

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 Dean of Students shall serve as an 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 responsibilities:
 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, the 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.
- h. If the Senate Secretary assumes the position of Senate Chair in the event 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).
 - a. If the student is non-traditional, then they may choose to represent the class that aligns with the number of credit hours they have earned at the time the prospective senator would take office.
2. The Student Senate shall also consist of one representative from each dorm, on-campus apartment complex, and one senator representing commuters.
3. 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.
4. 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. Serve on at least one service or standing committee. Senators must attend all meetings of their assigned committee 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 their academic schedule does not permit the Senator to attend one Service and one Standing committee, then the Chief Justice, with the counsel of the President and Vice President, will determine an appropriate substitution.
 - b. With the consent of the senator, the Senate Chair may appoint senators to more than one committee.
 5. Exercise their right to vote without duress
 6. Have the authority to draft and introduce resolutions and proclamations.
 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, unless no senators meet this requirement.
 - 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, unless no senators meet this requirement.
 - 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 the 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 a minimum of five hours per week, four 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.
 - k. To serve as a tie-breaking vote.
 - l. To form committees as needed, and appoint senators to those committees, including the Rules and Finance Committee.
3. Election Process
- a. Nominations shall be made at the first Senate meeting in 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 majority of votes shall be the winner.
 - i. If there are more than two nominations for senate chair and no majority is reached, a second round of voting will occur with the person receiving the least amount of votes eliminated.
 - ii. If there is a tie, the Senate Chair will break the tie.

ARTICLE III

The Executive Branch

- A. The Executive Branch shall consist of the President, Vice-President, and an Executive Cabinet.
 - 1. The executive cabinet is made up of the following roles:
 - a. Student Senate Chair: See responsibilities in Article II of this constitution
 - b. Chief of Staff: Responsible for ensuring all members of the executive cabinet are fulfilling their responsibilities as outlined in this constitution. Assists the president in the responsibilities of their office.
 - c. Chief of Finance: Responsible for creating and managing the SGA budget. Submits a budget proposal to the student senate for a vote by the second senate meeting of the year. Performs all transfers of funds and purchases on behalf of SGA.
 - d. Chief of Outreach: Responsible for utilizing the SGA social media accounts and communicating SGA's accomplishments and goals. Works with outside organizations when needed.
 - e. Chief Justice: See responsibilities in Article IV of this constitution
 - 2. The President shall have the authority to terminate employment of one of their executive cabinet members.
 - a. If the President feels that one of their cabinet members is not performing the duties of their job effectively, they have the option to schedule a meeting with the dean of students to discuss termination.
 - b. The President must demonstrate an effort on their behalf to correct the behaviors causing issues inside of the cabinet.
 - c. After resources are exhausted on behalf of the President to correct the cabinet member's performance, the Dean of Students and the President must both agree that the only path forward is termination.

- B. The Executive Branch's powers and responsibilities:
1. Work directly with the Department of Student Life
 2. To administrate all areas of Student Development. (i.e. Social Clubs, Interest Clubs, and areas related to academic life.)
 3. Coordinate SGA Chapels.
 4. To advise, represent, and provide recommendations to the Campus Activities Board.
 5. Construct the SGA budget which allocates available financial resources for the current academic year. The budget is subject to the approval of a 2/3 vote of the Senate and must be submitted by the last full week of September.
 6. Provide direction and momentum to the Student Government Association as a whole.
 7. As a collective cabinet, serve at least 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 replacements 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 administer an Executive Cabinet to help carry out the functions of the Executive Branch of the SGA.
 - i. Presidential appointees are subject to a majority confirmation vote in the Senate.
 4. To call joint meetings of all branches of the SGA.
 5. To appoint students to the institutional committees of Anderson University.

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 recommendations passed in 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 the needs of the Anderson University community.
 11. To appoint students to vacancies that occur within the student senate.
 - a. The president may only fill a vacancy in the event of a resignation or removal of a senator from office.
 - b. The appointee must meet the requirements outlined in Article I of this constitution
 - c. The appointee is subject to a $\frac{2}{3}$ confirmation vote in the Senate.
- 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.
- F. Presidential Succession:
1. If for any reason the Presidency and the Vice Presidency are vacant simultaneously, the Student Senate Chair shall step into the role of the President.
 2. In the event of a vacancy in the executive cabinet, the President must appoint a replacement within one week of their departure.
 - a. The appointee will be subject to a majority confirmation vote in the Senate within one week of the announcement.

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 consider all judicial matters brought before the Student Court.
 3. To be the sole authority for deciding disputes of constitutional interpretation.
 4. To rule only on those judicial matters brought forth to the Student Court.
 5. To serve as an appellate court for undergraduate students.
 6. 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.

7. To establish, at their first meeting of the academic school year, specific dates for all elections, candidate forums, and application dates.
8. To rule on the merits of the challenge to election results.
9. 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 Justice 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 hearings 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 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 the 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 the 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 the 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 members' 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 the 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."

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 decisions, 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 full week in September.

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.

4. Candidate orientation will be pursued with the assistance of the Senate Chair.

5. Orientation letters, applications, and petitions will be available to prospective candidates during the first full week of classes.

6. The due date for applications and petitions will be announced when they are distributed.

7. The Student Court will organize a candidate forum.

8. In the event of a tie between candidates, a revote will be administered by the Student Court in a timely fashion.

9. 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 a 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.

3. General Election

- a. The general election shall be held second semester during the eighth 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.

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.

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. 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.
- 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. 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.

Article VII

Oath of Office:

- A. The oath of office for the President and Vice President shall be:
 - a. "I do solemnly swear that I will faithfully execute the Office of President/Vice President of the Student Government Association of Anderson University, to uphold the constitution, and will to the best of my ability, preserve, protect and defend the rights of each student to the best of my ability"
- B. The oath of office for Senators and Cabinet Members shall be:

- a. "I do solemnly swear that I will support and defend the Constitution of the Student Government Association of Anderson University and that I will well and faithfully discharge the duties of the office in which I am about to enter"
- C. The oath of office for Justices of the Student Court shall be:
 - a. "I do solemnly swear that I will render justice fairly and impartially, and that I will faithfully discharge and perform all the duties incumbent upon me as Justice under the Constitution of the Student Government Association."

Article VIII

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 Court for approval by 2/3 of those voting.
- C. Once approved by the Student Court, the amendment must be signed by the President.
 - 1. If the amendment does not pass through all three branches, the original sponsor of the amendment in the Senate may appeal the amendment to a vote by the student body. If $\frac{2}{3}$ of the student body vote in support of the amendment, it will be added to the constitution.
- D. After passing all three branches, 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. In the event an amendment is sent to the student body, 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.

This constitution shall be in force completely of the Student Senate and signed by the President.

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

Rewritten August 2022
President: Kellan Duffy
Vice President: Gracie Wyatt
Chief Justice: Morgan Wood
2022-2023 Executive Cabinet