



Student Government Association Constitution

PREAMBLE

The Missouri Western State University Student Government Association (SGA) is committed to enhancing campus life and promoting a positive image of the University. To this end, the Student Government strives to:

PARTICIPATE in the fulfillment of the University's mission and values: service, quality, enthusiasm, freedom, respect, and courage.

ADVOCATE for the views of the student body by working with the University administration to formulate University policy and by serving as members on University committees,

FACILITATE communication and mutual understanding between the Student Association, faculty, staff, and administration.

STUDENT BILL OF RIGHTS

Right to equality - All students shall have the right to be treated as equals by administration, faculty, staff, and other students. No one individual shall be discriminated against on the basis of age, race, creed, color, religion, sex, sexual orientation, national origin, or disability.

Right to expression - Students shall have a right to express themselves in accordance to the law and code of conduct. Students shall further have the right to peacefully protest without fear of reprimand.

The right to be heard - Students shall have the right to attend and speak in all Student Government Association meetings. Students are entitled to be informed of these meetings. Students shall be given representation.

Right to healthful services - Students shall have the right to treatment at an affordable cost. Students shall be offered free counsel to find resources of health. Students have the right to a healthy environment.

Right to a defense - Students have the right to counsel in the law and the student code of conduct.

Right to a fair academic process - Students have the right to a fair academic process. The SGA may entertain or investigate concerns with the process.

Right to justification - Students have the right to know the rationale for all changes in policy and procedure of the Student Government Association and University.

Right to pride - Students have the right to express pride in Missouri Western State University. Students shall be encouraged and offered free opportunities to express pride.

Right to investigation - The students have the right to have honest investigations of all issues brought to the Student Government Association.

Right to reform - Students have the right to a fair process to create change as outlined by the Student Government Association Constitution.

ARTICLE I – Definitions

The term **the SGA** means the Student Government Association.

The term **the University** means Missouri Western State University.

The term **the Association** means the student body of Missouri Western State University.

The term **RSO** means Recognized Student Organization.



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ARTICLE II – ORGANIZATIONAL STRUCTURE AND OVERVIEW (updated 5/4/2017)

The SGA consists of three branches (Legislative, Executive, and Judicial). An overview of the functions and membership of each Branch is provided below.

Section 1: Legislative Branch

The Legislative Branch, which is known as the SGA Senate, functions as the main voting Branch of the SGA and is charged with serving as the primary student voice for all University students; managing the SGA fee; promoting and sponsoring services for the student body; assuring the procedures in this Constitution are upheld; passing legislation, Bylaws, and Constitutional Amendments; and recognizing and supporting student organizations. The Legislative Branch is chaired by the SGA Executive Vice President and is made up of twenty (20) elected senators. The Legislative Branch is outlined in greater detail in SGA Constitution Article III.

Section 2: Executive Branch

The Executive Branch, which is known as the Executive Board, functions to provide general oversight and management of the SGA. The Executive Board shall consist of the SGA President, SGA Executive Vice President and all appointed SGA directors. The Executive Board shall be chaired and managed by the SGA President. The Executive Branch is outlined in greater detail in SGA Constitution Article IV.

Section 3: Judicial Branch (added 5/4/2017)

The Judicial Branch functions as a mechanism of ensuring the fairness of SGA, consistency of SGA's governing documents, and that members of the Association receive due process. The Judicial Branch shall consist of the Chief Justice and a rotating pool of Justices. The Judicial Branch shall be chaired and managed by the Chief Justice. The Judicial Branch is outlined in greater detail in SGA Constitution Article V.

ARTICLE III – LEGISLATIVE BRANCH

Section 1: Membership

The legislative powers of the SGA shall be vested in the SGA Senate, and it shall consist of twenty (20) senators. The SGA Senate shall maintain a parliamentarian. A quorum of the SGA Senate shall be required for official business to be acted upon. A quorum shall be defined as half, plus one (1), of SGA Senate voting members.

A. *Qualifications of Candidates for Senators*

To be eligible to be a SGA Senator, a candidate must be enrolled at the University, have and maintained throughout the duration of his/her term at least a 2.25 (on a 4.00 scale) cumulative grade point average. He/she must attend the University as a full-time student defined as (Twelve (12) credit hours undergraduate/nine (9) credit hours graduate) during the term of his/her office. To be eligible to be an SGA Senator a candidate must have attended three (3) SGA Senate meetings. Additionally, in order to serve in a SGA appointed position, candidates must be in disciplinary good standing with the University and must remain in good standing for the term of his/her position.

B. *Senator Elections (See SGA Constitution Article VI)*

C. *Removal of a Senator*

1. Any SGA Senator may be removed from office through two-thirds (2/3) approval of all SGA senators (with the exception of the Senator in question of removal).
2. Any SGA Senator may be removed from the SGA Senate due to failure of meeting the qualifications of an SGA Senator during his/her term of office.
3. Any SGA Senator may be removed from the SGA Senate if he/she has three (3) unexcused absences.
4. Any SGA Senator may be removed by the SGA Advisor or his/her designee if minimum requirements are not met as stated in Article III, Section 1A.



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D. Replacement of an SGA Senator

Should, for any reason, an SGA Senator position become vacant, the SGA President at his/her discretion shall appoint an Associate Senator (see Article III, Section 5) to fill the open SGA Senator position. In the event there are no associate senators, the SGA President shall appoint any qualified student to fill the open position. The person appointed by the SGA President shall assume the position upon the approval of a majority of the SGA Senate voting members.

Section 2: Powers of the SGA Senate

- A. The SGA Senate shall be the main voting body of the SGA and shall enact such legislation as its members deem necessary in order to carry out legislative functions. All action must be reviewed and approved by the University administration.
- B. The SGA Senate shall be responsible for approving the SGA budget.
- C. The SGA Senate shall be the only voting body within the Association that may pass Bylaws to accompany the SGA Constitution. The SGA Bylaws shall not conflict with the SGA Constitution or standing University policies and procedures.
- D. The SGA Constitution Amendments are made through initiative and referendum and must be ratified according to the procedures in Article XII of the SGA Constitution.
- E. The SGA Senate shall, by a majority approval of the SGA Senate, recognize any qualified group from the Association petitioning to be recognized by the SGA as a RSO. Additionally, the University President or his/her designee must approve all petitions for RSO recognition.
- F. SGA Senate Committees are defined by the SGA Bylaws, SGA Executive Board and/or Senate voting members. The purpose of the SGA Senate Committees is to be proactive in dealing with Association matters.

Section 3: Parliamentarian of the SGA Senate

The SGA Senate shall, at the earliest opportunity in the fall semester (at least by the third meeting of the SGA Senate during the fall semester), appoint by a majority approval of the Senate, any person they choose to serve as the SGA Senate parliamentarian. The parliamentarian shall serve as an advisor to the SGA Executive Vice President in making decisions concerning rules of procedures of the SGA Senate meetings and in interpreting the provisions of this constitution and the SGA Bylaws. The parliamentarian should inform the SGA Executive Vice President of any situation in which he/she feels that the rules are not being properly followed. The parliamentarian shall assume the responsibility of Executive Vice President in the event the position is vacant until the SGA President is able to appoint a qualified replacement. See Article IV, Section 4.A.

Section 4: Legislation of the SGA

The order of authority of all SGA legislation shall be in the following order:

- A. SGA Constitution
- B. SGA Bylaws
- C. SGA Policies/Procedures
- D. SGA Bills
- E. SGA Resolutions

Section 5: Associate Senators

Members of the Association become associate senators when all twenty (20) SGA Senate seats are filled. Associate senators may replace vacant senators' seats. Applicants for the position of associate Senator must attend at least three (3) meetings during the semester of application. The appointment of all associate senators must be approved by a simple majority approval of the Senate. Associate senators shall be given the same privileges, powers and duties as senators with the exception of the power to vote. In addition, associate senators may be removed or replaced under the same criteria as senators.



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ARTICLE IV – EXECUTIVE BRANCH

Section 1: Executive Board Membership

- A. *SGA President (Elected Position) (Amended 4-4-16)*
The SGA President shall be the chief Executive Board member, and all other members of the Executive Board shall report to him/her. It shall be the duty of the SGA President to represent the Association and the SGA in all matters. He/she shall also enforce all provisions of this constitution and its Bylaws and all other rules of the SGA. He/she shall also make recommendations to the SGA Senate on matters as he/she deems necessary for action. The SGA President is the only member of the Association that has the authority to veto any and all legislation. The SGA President shall also perform other such duties assigned by SGA Policy.
- B. *SGA Executive Vice President (Elected Position) (Amended 4-4-16)*
The SGA Executive Vice President shall be the second ranking chief Executive Board member and the presiding officer over the SGA Senate. The SGA Executive Vice President shall assist the SGA President in the performance of his/her duties and shall perform the duties of the SGA President in his/her absence. He/she shall also supervise all the SGA Senate Standing and Special Committee Chairpersons and keep a record of all the SGA Senate Standing and Special Committee meetings. The SGA Executive Vice President shall also perform other such duties assigned by the SGA President or SGA Policy. The SGA President supervises the SGA Executive Vice President.
- C. *Appointed Directors (Amended/Added 4-4-16)*
Appointed Directors shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy. The SGA President supervises the Appointed Directors.
- D. *Appointed Assistant Directors (Amended/Added 4-4-16)*
Appointed Assistant Directors shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy. The SGA President supervises the Appointed Assistant Directors.

Section 2: Ex-Officio Members of the SGA Executive Board

- A. *Student Governor (Appointed by the Governor of Missouri)*
The Student Governor shall represent the student body on the Board of Governors. The President of the University or his/her designee will advise the student governor.
- B. *Assistant Director(s) of Homecoming (Appointed Position[s])*
The Assistant Director(s) of Homecoming shall be charged with coordinating all Homecoming activities in conjunction with the Center for Student Involvement. Additionally, the Assistant Director(s) shall be responsible for handling all projects assigned to him/her by the SGA President or by an SGA Senate resolution.
- C. *SGA Staff (Added 4-4-16)*
SGA Staff shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by their supervisors, the SGA President, or SGA Policy. Their supervisors shall be specified in the SGA Policy or Bylaw creating their position.

Section 3: SGA Executive Board Advisement (Amended 4-4-16)

Advisement of the SGA President, SGA Executive Vice President, SGA Appointed Directors, SGA Appointed Assistant Directors, SGA Staff and SGA ex-officio members is determined by the Vice President for Student Affairs.

Section 4: Qualifications for and Removal of the SGA President and the SGA Executive Vice President

- A. *Qualifications*
A candidate for the SGA President and the SGA Executive Vice President must be enrolled at the University, have and maintain throughout the duration of his/her term at least a 3.00 (on a 4.00 scale) cumulative grade



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point average. He/she must attend the University as a full-time student (twelve (12) credit hours undergraduate/nine (9) credit hours graduate) during the term of his/her office. He/she must have attended the University for at least two (2) full semesters prior to the semester in which the election is held. Additionally, in order to serve as the SGA President and the SGA Executive Vice President, candidates must be in disciplinary good standing with the University and must remain in good standing for the term of his/her position.

- B. Removal of the SGA President and the SGA Executive Vice President
The SGA President and SGA Executive Vice President shall be subject to recall by a petition of ten percent (10%) of the members of the Association, or by three-fourths (3/4) approval of the SGA Senate, either of which shall put the question of impeachment on a ballot before all members of the Association. The officer shall be removed upon two-thirds (2/3) affirmative vote by the Association in favor of the removal of the officer. The SGA President and/or the SGA Executive Vice President may be removed by the SGA Advisor or his/her designee if minimum requirements are not met as stated in Article IV, Section 4A.
- C. Replacement of the SGA President
If for any reason, the SGA President position should become vacant, the SGA Executive Vice President shall assume the office of the SGA President until which time the SGA Senate may determine either to hold a special election or confirm the SGA Executive Vice President as the replacement the SGA President.
- D. Replacement of the SGA Executive Vice President
If, for any reason, the SGA Executive Vice President position should become vacant, the SGA President shall select a Senator who is qualified for the office of the SGA Executive Vice President to fulfill the unexpired term of the SGA Executive Vice President. The candidate for the office of SGA Executive Vice President must be approved by two-thirds (2/3) approval of the SGA Senate before taking office.
- E. Term of Office
The term of office for all SGA Executive Directors shall be one (1) year. The newly elected Executive Board will vote on issues for the following fall and spring semesters. The current Executive Board will train and educate the new board on their duties during the spring semester.

Section 5: Appointed Directors, and Appointed Assistant Directors Appointments *(Amended 4-4-16)*

The SGA Appointed Directors and Appointed Assistant Directors will be selected as follows:

- A. The SGA President, in consultation with the SGA Executive Vice President, shall appoint the SGA Directors and Assistant Directors. These officials shall take office prior to the final Senate meeting of the spring semester and serve for one (1) year from the date of appointment.
- B. All appointed members of the SGA Executive Board must be approved by a two-thirds (2/3) approval of the SGA Senate.

Section 6: Qualifications for and Removal of the SGA Appointed Directors and SGA Appointed Assistant Directors *(Amended 4-4-16)*

- A. *Qualifications*
All appointed Directors and Assistant Directors must be enrolled at the University, have and maintained throughout the duration of his/her term at least a 2.50 (on a 4.000 scale) cumulative grade point average. He/she must attend the University as a full-time student (twelve (12) credit hours undergraduate/nine (9) credit hours graduate) during the term of his/her office. Additionally, in order to serve in an SGA appointed position, candidates must be in disciplinary good standing with the University and must remain in good standing for the term of his/her position.
- B. *Removal of the Appointed Directors and Assistant Directors*
All Appointed Directors and Assistant Directors may be removed from their position by the recommendation of the SGA President in consultation with the Executive Board and the SGA Advisor or his/her designee. If an Appointed Director or Assistant Directors are found in violation of the SGA Constitution or Bylaws, it may be cause for removal from his/her position. Additionally, the Appointed Directors and Assistant Directors work at



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the pleasure of the SGA Senate and may be dismissed by a (2/3) approval of the SGA Senate. All Appointed Directors and Assistant Directors may be removed by the SGA Advisor or his/her designee if minimum requirements are not met as stated in Article IV, Section 6A or the SGA Policies.

ARTICLE V – JUDICIAL BRANCH (Added 5/4/2017)

Section 1: Judicial Branch Membership

- A. Chief Justice of the Judicial Branch
The Chief Justice shall be the chair of the Judicial Branch and responsible for the maintenance and operation of the Judicial Branch. They shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy.
- B. Justice of the Judicial Branch
The Justices of the Judicial Branch shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy. The Chief Justice of the Judicial Branch supervises the Justices of the Judicial Branch.

Section 2: SGA Judicial Branch Advisement

Advisement of the SGA Judicial Branch is determined by the Vice President for Student Affairs. As the Judicial Branch may need to handle matters of increased significance or confidentiality, guidance on University conduct processes will be provided by the Vice President for Student Affairs or their designee.

Section 3: Qualifications for the Removal of the Chief Justice an Justices of the Judicial Branch

- A. Qualifications
The Chief Justice and Justices must meet any qualifications set for them by SGA Governing Documents including, but not limited to, SGA Bylaws, Policies, and Procedures.
- B. Removal
The Chief Justice or any Justice may be removed from their position via a 2/3 vote of the SGA Senate. Additionally, any member of the Association may submit a recall petition with 100 signatures to put either the Chief Justice or any Justice up for a recall vote of the Association. The person up for recall will be removed from their position with a 2/3 vote of the voting members of the SGA Senate. Any University conduct issues will be cause for the SGA Advisor to suspend the Chief Justice or Justice from their position immediately with potential for permanent removal.
- C. Replacement of the Chief Justice
If, for any reason, the Chief Justice position should become vacant, the SGA President shall select a Justice who is qualified for the office of Chief Justice to fill the office in the interim. The SGA President must, at the next feasible SGA Senate Meeting, begin the appointment process for a replacement Chief Justice as specified in the SGA Governing Documents.
- D. Term of Office
The term of office for the Chief Justice and the Justices shall be one (1) year. The appointed Chief Justice and Justices will serve for the fall and spring semesters. The current Judicial Branch and the Vice President for Student Affairs will train and educate the newly appointed persons on their duties.

ARTICLE VI – ELECTIONS

Section 1: Election Procedures

The procedure for the SGA elections is stated in the SGA Bylaws. Any changes in the election procedures are subject to a two-thirds (2/3) approval of the SGA Senate. The Director of Student Relations and the Governmental Relations



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Committee shall be charged with the responsibility of implementing SGA election procedures and student referenda. (See SGA Bylaws)

Section 2: Election of the SGA President and SGA Executive Vice President

The SGA President and SGA Executive Vice President, shall be elected annually in an election to be held at a time designated by the Governmental Relations Committee. The SGA President and the SGA Executive Vice President, elected in the spring elections, shall take office at the final meeting of the SGA Senate held in the spring semester and shall hold office for one (1) year from the date of appointment. If an elected position is not filled during regular election procedures, the position may be appointed by the SGA President with the majority approval of the SGA Senate. If the SGA President position is not filled, the SGA Advisor or his/her designee may appoint a Senator to assume the SGA Presidential duties until the position is filled. The position may be permanently filled by a majority approval vote of Senate.

Section 3: Senator Elections

The twenty (20) SGA Senators positions shall be filled annually during the spring semester in an election to be held at a time designated by the Governmental Relations Committee. The SGA Senators elected in the spring elections shall take office at the final meeting of the SGA Senate held in the semester in which they are elected and shall hold office for one (1) year from the date of appointment.

Section 4: Primary Elections

Primary elections shall be held for any office where there are more than two (2) candidates.

Section 5: Constitutional Education

All the SGA Executive Board members must attend a Constitutional Education Meeting held no later than two weeks prior to taking office on the last Senate meeting. This convention must be hosted by the current SGA Executive Board and Parliamentarian and will be a training process to educate all incoming members on how to perform their duties.

ARTICLE VII – SGA Funding

Section 1: SGA Fee and Fixed Allocations

The SGA budget shall be made up of the SGA fee collected by the University each semester. The money collected is University money and must be spent in accordance with both state and established University accounting policies and practices. Additionally, each year twenty percent (20%) of the SGA fee shall be allocated directly to the Division of Student Affairs. This money will be divided among the areas within Student Affairs and shall be strictly used to support student programming and initiatives that benefit all University students. Center for Student Involvement, Center for Multicultural Education, International Student Services and Student Leadership Development should take first priority. The SGA Executive Board shall serve in an advisory role to Student Affairs in terms of the disbursement and use of the SGA Student Affairs allocation. Each year the Vice President for Student Affairs or his/her designee shall report to the SGA Senate an accounting of the SGA Fee expenditures before the last meeting of the spring semester. The Division of Student Affairs shall report a comprehensive plan of student fee expenditures at the first meeting of the fall semester. The SGA will provide funding to secure the position of an Administrative Coordinator. This position will provide the SGA support with budgeting, programming, communications, and assist all students of the Association. SGA shall also provide allocated funding to a campus activities board to be used for providing activities open to all University students. The campus activities board shall report to the SGA senate with a proposed budget for the year and a report of expenses at the end of the spring semester.

Section 2: SGA Budget

The SGA Executive Board drafts the SGA budget during the spring semester. The SGA Director of Finance shall present the SGA budget to the SGA Senate during the final meeting of the spring semester. The approved budget shall be for the academic year following the vote. The SGA Senate may, by two-thirds (2/3) approval of the SGA Senate, approve the budget as presented to them. If the SGA Senate does not approve the budget as presented by a two-thirds (2/3) approval of the Senate, then the Executive Board shall change and re-submit the budget to the SGA Senate again at the next meeting of the SGA Senate. Once the SGA Senate has approved the budget, it must be submitted to the University administration for approval.

ARTICLE VIII – RULES OF PROCEDURE



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The most current edition of Robert's Rules of Order for parliamentary procedure shall be used as a guide to govern the procedure and proceedings of all meetings of all branches of the SGA, but shall never take precedence over any provisions of this constitution, the SGA Bylaws, or any policy or resolution of any Branch of the SGA.

ARTICLE IX – MEETINGS

Section 1: Executive Board Meetings

The SGA Executive Board shall meet at least two (2) times per month during the fall and spring semesters upon the call of the SGA President. All meetings shall require three (3) class days prior written notice by the SGA President or his/her designee.

Section 2: SGA Senate Meetings

The SGA Senate shall meet at least one (1) time per month during the fall and spring semesters upon the call of the SGA Executive Vice President or the SGA President. All meetings shall require three (3) class days prior written notice by the SGA Executive Vice President. An unexcused absence to an SGA Senate meeting shall count against meeting attendance requirements for the SGA Senators as described in the SGA Bylaws Article III, Section 2C.

Section 3: Senate Standing Committee Meetings

The Senate Standing Committees shall meet at least two (2) times per month during the fall and spring semesters upon the call of the Committee Chairperson or the SGA President. All meetings shall require three (3) class days prior written notice by the Committee Chairperson or the SGA President. An unexcused absence to a Senate Standing Committee meeting shall count against meeting attendance requirements for the SGA Senators as described in the SGA Bylaws Article III, Section 2C.

Section 4: Judicial Branch Meetings (added 5/4/2017)

The SGA Judicial Branch shall meet as required and as called for by the Chief Justice of the Judicial Branch.

ARTICLE X – INITIATIVE AND REFERENDUM

Any legislation passed by the SGA or any issue, shall be placed on a ballot before all members of the Association upon securing a petition of at least ten percent (10%) of the members of the Association or two-thirds (2/3) approval of SGA Senate calling for such an election. If the petition or legislation does not specify a special election date then the matter shall be placed on the next general election ballot.

In the event that the said petition is properly executed and presented to the SGA President, the Elections Commission shall place the issue on a ballot before all members of the association for acceptance or rejection by the members of the association at either the next general election of the SGA or in a special election as called for by the Elections Commission.

ARTICLE XI – RATIFICATION AND AMENDMENTS

Section 1: Ratification

This constitution shall become effective upon approval by two-thirds (2/3) of the votes cast by the members of the Association, and shall become effective immediately following the certification of the election. Upon this time the former constitution will become null and void with the exception of the SGA Bylaws.

Section 2: Amendments

- A. Amendments to this constitution may be proposed by either a three-fourths (3/4) approval of the SGA Senate or by a petition (see Article X). Upon the execution of either of these methods the amendments must be put to a vote of the entire Association for acceptance by two-thirds (2/3) vote of approval.

Section 3: Other Provisions

- A. The SGA Constitution may be edited by the SGA Advisor or his/her designee without a vote of the Association or the SGA Senate on matters of grammar, spelling, style, and formatting that do not affect the meaning of any part of this Constitution.