

Student Government Association Constitution

Date of Origin: October 8, 2009

ARTICLE I. Name

The name of the association will be the Student Government Association (SGA) of Penn State Lehigh Valley.

ARTICLE II. Purpose

We the students of Pennsylvania State Lehigh Valley campus, in order to form a more perfect student government, establish justice for students and promote the general student welfare do, ordain and establish this Constitution for the Student Government Association (SGA).

ARTICLE III. Non-Discrimination

Section 1: Statement

- a. The SGA will not discriminate on the basis of race, religion, sex, physical disability, sexual orientation, national origin, age, or veteran status.

Section 2: Procedure

- a. All members of the Senate and the Executive Board will be fair and unbiased during their term in office regardless of their roles in other clubs and organizations.
- b. All candidates who run for elective office will be treated equally.
- c. Any unfair treatment by a Senator or Executive Official may result in removal from office.

ARTICLE IV. Membership

All undergraduate students of Penn State Lehigh Valley who want to join SGA can members of the SGA.

ARTICLE V. SGA Senate

Section 1. Purpose

To enact legislation pertaining to the well being of the student body. The legislation must fall within the Pennsylvania State University (the University) policies and rules (see appendices).

Section 2: There may be an unlimited number of Senators

- c. Any student that wants to join the SGA may do so as long as they are an active student of the PSU Lehigh Valley branch
- d. After the first Monday of the third week of October new senators may join the SGA.
- e. If a vacancy occurs and other students are interested in joining after the first Monday of the third week of October the president may appoint a new student senator.
- f. The Senate will have the power to convict and try all impeachments of elected officials; no senators will be tried and convicted without a two-thirds (2/3) vote of all members (see bylaws).
- g. Individual senators, as well as the SGA President, will have the sole power to propose and submit bills to the Senate.

Section 3: Passage of Bills

- a. The Senate will pass bills with a majority (50% + 1) vote.
- b. All bills for raising revenue will originate in the Senate but they are subject to approval by a 2/3 vote of the Senate.
- c. Every other bill will have passed the Senate by majority vote and, like bills for raising revenue, is to be forwarded to the President for his/her signature.
- d. The names of the persons voting for and against the bill will be entered in the journal of the Senate by means of roll call.
- e. If any bill is not returned by the President within seven (7) days after of it was presented to him/her, the same will be a law, in like manner as if he had signed it.
- f. The Senate will override Presidential vetoes with a two-thirds (2/3) vote.

Section 4: Powers of the Senate

- a. The Senate will have the power to deal with all problems submitted by the student body, their funding, and their expenditures.

- b. Propose all legislation concerning the welfare of the student body.
 - c. Investigate problems of the student body's welfare and/or well-being.
 - d. Be a voice for the campus student body at all university, faculty, and student meetings in matters concerning the student body.
 - e. The Senate can pass no ex post facto¹ law
-

Section 5: Senate Treasury

- a. No money will be drawn from the SGA Treasury, but in consequence of appropriations² passed by the Senate.
- b. A regular statement and account of the receipts and expenditures of the SGA must be submitted at the beginning of each new month.

ARTICLE VI: SGA Executive

Section 1: Purpose

- a. To initiate and implement legislation agreed upon by the Senate and the President.**

Section 2: Term of Office

- a. Executive power will be vested in a President of Penn State Lehigh Valley SGA. She or he will hold office during the term of one year, and together with the Vice-President, chosen for the same term, be elected as follows:
 - i. Presidential and vice-Presidential tickets must petition to run together as a team for office with the signatures of twenty other students. Upon becoming candidates, an election will be held as stipulated in the ballot (as shown in the bylaws), and the ticket with the most votes will name the next President and vice-President.
- b. No person will be a President who will not have attained a minimum grade point average (GPA) of 2.0 as verified by the SGA Advisor or his or her representative. All Senate and Executive candidates must have a thorough understanding and workable knowledge of all concepts in this constitution.

¹Ex post facto: Latin for "from a thing done afterward." Ex post facto is most typically used to refer to a law that applies retroactively, thereby criminalizing conduct that which was legal when originally performed.

²An appropriations bill is a bill authorizing the expenditure of funds.

- i. A procedural tutorial will be implemented and must be completed by Senators at the second annual meeting, to be reviewed by the SGA President in evaluating the understanding of the policies addressed in this document by those involved with the SGA.
- c. Before she or he enters the execution of his office, the President will take the following Oath of Affirmation:
 - i. “I do affirm that I will faithfully execute the Office of the President of the PENNSYLVANIA STATE LEHIGH VALLEY Student Government Association, and will do so to the best of my ability to preserve, protect, and defend the constitution of the PENNSYLVANIA STATE LEHIGH VALLEY Student Government Association.”

Section 2: Executive Officials

- a. The President may require the opinion, in writing, of the principal officer of each of the executive roles, upon any subject relating to the duties of their respective offices. Positions for a particular year will be left up to the Presidents discretion and no executive position will be required.
- b. Existing offices include:
 - i. Chief of Staff
 - ii. Treasurer
 - iii. Secretary
 - iv. Press Secretary
- c. The President will form an Elections Commission. This Commission will not consist of any members involved in the SGA Executive or Senate.
 - i. Any member not running for election may serve on the Commission. Members of the Commission and the candidates will be required to follow the standing rules for elections (see appendices).
 - ii. The Election Commission will be nominated by the President and confirmed by a two-thirds (2/3) Senate vote.
 - iii. The Election Commission Chairperson will be chosen by the Commission by majority (50% + 1) vote.

- iv. The Commission will be responsible for collecting the Declarations of Availability (see appendices) and for preparing the ballot (see appendices).
 - v. The names of each ticket will be listed on the ballot and presented to the SGA Advisor for approval.
 - vi. Voter eligibility will be determined by using the official student directory and proven by presentation of students' official Penn State Identification cards.
 - vii. The Elections Commission will function as the judge of elections.
 - viii. Decisions will be made by majority (50% + 1) vote.
- d. The President may appoint additional officers with the majority (50% + 1) consent of the Senate, but these offices may not duplicate the jurisdiction of the Senate committees created herein.

Section 3: Appointment and Removal

- a. **Approved:** The SGA President will appoint officers to serve in the Executive Branch who will serve at the pleasure of the President. The SGA President will request letters of resignation from appointed members whenever he thinks necessary. Prior to the President's requesting a letter of resignation, he will submit a letter of explanation to the Senate.
- b. If necessary, the President or Vice-President will be removed in accordance with the Misconduct bylaw.

Section 4: The duties for all leaders and officers in the SGA Executive officials are implied by their respective titles

a. Powers of The President and Vice-President

i. Executive Powers

1. The President is the leader of a unified ticket elected to represent the entire student body with the cooperation and assistance of the Vice-President.
2. In the absence of the President, the Vice-President will preside over executive meetings. In the absence of the President and Vice-President, the Chief of Staff will

preside followed by the Treasurer, Secretary, and Press Secretary.

3. The President or his/her substitute will act as a mediator in the affairs of student organizations when actions by an organization affect the welfare of the SGA or an individual member.
4. The President will appoint ad hoc³/task force committees.
5. The President or, if necessary, the Vice-President, will serve as spokesperson concerning policies or actions adopted by the SGA.
6. The SGA President will serve as the first campus representative to hold a seat on the Council of Commonwealth Student Governments (CCSG).
7. The President will appoint any member of the SGA to serve as the Second Campus Representative to hold a seat on the Council of Commonwealth Student Governments (CCSG).
8. The Second Campus Representative will be appointed the week of the CCSG meeting and approved by a majority of the Senate.
9. The President assures financial records of SGA funds.

ii. Legislative Powers

1. **Approved:** The President is the only Executive officer who may submit proposed bills to the Senate.
2. The President is the only Executive officer who will vote in cases of a tie in the Senate.

b. The Vice-President

³ Ad hoc: for the particular end or case at hand without consideration of wider application.

- i. While the Vice-President is elected campus-wide like the President, he or she operates only as the substitute for the President when needed.
- ii. The Vice-President assumes the powers and duties of the President (described under Article II, Section 4a) when the President is not available.
- iii. The Vice-President acts as an advisor to the President and assists in the coordination of the SGA.
- iv. The Vice-President performs student outreach and provides feedback to the President and other parts of the SGA as directed by the President.
- v. May have other duties assigned by the President.
- vi. The Vice-President submits an end of year report upon completion of term.

c. The Chief of Staff

- i. Is appointed by the President.
- ii. Addresses the individual concerns of Executive Committee members and informs the President and Vice-President of any ensuing situations.
- iii. Serves as an information resource for the Officers.
- iv. Reports to the President and Vice-President and advises them in matters involving the Officers.
- v. Is responsible for planning, coordinating, and scheduling staff meetings.
- vii. May have other duties assigned by the President.
- viii. Submits an end of the year report upon completion of term.

d. Treasurer

- i. Is appointed by the President.
- ii. Oversees all money taken in and disbursed as stated in the SGA Fiscal Policy and Procedure Manual.

- iii. Keeps accurate records of funds and is ready to give an itemized account of funds on request to any individual who is able to influence SGA funds.
- iv. Gives a report at each Executive meeting of money collected and bills paid.
- v. Has the Treasurer's books ready for audit at all times.
- vi. Submits a summary report of all business through June 30th of the year in which he or she is in office, to the Penn State Lehigh Campus Bursar's office and retains a copy of this report as the closing financial statement of the SGA.
- vii. Acts as Property Control Officer, keeping an accurate inventory of all equipment purchased with SGA funds.
- ix. May have other duties assigned by the President.
- x. Submits an end of year report upon completion of term.

e. The Secretary

- i. Is appointed by the President.
- ii. Is responsible for keeping an accurate record for each executive meeting.
- iii. Maintains and keeps an accurate attendance record for each Executive and Senate meeting.
- iv. Is responsible for maintaining communications with other Penn State campuses.
- v. Conducts necessary SGA correspondences and maintains an up to date file on all incoming and outgoing correspondences pertaining to the SGA and the student body and ensures the SGA advisor receives a copy on all correspondences.
- vi. Keeps records of SGA officials elected and appointed as well as student organization representatives and types an SGA directory at the beginning of each semester for distribution to the student body, preferably online.
- vii. Ensures the Secretary's record book (meeting minutes, etc) is up-to-date.

- viii. Types the agenda and meeting minutes. Sends the agenda for the next meeting and meeting minutes from the previous week via e-mail to all SGA members (for review) and to the distribution list (forty-eight) 48 hours before each upcoming meeting.
- ix. Notifies the members and the SGA Advisor of meetings or special SGA activities.
- xi. Picks up the SGA mail on a daily basis and distributes it to the SGA mailboxes in the SGA office.
- xii. May have other duties assigned by the President.
- xiii. Submits an end of the year report upon completion of term.

f. Public Relations Director

- i. Is appointed by the President.
- ii. Is responsible for helping coordinate activities of the campus dealing with the public such as any negative or positive stories aired in any media.
- iii. Is responsible for communicating the response of Penn State Lehigh Valley to the students.
- xiv. May have other duties assigned by the President.
- xv. Submits an end of the year report upon completion of term.

g. End of Term Duties

- i. The outgoing administration will brief the incoming officers before leaving office. All property and equipment, including accounts, record books, files, papers, and keys, will be delivered to the incoming President or SGA advisor.

Article VII: The SGA Supreme Court

a. Section 1: Membership

- 1. The SGA Supreme Court will consist of five student justices.
- 2. Justices must meet certain qualifications including having attained third semester status. Either prior or current matriculation in a Criminal, Law, and Justice Course, American Government course, or American Studies

course is preferred. Other qualification(s) may be deemed appropriate by the President."

3. Members of the Court must maintain a GPA of 2.5 at all times and that minimal GPA must be verified by the SGA Advisor or representative.
4. Justices, including a Chief Justice, will be appointed by the President and confirmed by the Senate with a majority vote.
5. Justices will serve one year terms with the possibility of a second term.

b. Section 2: Powers

1. The Court will have the power of judicial review.⁴
2. The Court will have the power to review the constitutions of other student organizations and advise them to follow certain model constitutions for student organizations.
 - a. A majority (50% + 1) of the judges must approve of the constitution's permissibility.
 - b. Any constitution that does not receive the Court's majority approval will be sent to the Senate Ethics Committee with a report and no recommendation for approval.
3. The Court will advise the Senate on the constitutionality of the Senate's proposed actions.
4. The Chief Justice will preside over all impeachment trials.

Article VIII: Student Rights

- a. The students have the right to submit a proposed bill in writing to a senator or the President, who will determine whether the proposed bill should be introduced. Upon introduction, the relevant Senate committee must act on the proposed bill within a two-week period.
- b. The students have the right of referendum by submitting a petition concerning a proposed bill or act of legislation by the Senate and President. The petition must be signed by one-fourth (1/4) of the student body. The Senate and President must take action on the student referendum within a two-week period.

⁴ Judicial review: the power to determine whether an SGA or a Senate action is allowed according to the SGA Constitution.

Article IX: Amendments

- a. Amendments to this constitution must be presented in writing at any weekly scheduled meeting. Any action on amendments will be deferred until the next scheduled meeting.
- b. Any amendments to this constitution will be made by a two-thirds (2/3) majority vote of the Senate. An absentee or write-in vote is acceptable.
- c. The President is obligated to provide notification of amendments to students prior to the Senate's vote on the amendments.
- d. Constitutional revisions will follow the same ratification process as amendments.
- e. Bylaws can be added to the Constitution with a majority vote (50%+1) in the Senate.
- f. All amendments are subject to approval by the USG Supreme Court/GSA Judiciary Committee.
- g. All approved amendments take effect immediately.

Article X: Student Organizations (SO)

Section 1: Any SO operating at the Lehigh Valley campus will come under the guidance of the SGA and their respective Advisors (see appendices).

Section 2: Any group of students may form a SO at Penn State Lehigh Valley by providing all necessary information in accordance with registering a student organization at the Lehigh Valley campus.

Section 3: A two-thirds (2/3) majority vote at a weekly scheduled SGA meeting will be required to approve any SO registration.

Section 4: Each SO's president or his or her representative may attend SGA meetings. A SO's representative will not have voting privileges in the SGA Executive. If any SO misses two (2) consecutive meetings without excuse or an accumulation of five (5) meetings within an academic semester, any SGA allocation of funds requested by that SO will be frozen until attendance requirements are met. Exceptions to this requirement must be approved by the President and SGA Advisor.

Section 5: The Presidents of active SO will be determined according to each SO's constitution and will be elected for the following year no later than the twelfth (12) week of the spring semester unless special circumstances dictate otherwise and are approved by the SGA advisor.