

ER 19/20-08



Sponsored by: Erika Tuck, President
Drew Roberson, Vice President
Anna Raffo, Chief of Staff
Sara Saucedo, Cultural Diversity
Courtney Gibson, Public Relations
Molly Grace Williams, Parliamentarian
Ellie Mayberry, Secretary

Presented by: Ellie Mayberry, Secretary

Date: March 3, 2020

A Proposal to Adopt the Revised Constitution

Short Title: A resolution to adopt the revised Constitution presented by the Student Government Association Staff.

- Whereas, Article V of the Constitution states, “Amendments to the Constitution may be presented to the Senate at any time, and if approved by a two-thirds majority of the total membership, shall be submitted in the next general or a special election for approval by the electorate;” and
- Whereas, SGA states in its Preamble that we, the students of Arkansas State University, assume certain responsibilities and privileges of self-government; and
- Whereas, the Preamble also states that SGA is to promote democratic principles; and
- Whereas, in order to honor the promise and duty to the student body, this institution must have a Constitution that reflects those values; and
- Whereas, the accuracy of the Constitution is vital to maintain the integrity and purpose of SGA as an institution; and
- Whereas, it is necessary for the Constitution to reflect the most up-to-date rules and procedures of the institution; and
- Whereas, it is appropriate to add and improve upon areas of the Constitution that lack language where it is needed.

BE IT THEREFORE RESOLVED BY THE STUDENT GOVERNMENT ASSOCIATION OF
ARKANSAS STATE UNIVERSITY THAT:

This revised Constitution presented by the Student Government Association Staff and outlined in the Constitutional Comparison sheet will be adopted by the Student Government Association to better serve the students in a more accurate and up-to-date reflection of today's university policies and procedures.

EMERGENCY CLAUSE:

In light of the upcoming elections for the 2020-2021 academic year, this resolution shall be handled in an expedient manner and be put into effect immediately upon approval of the Senate in order for the issue to appear on the Arkansas State University Student Government Association ballot in the upcoming 2020-2021 elections.

Pass

Drew V. Roberson

Drew Roberson, Vice President

Fail

Erika Tuck

Erika Tuck, President

Passed by a supermajority of the Senate. Passed and adopted into the constitution in the 2020 election. See changes attached below.

Constitutional Comparison Sheet

Revision 1: To change “both legislative bodies” to “the legislative body.”

Revised Constitution: Article II, Section 1, Point 4

- The SGA Budget, SGA Constitutional amendments, SGA Bylaw changes, and executive appointments shall be passed by the vote thresholds as stated in this constitution by the legislative body.

Current Constitution: Article II, Section 1, Point 4

- The SGA Budget, SGA Constitutional amendments, SGA Bylaw changes, and executive appointments shall be passed by the vote thresholds as stated in this constitution by both legislative bodies.

Revision 2: To add the Continuation Commissioner and the Excursion Chair to the list of Senate elected positions

Revised Constitution: Article II, Section 6

- The Senate shall nominate and elect, from amongst the Senators, via a simple majority, the offices of President Pro Temp, Action Fund Commissioner, Campus Collaboration Commissioner, Sergeant-at-Arms, Continuation Commissioner, and the Excursion Chair.

Current Constitution: Article II, Section 6

- The Senate shall nominate and elect, from amongst the Senators, via a simple majority, the offices of President Pro Temp, Action Fund Commissioner, Campus Collaboration Commissioner, and Sergeant-at-Arms.

Revision 3: To add a required monthly meeting with the SGA staff to the duties of the President Pro Temp and the Action Fund Commissioner. Monthly meeting will be added to the duties of other senate appointed positions in subsequent revisions.

Revised Constitution: Article II, Section 6, Point 3 and 4

3. Duties for the President Pro Temp shall include:

- a) Reside over the Executive Cabinet and be a direct liaison between the Cabinet and the President.
- b) Reside over and appoint members to each Shared Governance Oversight Committee, keeping records of attendance for the senators and reporting back to the Staff Secretary.
- c) Serve as Vice-President in the event of the Vice-President's absence.
- d) Complete all other duties assigned to him/her by the Senate.
- e) Having a monthly meeting with the SGA staff

4. Action Fund Commissioner:

- a. The Chair of the Action Fund Commission shall be selected by open nomination in general session with a simple majority. The Chair of the Action Fund Commission shall select the Action Fund Commissioners with approval by the President.
 - i. The Commission shall consist of at least five persons.
 - ii. The Action Fund Commission shall be governed by Bylaws established within the limits defined by this constitution.

- iii. The Action Fund Commissioner shall have a monthly meeting with the SGA staff.

Current Constitution: Article 11, Section 6, Point 3 and 4

3. Duties for the President Pro Temp shall include:

- a) Reside over the Executive Cabinet and be a direct liaison between the Cabinet and the President.
- b) Reside over and appoint members to each Shared Governance Oversight Committee, keeping records of attendance for the senators and reporting back to the Staff Secretary.
- c) Serve as Vice-President in the event of the Vice-President's absence.
- d) Complete all other duties assigned him/her by the Senate.

4. Action Fund Commissioner:

- a. The Chair of the Action Fund Commission shall be selected by open nomination in general session with a simple majority. The Chair of the Action Fund Commission shall select the Action Fund Commissioners with approval by the President.
 - i. The Commission shall consist of at least five persons.
 - ii. The Action Fund Commission shall be governed by Bylaws established within the limits defined by this constitution.

Revision 4: To do away with the Campus Collaboration Committee in favor of a sole Campus Collaboration Commissioner

Revised Constitution: Article II, Section 6, Point 5

5. Campus Collaboration Commissioner:

- a) The Campus Collaboration Commissioner shall build relationships with Registered Student Organizations.
 - i. The Commissioner shall oversee Senator attendance at RSO meetings from within their constituency and collect outreach forms from those meetings.
 - ii. The Commissioner shall have regular correspondence with the leaders and members of various RSOs to discuss the matters that concern the general interest of their membership or student body.
 - iii. The Campus Collaboration Commissioner shall report back to the SGA on a consistent basis.
 - iv. The Campus Collaboration Commissioner shall have a monthly meeting with the SGA staff.

Current Constitution: Article II, Section 6, Point 5

5. Campus Collaboration Committee:

- a) The Campus Collaboration Committee shall build relationships with Registered Student Organizations.
 - i. The Campus Collaboration Committee Commissioner shall be selected
by open nominations in general session with a simple majority.

The

Chair of the Commission shall select additional committee member with

the approval by the President.

ii. The Commission shall meet regularly with the leaders and members of

various RSOs to discuss the matters that concern the general interest of

their membership or student body.

iii. The Campus Collaboration Committee shall consist of at least five persons.

v. The Campus Collaboration Committee shall report back to the SGA on a consistent basis.

Revision 5: To create a Continuation Commissioner

Revised Constitution: Article II, Section 6

6. Continuation Commissioner shall:

i. Be a member of the Senate.

ii. Work to continue the mission of previous administrations.

iii. Coordinate with the secretary to follow through with resolutions from previous administrations.

iv. Occasionally update the Senate on the current status of resolutions from previous administrations.

v. Have a monthly meeting with the SGA staff.

Current Constitution: No language

Revision 6: To create an Excursion Chair

Revised Constitution: Article II, Section 6

7. Excursion Chair shall:

i. Be a member of the Senate.

ii. Work with the Red Wolf Explore committee to organize optional excursions for the student body.

iii. Occasionally update the Senate on the current status of the Red Wolf Explore committee and upcoming excursion opportunities.

iv. Have a monthly meeting with the SGA staff.

Current Constitution: No language

Revision 7: To change the word “Bill” to “Resolution” in multiple instances

Revised Constitution: Article II, Section 9

• Section 9 – Duties and Powers of the Senate

The duties and powers of the Senate shall be:

1. To address the academic and non-academic concerns of members by acting as representatives of undergraduate and graduate students;

2. To establish and modify as necessary a set of bylaws that dictate SGA operation known as the SGA Bylaws. If changes are made to the SGA Bylaws, corrections must be made and the current document must be made public within five (5) calendar days;

3. To pass resolutions by a majority vote. A resolution is a formal request of action. A resolution may set aside funds for a specific project or budget area, make a specific policy request to the University Administration, establish temporary government structures, request specific action by SGA officers or committees, or modify the SGA Bylaws.
 - a. A resolution stands in effect until it is repealed or replaced; and
 - b. A resolution may not supersede nor contradict this Constitution.
4. The power to override a presidential veto by a two-thirds majority.
5. The power to confirm or reject presidential appointments by a vote of simple majority.
6. The power to expel any member that it deems necessary through processes outlined in Article 3 of the SGA Bylaws.
7. To abide by Parliamentary Procedures in the order outlined below:
 - a. The Legislative Branch shall abide by Parliamentary law outlined in this Constitution and the SGA Bylaws; and
 - b. The latest edition of *Roberts Rules of Order* shall govern all parliamentary procedure not delineated in this Constitution or the SGA Bylaws.
 - c. The Parliamentarian, using *Robert's Rules of Order*, shall be the advisor to the Senate. *Robert's Rules of Order* (the most currently revised) shall be the final authority on all questions of procedures and parliamentary law not otherwise defined in the constitution. The Parliamentarian shall be the sole authority on such questions. The Senate shall obey whatever decisions s/he renders.

Current Constitution: Article II, Section 9

• Section 9 – Duties and Powers of the Senate

The duties and powers of the Senate shall be:

1. To address the academic and non-academic concerns of members by acting as representatives of undergraduate and graduate students;
2. To establish and modify as necessary a set of bylaws that dictate SGA operation known as the SGA Bylaws. If changes are made to the SGA Bylaws, corrections must be made and the current document must be made public within five (5) calendar days;
3. To pass bills by a majority vote. A legislative bill is a form of action that carries with it the power to sanction, establish permanent structures, dictate the appropriation of funds, or modify the SGA Bylaws:
 - a. A Bill stands in effect until it is repealed or replaced; and
 - b. A Bill may not supersede nor contradict the Constitution.
4. To pass resolutions by a majority vote. A resolution is a formal request of action. A resolution may set aside funds for a specific project or budget area, make a specific policy request to the University Administration, establish temporary government structures, or request specific action by SGA officers or committees.
 - a. A resolution may not supersede nor contradict this Constitution.

5. The power to override a presidential veto by a two-thirds majority.
6. The power to confirm or reject presidential appointments by a vote of simple majority.
7. The power to expel any member that it deems necessary.
8. To abide by Parliamentary Procedures in the order outlined below:
 - a. The Legislative Branch shall abide by Parliamentary law outlined in this Constitution and the SGA Bylaws; and
 - b. The latest edition of *Roberts Rules of Order* shall govern all parliamentary procedure not delineated in this Constitution or the SGA Bylaws.
 - c. The Parliamentarian, using *Robert's Rules of Order*, shall be the advisor to the Senate. *Robert's Rules of Order* (the most currently revised) shall be the final authority on all questions of procedures and parliamentary law not otherwise defined in the constitution. The Parliamentarian shall be the sole authority on such questions. The Senate shall obey whatever decisions s/he renders.

Revision 8: To change the makeup of the Election Commission

Revised Constitution: Article III, Section 1

1. The Chair of the Election Commission shall be the current Vice President. In the event that the Vice President is running for an office in the coming election, the position of Election Commission Chair shall be given to another senior staff member.
 - a. The Chair of the Election Commission shall select the Election Commissioners with approval by the President
 - b. The Commission shall consist of at least five persons with an outgoing member of the SGA Staff being a member. In the event that there are no outgoing members of the SGA Staff, this position shall be given to a senate official.
 - c. The Election Commission shall be governed by Bylaws established within the limits defined by this constitution
 - d. The Election Commission shall supervise and execute all election procedures in accordance with Arkansas State Law

Current Constitution: Article III, Section 1

2. The Chair of the Election commission shall select the Election Commissioners with approval by the President
 - a. The Commission shall consist of at least five persons with the Chief of Staff being a non-voting member
 - b. The Election Commission shall be governed by Bylaws established within the limits defined by this constitution
 - c. The Election Commission shall supervise and execute all election procedures in accordance with Arkansas State Law

Revision 9: To clarify Presidential power of Executive Resolutions

Revised Constitution: Article I, Section 5, Point 7

1. The President shall be the official representative of the student body.
2. The supreme executive power and the responsibility for the faithful execution of the resolutions of the Senate and the directives of this constitution.
3. The President shall have the authority to call the SGA Senate into a special meeting.

4. The President shall have the power to veto any legislative action of the SGA Senate provided that the Vice President is notified of said veto within six (6) calendar days after the legislative action is taken by the SGA Senate. The President shall attend the following SGA Senate meeting to report and answer questions on the veto.
5. The responsibility to chair the Executive Committee.
6. The President shall convene all meetings of the Executive Committee.
7. The President shall have the power of Executive Resolution, and the Executive Staff shall have the power to run an Executive Resolution through the power of the President.
8. The discretionary power to alleviate situations that require immediate attention in the event the Senate cannot convene.
9. The responsibility for preparing a budget for approval by the Senate before the end of the semester in which s/he takes office, providing a minimum of one (1) calendar week of notice to the Senate for review before budget is approved.
 - a) The President shall also describe each of the budgeting sections in a document explaining the budgets purpose.
 - b) Any changes to the budget from the previous year should be addressed to the Senate in the notice.
10. The power to appoint persons to serve on staff in the capacities of Chief of Staff, Secretary, Public Relations, Cultural Diversity Director, and Parliamentarian, subject to the approval of the Senate by a simple majority.
11. The President shall have any other authority or powers specified by Senate legislation, University Policy, or the SGA Bylaws that do not conflict with this Constitution or University Policy.

Current Constitution: Article I, Section 5

1. The President shall be the official representative of the student body.
2. The supreme executive power and the responsibility for the faithful execution of the resolutions of the Senate and the directives of this constitution.
3. The President shall have the authority to call the SGA Senate into a special meeting.
4. The President shall have the power to veto any legislative action of the SGA Senate provided that the Vice President is notified of said veto within six (6) calendar days after the legislative action is taken by the SGA Senate. The President shall attend the following SGA Senate meeting to report and answer questions on the veto.
5. The responsibility to chair the Executive Committee.
6. The President shall convene all meetings of the Executive Committee.
7. The discretionary power to alleviate situations that require immediate attention in the event the Senate cannot convene.
8. The responsibility for preparing a budget for approval by the Senate before the end of the semester in which s/he takes office, providing a minimum of one (1) calendar week of notice to the Senate for review before budget is approved.
 - a. The President shall also describe each of the budgeting sections in a document explaining the budgets purpose.
 - b. Any changes to the budget from the previous year should be addressed to the Senate in the notice.
9. The power to appoint persons to serve on staff in the capacities of Chief of Staff, Secretary, Public Relations, Cultural Diversity Director, and Parliamentarian, subject to the approval of the Senate by a simple majority.
10. The President shall have any other authority or powers specified by Senate legislation, University Policy, or the SGA Bylaws that do not conflict with this Constitution or University Policy.

