements brought before the Student Senate.
 - 4. To submit all approved recommendations to the President of SGA for approval or veto.
 - 5. To override, if it so chooses, a Presidential veto by a two-thirds vote within two weekly meetings after notification.
 - 6. To possess the sole power of legislation.
 - 7. To approve or reject Presidential appointments to the Executive Cabinet and the Student Court.
 - 8. To abide by all decisions by the Student Court.
 - 9. To approve or reject the SGA budget for the current academic year.
 - 10. To approve or reject all new Social and Interest Club charters.
 - 11. To initiate and conduct impeachment proceedings.
 - 12. To elect a Senate Chairperson.
 - 13. To elect a Senate Secretary

- a. The Secretary of the Senate must be a previous member of the Senate, except when all returning Senators decline the position.
- b. Records and distributes to all Senators minutes of the weekly Senate meetings.
- c. Keeps and maintains Senate records.
- d. Serves as Senate Chairperson in the absence of, resignation of or at the request of the Senate Chairperson.
- e. During the final meeting of the Senate (spring semester), the Senate will elect a new Senate Secretary by a 2/3 majority, and if this member accepts the position of Secretary, he/she will assume the position for the entire duration of twelve months.
- f. In the case of the Senate Chair's removal, absence, or request, the Secretary will assume the position of the Senate Chair until the end of their term (unless he or she is impeached, absent, or in violation of the Judicial Code).
- g. If the Senate is not in session during the removal, absence, or request of the Senate Chair, the Senate Chair position will be given to the Senate Secretary, due to the election process which occurs during the final meeting of Senate.
- h. If the Senate Secretary assumes the position of Senate Chair in the incident of the Senate Chair's absence, removal, or request, an election for a new Senate Secretary must occur within the first week of the Senate session.
- i. When voting for the new Senate Secretary, consideration of their competency, skills, and overall good character should be considered by the Senate, in the case that the Senate Chair is removed from office and the Secretary must assume the position as Senate Chair.

C. Representation

1. The Student Senate shall consist of two representatives from each class (Freshman, Sophomore, Junior, Senior).
2. The Student Senate shall also consist of representatives from each dorm, on-campus apartment complex, and traditional off campus and non-traditional off campus students. The number of representatives from each constituency will correspond with the number of students which reside in the respective constituency. For each 150 student

residents within a given constituency, the group will receive one senate representative. Each division will receive one senate representative by default regardless of the number of residents.”

3. The number of senators elected in each representative area having at least one senator.
4. Senators representing the International Student Association and the Multicultural Student Association shall be elected by their associations and not elected, or even placed on the ballot, before the Student Body.
5. New representative areas shall be designated by need and majority approval of the Student Senate.

D. Senator Qualifications

1. Must possess and maintain, at minimum, a 2.5 cumulative grade point average.
2. Be a full time undergraduate student at Anderson University
3. Be in good standing in the Anderson University community.
4. Maintain the representative area he/she was elected

E. Senators shall have the power and responsibility to:

1. Implement and uphold all provisions of the SGA Constitution
2. Represent their constituents
3. Attend all meetings of the Student Senate and participate fully therein with the allowance of two absences per semester.
4. Attend all meetings of the Service Committees and the Standing Committees and participate fully therein with the allowance of two absences per semester.
 - a. Service and Standing Committees are contingent upon a Senator’s academic schedule. If his/her academic schedule does not permit the Senator to attend one Service and one Standing committee, then he/she must serve on two Service or Standing. If an exception is needed, the Chief Justice, with the counsel of the President and Vice President, will determine an appropriate substitution.
5. Exercise their right to vote without duress
6. Serve in their position during the school year of their election or appointment

F. The Senate Chairperson

1. Qualifications
 - a. Must be a member of the previous year’s Senate for two full consecutive semesters
 - b. Must possess and maintain, at minimum, a 2.5 cumulative grade point average
 - c. Must be at least of Junior academic standing in the year taking office

- d. Must have attended Anderson University at least two consecutive semesters prior to taking office.
 - e. Must be in good standing in the Anderson University community.
 - f. May not hold an Anderson University leadership position or other employment over ten hours per week.
 - g. Must be a full-time student at Anderson University.
2. Powers and Responsibilities:
- a. To implement and uphold the provisions of this Constitution.
 - b. To serve from commencement exercises immediately following his/her election until commencement exercises of the following academic year.
 - c. To chair meetings of the Student Senate.
 - d. To convene special meetings of the Student Senate and its committees.
 - e. To communicate approved legislation to Student Body President for approval or veto.
 - f. To effectively administer all areas of the Student Senate including the Senate budget.
 - g. To be an ex-officio, non-voting member of the Executive Cabinet.
 - h. To serve ten hours per week, five of which must be served in the SGA office
 - i. To be second in line to the Presidency, behind the Vice-President.
 - j. To be responsible for making sure that all constituents are represented equally.
3. Election Process
- a. Nominations shall be made the first Senate meeting April
 - b. Elections shall be held during the second Senate meeting in April. Only members of the Senate are allowed to vote.
 - c. The Candidate receiving the greatest number of votes shall be the winner.

ARTICLE III

The Executive Branch

- A.** The Executive Branch shall consist of the President, Vice-President and an Executive Cabinet.
- B.** The Executive Branch powers and responsibilities:
 - 1. Work directly with the Department of Student Life
 - 2. To administrate all areas of Student Services. (i.e. Physical Plant, Food Service/Auxiliary, Security and Ad Hoc committees. As well

as the Student Shuttle Service and publication of the phone directory.)

3. To administrate all areas of Student Development. (i.e. Social Clubs, Interest Clubs, Student Advisory Council, areas related to academic life.)
 4. Coordinate SGA Chapels.
 5. Construct the SGA budget which allocates available financial resources for the present academic year. The budget is subject to approval a 2/3 vote of the Senate and must be submitted by the last full week of September.
 6. Administrate the Student Emergency Fund.
 7. To as a collective cabinet serve forty hours per week in the SGA office.
 - a. Each cabinet member must serve at least 5 hours per week in the SGA office.
 8. To sponsor forums, debates or other adequate replacement deemed acceptable by the Student Court on topical issues at least once each semester
 9. To abide by all Constitutional and legislative interpretations set forth by the Student Court.
 10. To attend all joint meetings between the Executive Branch and the University administration.
 11. To attend all alumni council meetings.
- C.** The President and Vice-President shall meet the following qualifications:
1. Must possess, at minimum, a 2.5 cumulative grade point average at the time of election and maintain this during the academic year.
 2. Must be at least a Junior academic standing in the year taking office.
 3. Be a full-time student at Anderson University.
 4. Attend Anderson University at least two consecutive semesters immediately prior to assuming the office.
 5. Be in good standing in the Anderson University community.
 6. May not hold an Anderson University leadership position or other employment over ten hours per week.
- D.** Presidential powers and responsibilities:
1. To serve from commencement exercises immediately following his/her election until commencement exercises of the following academic year.
 2. To implement and uphold the provisions of this Constitution.
 3. To appoint and administrate an Executive Cabinet to help carry out the functions of the Executive Branch of the SGA.
 4. To call joint meetings of all branches of the SGA.

5. To appoint students to the institutional committees of Anderson University and to Student Advisory Council.
 6. To introduce recommendations to the Student Senate.
 7. To sign or veto recommendations of the Student Senate within one academic week of its passage. The Senate may override the veto by a two-thirds vote.
 8. To implement signed or vetoed recommendations of the Student Senate.
 9. To administrate the SGA budget allocated to the Executive Branch.
 10. To form ad hoc committees deemed necessary to further the effectiveness of the SGA and needs of the Anderson University community.
- E. Vice-Presidential powers and responsibilities:**
1. To serve from commencement exercises immediately following his/her election until commencement exercises of the following academic year.
 2. To implement and uphold the provisions of this Constitution.
 3. To assume responsibilities of the President in the President's absence or when assigned to do so by the President.
 4. To assume the office of President in the case that the President resigns or is removed from office and appoint a Vice-President with a two-thirds vote from the Student Senate.
 5. To take on the responsibilities of the Executive Branch as delegated by the President.

ARTICLE IV

The Judicial Branch

- A.** The Student Court shall have the power and responsibility:
1. To meet during the school year as needed.
 2. To create a statement of policy and procedure in line with this constitution and the judicial code.
 3. To consider all judicial matters brought before the Student Court.
 4. To be the sole authority for deciding disputes of constitutional interpretation.
 5. To rule only on those judicial matters brought forth to the Student Court.
 6. To serve as an appellate court for undergraduate students.
 7. To serve as the original jurisdiction dealing with Social and Interest Clubs, including investigating violations of club guidelines and assessing fines when appropriate, with appeals to be handled by the Department of Student Life.

8. To establish, at their first meeting on the academic school year, specific dates for all elections, candidate forums and application dates.
 9. To rule on the merits of the challenge to election results.
 10. To rule on constitutional ambiguities using court precedents. If no precedent applies, the court will rule setting a precedent to be upheld by the Executive and Legislative branches in future decisions. All such precedents must be recorded by the Chief Justice in the Student Government book of court precedents.
- B. Student Court Justices qualifications:**
1. Must possess, at minimum, a 2.5 cumulative grade point average at the time of appointment and maintain this during their term of office.
 2. At minimum a sophomore in standing.
 3. Be a full-time student at Anderson University throughout their term of office.
 4. Attend Anderson University at least two consecutive semesters immediately prior to assuming office.
 5. Be in good standing in the Anderson University community.
- C. Appointment Process**
1. The Student Court will consist of five Court Justices.
 2. The Court Justices will be appointed by the President and approved by a 2/3 vote of the Student Senate.
 3. The Court Justices will hold their positions until graduation. Vacancies will be filled by the appointment process.
 4. The Court Justice with seniority will be the Chief Justice. In the case that more than one Court Justice has seniority the Court Justices will vote for the Chief Justice.
- D. Chief Justice power and responsibilities:**
1. To implement and uphold the provisions of this constitution.
 2. To serve in this position until graduation.
 3. To call and preside over all meetings and hearing of the Student Court.
 4. To chair the Judicial Review Committee.
 5. To be an ex-officio, non-voting member of the Executive Cabinet.
- E. Court Justice power and responsibility:**
1. To implement and uphold the provisions of this constitution.
 2. To serve in this position until graduation.
 3. To attend all meetings and hearings of the Student Court.

ARTICLE V

The Impeachment Process

- A.** Any SGA member in violation of this constitution or the Anderson University Judicial Code may be subject to impeachment.

- B.** The charge of impeachment shall pertain to one person about one particular charge.
- C.** When two or more Senators have qualms about an SGA member in question, they shall approach the chair of the Rules & Finance Committee with written documentation of specific charges of impeachment for the committee to render as valid or invalid.
 - 1. If the chair of the committee is the member in question, then the initial member of the Rules & Finance Committee approached with articles of impeachment will become the overseer of the impeachment process and notify the remainder of the committee.
 - 2. If another member of the committee, not the chair, is the member in question, then the committee chair will become the overseer of the impeachment process and will notify the rest of the committee members who will take part in hearing and rendering the charge.
 - 3. The overseer of the Rules and Finance Committee, whether the chair or the designated second in command, during the impeachment process shall herein be referred to as the presider of Rules and Finance for the duration of Article V.
- D.** The presider will present the case to the Chief Justice (or the Court Justice with the most seniority, if the Chief Justice is the member in question).
- E.** If the member in question is not on the Student Court, then the Chief Justice will notify the member in question by campus mail, letting them know of the charges against them.
- F.** The Chief Justice will present the written documentation to the Student Court, explaining the charges of impeachment.
 - 1. If the member of SGA in question is a member of the Student Court, then the Chief Justice (or Court Justice with most seniority, if the Chief Justice is the member in question) shall notify the member in question through campus mail, notifying them of the charges against them. The Chief Justice (or Court Justice with most seniority, if Chief Justice is the member in question) contacts the members of the Student Court who will do the investigation of rendering the verdict.
- G.** The Student Court shall give both sides a chance to speak. Therefore two different meetings shall be conducted on the same day, if possible with member's schedules. The member in question shall speak at one meeting, and the Senators who originated the charges, along with the presider of the specific impeachment charge from Rules & Finance Committee shall speak at the other meeting. This shall ensure that the two sides have the autonomy to speak freely about the charges of impeachment.
- H.** After both meetings, the Student Court shall deliberate and finalize their verdict of "Impeached" or "Not Impeached."

1. If the Student Court decides in a 3/5 vote that the member in question is impeached, the process shall then proceed to the Senate. The Chief Justice shall notify the member in question through campus mail of the Court's decision. The Senate Chair shall also be notified as soon as possible. The Senate Chair then has the responsibility to distribute documentation of the impeachment to all Senators before the next Senate meeting. Documentation shall state both sides of the case, along with a summary of the Court's investigation and all of the Court's decision, including dissenting opinions.
 2. If the Student Court does not come to a 3/5 vote in favor of the articles of impeachment the process will be complete and the member will be absolved of misconduct. The member in question, the Senate Chair, the Senators who brought the articles of impeachment and the Chair of the Rules and Finance will all be notified of the verdict through campus mail.
- I. The Senate shall vote by a 2/3 margin to approve or disapprove the impeachment decision.

ARTICLE VI

Elections

- A.** The Student Court shall, at their first meeting of the academic school year, establish specific dates for all elections, candidate forums and application dates.
- B. Senate Election Process.** Senate elections shall be held the second week in April.
 1. The candidate(s) receiving the greatest number of votes shall be the winner(s).
 2. A candidate may challenge the election by means of a written petition to the Student Court which holds the power to order a new election.
 3. To vote in a Senate election, the voter must be a member of the student body that qualifies for the specific resident, class or association member of the representative area being voted on.
- C.** Candidate orientation will be pursued with the assistance of the Senate Chair.
 1. Orientation letters, applications, and petitions will be made available to prospective candidates during the first full week of classes.
 2. The due date for applications and petitions will be announced when they are distributed.
 3. A candidate forum will be organized by the Student Court.
- D. Voting Process**
 1. In the event of a tie between candidates, a revote will be administered by the Student Court in a timely fashion.

2. Votes will be counted by the Student Court at least twice in a secure location.

E. Executive Election Process. The President and Vice-President shall run together on the same ballot and shall be elected together by the Student Body.

1. Petitions
 - a. Petitions will be made available by the Chief Justice on the last weekday of January.
 - b. The petition must contain at minimum, signatures of ten percent of the student body.
2. Primary Election
 - a. Necessary only if more than two sets of presidential candidates.
 - b. The eligible candidates shall be notified by email of their eligibility and of the other candidates.
 - c. Counting of ballots shall be conducted by Student Court.
 - d. The two candidates receiving the greatest number of votes will be allowed to proceed to the General Election.
 - e. Request for recount:
 1. A candidate may request a recount by the SGA Advisor with a charge of \$10.00.
 2. If the recount is favorable to the challenger the charge shall be refunded.
 - a. All charges collected shall be deposited in the Student Emergency Fund.
3. General Election
 - a. The general election shall be held second semester during the sixth full week of classes.
 - b. To qualify for voting privileges the voter must be an undergraduate Anderson University student carrying twelve or more hours.
 - c. Request for recount:
 1. A candidate may request a recount by the SGA Advisor with a charge of \$10.00.
 2. If the recount is favorable to the challenger the charge shall be refunded.
 - a. All charges collected shall be deposited in the Student Emergency Fund.
4. Candidate Orientation
 - a. The Chief Justice shall hold a meeting with prospective candidates when applications are made available. If there is a scheduling conflict with one (or more) candidates, the Chief Justice must schedule a separate time to meet with them.

- b. The application format and the petition requirements are included in the Appendix.
- 5. Candidate Forum
 - a. The date and time for the Candidate forum will be announced when the applications are made available to candidates.
 - b. The Student Court reserves the right to change the format due to issues of time constraints, the number of candidates present, or other extenuating issues that may arise.
- 6. Chapel Speeches
 - a. The candidates will make the Chapel/Convocation speeches during the Chapel directly preceding general election voting.
 - b. The format of the speeches will consist of the following:
 - 1. Each ticket will have 10 minutes to use between the two candidates.
 - 2. The order of the speaking list will be determined directly prior to the Chapel in question by means of a coin toss.
 - 3. No use of multimedia will be permitted during the Chapel speeches
- 7. Voting Process
 - a. The location and time for both primary and general election ballot boxes will be determined at the beginning of the school year by the Student Court.
 - 1. There will not be multiple traditional ballot voting locations at one time.
 - b. The date for the primary elections must be held on the same day as candidate chapel.
 - c. Votes will be counted by the Student Court in accordance with the Constitution and will be counted at least twice.
 - d. In the event of a tie, the Senate shall vote to decide the winner.
 - 1. In the event of a tie, all eligible Senators are to vote on the evening of Election Day, before midnight.
 - 2. Voting will take place in the SGA Office under the supervision of the Student Court.
 - 3. The Senate Chair will cast a vote, but it will only be counted in the event that the Senate voting results in a tie.
 - 4. The number of Senate votes cast must equal the number of Senators required for quorum.
- 8. Campus votes/elections
 - a. Absentee voting will not be available.
 - b. All Student Government elections and/or votes will be held in accordance with the Constitution.

9. Campaign and Voting Day Behavior
 - a. No campaigning within 20 feet of the ballot box.
 - b. Ethical conduct should be maintained at all times, especially in regards to respect shown for the opposing tickets' campaign materials.
10. Voting Day Behavior
 - a. No observation of student voting choice will be tolerated.
 - b. Court members shall not suggest tickets to vote for.
 - c. No visible campaigning by the Court Justices will be tolerated and is considered a severe conflict of interest.
 - d. Court members shall not act in ways that would disrupt a student's attempts to vote without intimidation.
11. Electronic Voting
 - a. Any electronic voting system must be pre-approved by the Department of Student Life, ITS and the Student Court.
 - b. Voting shall be open on the same day as Election Chapel/Convocation.
 - c. Electronic voting will replace, not supplement, ballot voting.
 - d. Electronic voting must be tested by the Student Body before it is implemented in an official election.

Article VII Amendments

- A.** The Student Senate must first approve, by a 2/3 vote, the proposed amendment.
- B.** The proposed amendment shall then be brought to the student body for approval by 2/3 of those voting.
- C.** Once approved by the student body, the amendment shall be added to this constitution.
 1. The amendment shall be written first stating the location and old phrase.
 2. The new phrase shall be written under that, along with the month and year that the amendment was passed by the Student Body.
 3. The new phrase shall then replace the old in the constitution's body.
- D.** Eligibility to vote shall extend to full-time undergraduate Anderson University students.
- E.** Challenges to a vote shall be sent to the Student Court who has the sole authority to determine the vote invalid and call for a new vote.

Postscript

This constitution shall be in force completely upon a 2/3 vote of approval of those participating in the referendum before the student body. Any dissolution of this constitution must receive the approval of 2/3 of the Student Senate and 2/3 of the student body.

Adopted February 6, 1996

President: Andy Odle
Senate Chairperson: Todd Leinberger
Chief Justice: Aaron Baus
Advisor: Skip Trudeau

Rewritten October 2008

President: Joshua Macinnes
Senate Chair: Christopher Pine
Chief Justice: Lindsey Emmick
Advisor: Debbie Sebastian
Constitutional Committee:
Richard Winford, Vice President
Amy Plooster, Senate (Martin Hall)
Lindsey Emmick, Chief Justice

Rewritten April 2012

President: Kevin Sheward
Vice President: Ben Carroll
2011-2012 Executive Cabinet

Rewritten April 2016

President: Tiffany McHugh
Vice President: Eric Stone
Chief Justice: Ryan Grondahl
2015-2016 Executive Cabinet
Advisor: Chris Confer

AMENDMENTS