

FLORIDA A&M UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION



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CONSTITUTIONAL  
CONVENTION  
SPRING 2019

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STUDENT BODY  
CONSTITUTION

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*Revision History: Revised Fall 2015 45<sup>th</sup> Student Senate, Revised Spring 2018 47<sup>th</sup> Student Senate, Spring 2019 48<sup>th</sup> Student Senate*

## **PREAMBLE**

We, the students of Florida Agricultural and Mechanical University, in order to produce a more effective student governing body, to express the general interest of the Student Body, to encourage a harmonious student-faculty-administration relationship, to provide for full student participation in student government, and to stimulate growth among students toward progressive citizenship, and continue our rich history of Excellence with Caring, do ordain and establish this Constitution of the Student Body of Florida Agricultural and Mechanical University.

## **ARTICLE I**

### **NAME AND JURISDICTION**

#### Section 1      Name

The name of this organization shall be the Florida Agricultural and Mechanical University Student Body, hereinafter referred to as the Student Body. The governing entity of the Student Body shall be the Florida Agricultural and Mechanical University Student Government Association, hereinafter referred to as SGA.

#### Section 2      Jurisdiction

The Student Body consists of all students registered at Florida A&M University, who pay Activity and Service Fees, shall be subject to the Student Body Constitution, the Student Body Statutes and the Student Code of Conduct.

## **ARTICLE II**

### **BRANCHES OF GOVERNMENT**

The Branches of the SGA shall be: (1) The Legislative Branch, (2) The Executive Branch, and (3) The Judicial Branch.

## **ARTICLE III**

### **LEGISLATIVE BRANCH**

#### Section 1      Composition

The Student Senate shall be composed of:

- A. Eight (8) representatives from each of the four (4) academic classes (Freshman, Sophomore, Junior, and Senior). Freshman and Junior Senators serve two years that is considered to be a one term.
- B. Three (3) representatives from the Graduate Division, with each serving a one (1) year term.
- C. Three-fourths (3/4) of the entire Senate membership must be present to hold an election. A Senate President and Senate Pro-Tempore whom shall be elected from the Senate Body by a majority vote of the entire Senate membership at the time for election as stated in the Senate Rules of Procedure.
- D. Student Senate officers and staff whom are elected or appointed as stated in the Senate Rules of Procedure.

## Section 2 Legislative Authority

The Legislative Branch of the Student Government Association shall be the Student Senate. All legislative powers of SGA shall be vested in the Student Senate.

## Section 3 Election and Appointment of the Student Senate

- A. Freshman and Graduate Senators shall be elected at large in the Fall Term Elections, and Junior Senators shall be elected at large in the Spring Term Elections.
- B. All elections will be held according to the procedures specified in the election Code and related Statues.
- C. Senate vacancies, which occur due to registration, dismissal, or extenuating circumstances, shall be filed according to the Senate Rules of Procedure
- D. Elections for Sophomore and Senior Senators will not take place because Freshman and Junior Senators have a two-year office term.

## Section 4 Oath

Each Senate member shall repeat the following oath prior to assuming office:

“I (name), do solemnly swear (or affirm) to defend, uphold, and abide by the Constitution and Statues of the Student Government Association and the Policies of Florida Agricultural and Mechanical University, and to faithfully execute the responsibility of the Student Senate to the best of my ability.”

The SGA President or his/her designee shall administer the oath.

## Section 5 Senate Sessions

- A. Regular session of the Student Senate shall begin during the first week of classes of the Fall Term and terminate the last week of regular classes of the Spring Term.
- B. If deemed necessary by the Senate President, Summer Planning Sessions shall begin during the first week of classes of the Summer Term and terminate on the last week of regular classes of the summer term. The Summer Planning Session shall consist of those Senators enrolled in the Summer Term.

## Section 6 Senate Powers and Duties

The Student Senate shall be empowered to:

- A. Enact, by majority vote, constitutional bylaws, to be known as the System of Student Body Statutes, with the exception of bylaws concerning the elections codes, qualifications for office, finance codes, sunshine act, and ethics codes which shall require a two-thirds (2/3) vote of the Student Senate.
- B. Propose and take all necessary actions on constitutional Amendments.
- C. Provide for the compilation, publication and remote access of legislation.
- D. Create such committees or agencies, as it deems necessary for proper conduct of its business. The Senate shall appropriate the necessary funds to regularly publish information remotely and as advertisements in the Official Activity and Service (A&S) Fee funded newspaper or any other appropriate official University-sanctioned outlets.
- E. Confirm all cabinet and judicial appointments made by the Student Body President and favorable appointments recommended by the Elections and Appointments Committee with a two-thirds (2/3) vote.
- F. Initiate impeachment proceedings of Student Government Association officers.
- G. Impeach elected and appointed SGA officials
- H. Make all laws that shall be necessary and proper for carrying out the function and powers of the Student Government Association as stated in this Constitution.
- I. Request at any regular meeting, by majority vote, and explanation of any action taken by any student Senate member, an officer of an Activity and Service Fee funded Agency, or a member of the Student Government Association taken in his/her official capacity.
- J. Approve and allocate the Activity and Service Fee Fiscal Budget of SGA as provided by Florida Statute (
- K. F.S. 1009.24), and the Student Body Statues.
- L. Establish its meeting times and rules of proceedings, in accordance with this Constitution and the Senate Rules of Procedure.
- M. Establish means through which the Student Body can actively participate in the formulation of policies affecting the students of Florida Agricultural and Mechanical University.
- N. Override a veto by the SGA President by a two-thirds (2/3) vote of the Student Senate.
- O. Override a line-item veto by the SGA president of the A&S budget with a two-thirds (2/3) vote of the Student Senate. These line items shall be addressed individually.
- P. Investigate the use of Activity and Service Fees by any department or agency of the University.
- Q. Pass resolution with a majority vote, as it deems necessary and proper express the will or opinion of the Student body.

## Section 7 Meetings

The Student Senate shall meet at least three times each month of the academic year.

## Section 8 Quorum

Quorum of the Student Senate shall constitute as one half of the current senate membership, plus one member.

**Section 9      Limitation of Power**

- A. No law, act, charter, or contractual agreement of any type passed by the Student Senate shall be construed to limit or modify any of the powers granted by this Constitution, except by Constitutional Amendment.
- B. Legislation of the Senate shall be subject to review:
  - 1. Only by such officials authorized to do so by the Rules and Regulations of the University, the Board of Trustees, or by the President of the University.
  - 2. By the Student Supreme Court in cases where it has jurisdiction.

**Section 10      Impeachment**

- A. All elected and appointed officers of student governing organizations contained within these governing documents may be impeached for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the Statues of Florida Agricultural and Mechanical University, and/or University policy. A one-third (1/3) majority vote of the Student Senate membership shall constitute impeachment.
- B. Impeachment shall be defined as making an accusation and charging an individual with misfeasance, malfeasance, and/or nonfeasance of duty, any action contrary to or in violation of this Constitution, the Statues of Florida Agricultural and Mechanical University, and/or university policy to be tried before the Student Supreme Court as a Tribunal, with the Chief Justice presiding.
- C. If the Supreme Court renders a guilty verdict, the removal proceedings can only be held pursuant to chapter 906 of the Student Body Statutes.

**ARTICLE IV**

**EXECUTIVE BRANCH**

**Section 1      Composition**

The Executive Branch of SGA shall consist of the President; Vice President; the following cabinet offices: Chief of Staff, Attorney General, and Comptroller; Department of State, Department of Academic Affairs, Department of communications, Department of Student Lobbying, Department of Economic Development, Department of Student Welfare, Department of Athletic Affairs, Department of Community Affairs, Office of Surgeon General and Department of Graduate Affairs. However, the SGA President shall have the power to appoint additional positions as needed by executive order.

**Section 2      Executive Powers**

- A. All executive powers of SGA shall be vested in the SGA President, assisted by the Vice President, Cabinet Officers, and other executive appointees. All executive powers stated and/or delegated by the Study Body Constitution and/or Statutes shall be vested in the SGA President by executive order. Executive order is a written declaration issued by the president that has the effect of law; and is based on existing statutory authority that requires no action by the legislature to become effective.
- B. Executive orders are subject to judicial review and may be struck down if deemed by the courts to be unsupported by Statute or the Constitution.

### Section 3 Elections of Executive Branch Officers

The SGA President and SGA Vice President shall be elected on a joint ticket, according to the System of Student Body Statutes, by a majority vote of the Student Body. They shall serve a one-year term to office following the spring elections.

### Section 4 Oath

Prior to assuming office, the SGA President, Vice President, and Cabinet officers shall be administered the following oath by the Vice President of Student Affairs or his/her designee:

“I (name) do solemnly swear (or affirm) to defend, uphold, and abide by the Constitution and Statues of the Student Government Association and the policies of Florida Agricultural and Mechanical University and faithfully execute the responsibilities of my office to the best of my ability.”

### Section 5 Duties and Powers of the SGA President

The SGA President shall have the specific powers and duties to:

- A. Appoint cabinet officers with the concurrence of a two-thirds vote of the Student Senators present and voting
- B. Appoint executive standing and ad-hoc committees.
- C. Appoint qualified student to administrative positions within the Executive Branch. Student Senate approval of these appointment shall not be required.
- D. Appoint the Chief Justice, Associate Chief Justice, and Justices to the Judicial Branch of the Student Supreme court and traffic court when vacancies exist, subject to Student Senate approval by a two-third (2/3) vote
- E. Serve as ex-officio (non-voting), acting member of all executive committees.
- F. Remove administrative and cabinet officers of the Executive Branch, with the exception of the Vice- President.
- G. Recommend the removal of elected officers.
- H. Call and preside over meetings of the Executive Branch.
- I. Call special meetings of the entire Student Government Association.
- J. Administrate, enforce, and abide by the law of the Student Body.
- K. Approve all expenditures from the Student Government Executive Budget.
- L. Provide for the effective expenditure of student funds, as stated in the Student Body Statues.
- M. Serve as a voting member of the university board of trustees.

- N. Call for a referendum by the Student Body when appropriate. The referendum must then be approved by a two-thirds (2/3) vote of the Student Senate when appropriate.
1. Enact legislation by his/her signature within five (5) school days of passage of all measures from the Student Senate, or veto legislation by written notification to the Student Senate President within five (5) school days of Student Senate action. If, after five (5) school days, no action is taken, all legislation takes effect.
  2. The SGA President may veto line items in the Activity and Service Fiscal budget as well as other appropriation bills passed by the Student Senate. A written explanation of the line item veto must be sent to the Senate President no later than the five (5) school days prior to the final passage of the A&S Fiscal Budget. The procedure in such cases shall be the same as in the case of the disapproval of an entire bill by the SGA President.
- O. Recommend to the University President students for appointment to university wide councils, committees, and boards with student seats.
- P. Recommend to the University President the removal of any student member of a university wide council, or board for reasons of misfeasance, malfeasance, or nonfeasance of duty with a majority vote of the student senate.
- Q. Represent the Student Body on the FAMU Board of Trustees, State Council of Student Body Presidents, the Florida Student Association, or their equivalents.
- R. Officially represent the Student Body at functions on or off the University campus in person or through an appointed representative.
- S. Prepare written recommendations to the Student Senate for Activity and Service Fee Budget.
- T. The President shall deliver a State of the Students Address once per semester in a formal address to the student body.

## Section 6 Duties and Powers of the SGA Vice President

The SGA Vice President shall:

- A. Assume the powers of the SGA President upon the President's request, absence, or removal.
- B. Serve as a delegate to the University Faculty Senate or its equivalent.
- C. Assist the SGA President in the general policy and administration of the Executive Branch.
- D. Serve as the Chairperson of the Homecoming Steering Committee.

## Section 7 Order of Succession

Should the SGA President, for any reason, become unable to serve, the SGA Vice-President shall succeed him/her. In the event that the office of the SGA Vice-President becomes vacant, the SGA President shall name a new Vice- President subject to the Student Senate approval by a two-thirds (2/3) vote. The SGA Vice-President nominee shall be named within ten (10) business days of the vacancy. In case both the SGA President and Vice President are unable to serve, the order of succession is as follows:

1. Chief of Staff
2. Attorney General
3. Senate President

4. Senate President Pro-Tempore
5. Comptroller
6. Secretary of State
7. Secretary of Academic Affairs
8. Director of Student Lobbying
9. Secretary of Communications

Section 9      Limitation of Power

- A. No law, act, charter, or contractual agreement of any type passed by the Executive Branch shall be construed to limit or modify any of the powers granted by this Constitution, except by Constitutional Amendment.

*History: 47<sup>th</sup> Student Senate CAB18SP-002*

**ARTICLE V**  
**JUDICIAL BRANCH**

Section 1      Organization

The Judicial power of SGA shall be vested in the Student Supreme Court, the Student Traffic Court, and such other inferior courts as the Student Senate may ordain and establish as needed.

Section 2      Composition

The Student Supreme Court shall be composed of:

- A. Seven (7) Justices appointed by the SGA President and approved by a two-thirds (2/3) vote of the Student Senate. Five (5) Justices shall constitute a quorum. The concurrence of the majority present shall be necessary to render a decision, verdict, or interpretation.
- B. A Chief Justice appointed by the SGA President from among the seven (7) justices and approved by a two-thirds (2/3) vote of the Student Senate.
- C. An Associate Chief Justice appointed by the SGA President from among the seven (7) justices and approved by a two-thirds (2/3) vote of the Student Senate.
- D. A Solicitor General appointed by the SGA President who shall represent all student governing organizations officials and/or students-at-large who appear, as accused or appellant, before the Student Supreme Court.
- E. A Legal Counsel who shall be the chief legal advisor to the Student Supreme Court appointed by the Chief Justice.
- F. A clerk of courts to keep records, which shall be appointed by the Chief Justice and chosen from outside the Student Supreme Court.
- G. A bailiff, who shall be responsible for courtroom preparation and the swearing in of witnesses, shall be appointed by the Chief Justice and chosen from outside the Student Supreme Court. He/She shall serve on a volunteer basis.
- H. The Chief Justice may appoint other administrative court officers and staff members to conduct administrative duties as needed.

### Section 3      Judicial Authority

The Student Supreme Court shall have Jurisdiction:

- A. Over cases and controversies involving questions of Constitutionality of actions by the students, student governing groups, and student organizations, with reference to this Constitution.
- B. Over violations of the System of Student Body Statues.
- C. Over conflicts between students, student groups, or organizations.
- D. Over the issuance of all summonses of students to appear before the Student Supreme Court.
- E. Over such matters as may be provided for in the Board of Education (BOE), Board of Governors (BOG) and University Rules.
- F. Over the determination of the quality of penalties for students, student groups or student organizations in violation of legislation enacted by the Student Senate under the provisions of this Constitution and the guidelines set forth in the Student Code of Conduct, except in cases of impeachment.
- G. Over the adoption of rules governing its practices and procedures unless otherwise defined by the System of Student Body Statues.

### Section 4      Administrative-Practice and Procedure

- A. The Supreme Court Chief shall serve as Chief Administrative Officer of the Judicial System and shall be vested with the rules adopted by the court and the authority to:
  - 1. Assign duties among the Justices of the Court.
  - 2. Supervise the administration of the Court and all judicial matters.
  - 3. Conduct and preside over court proceedings.
  - 4. Rule on procedural questions that arise during the course of Judicial proceedings.
  - 5. Rule on the pertinence of evidence presented before the court as established by System of Student Body Statues and other related documents.
  - 6. Report orally and in writing the recommendations of the court.
  - 7. Recommend measures to the Student Senate for the improvement of the administration of justice.
  - 8. Keep all records of the Court and deliver to his/her successor all permanent records of the court.
- B. The Associate Chief Justice shall be authorized to assume the powers of the Chief Justice, in his/her absence.
- C. Students who will be tried before the Student Supreme Court shall be notified in writing at least one week before the date of the trial. This notice shall contain a statement of the charges; the date, time, and place of the hearing; an explanation of the general procedure that will be followed; and an explanation of the students' rights.
- D. Over the issuance of all summons of students to appear before the Student Supreme Court.

### Section 5      Student Rights

The accused shall have: the right to counsel (appointed by the Solicitor General if the accused desires); the right to appeal for a closed trial; the right to obtain discovery pursuant to his/her defense; the right to a speedy trial; and the right to appeal Student Supreme Court decisions to the Vice President of Student Affairs and the University President.<sup>1</sup> If the student feels that a fair trial was not conducted and/or that he/she was not afforded due process of law, the Vice-President of Student Affairs and/or the University President may only either uphold the Court's decision or remand the case to the Student Supreme Court.

#### Section 6        Sessions

- A. The Chief Justice shall call regular sessions of the Student Supreme Court whenever he/she deems necessary. Such announcements shall be made public
- B. The Student Supreme Court must meet within one week after an appeal has been presented to consider said positions except in cases involving election disputes where a trial must be held within three days of the filing of the appeal.
- C. Hearings may be closed at the Court's discretion.

#### Section 7        The Oath

Prior to assuming office, the Justices of the Student Supreme Court shall be administered the following oath by the SGA President or his/her designee.

"I (name) do solemnly swear (or affirm) to defend, uphold, and abide by the Constitution and Statues of the Student Government Association and the policies of the Florida Agricultural and Mechanical University and faithfully execute the responsibility of the Student Supreme Court to the best of my ability."

#### Section 8        Law School Circuit Court

Shall consist of five (5) judges appointed by the SGA President and approved by a two-thirds (2/3) vote of the Student Senate. The Law School Circuit Court shall have jurisdiction over all matters arising at the law school campus, except for issues regarding University elections.

#### Section 9        Traffic Court

Shall consist of five (5) judges appointed by the SGA President and approved by a two-thirds (2/3) vote of the Student Senate. The Traffic Court shall have jurisdiction over all student non-moving traffic cases.

*History: 35<sup>th</sup> Student Senate CA06F-002*

### **ARTICLE VI**

#### **ELECTED NON-GOVERNMENTAL REPRESENTATIVES**

#### Section 1        Composition

Mr. and Miss Florida Agricultural and Mechanical University (hereafter referred to as Mr. and Miss FAMU) as well as, the King and Queen of Orange and Green are elected representatives of the entire Student Body, but do not serve as members of the Student Government Association.

The Attendants to Mr. and Miss FAMU and the individual Class Presidents and Vice-Presidents are elected representatives of their respective classes, but do not serve as members of the Student Government Association.

## Section 2 Mr. and Miss FAMU

Mr. and Miss FAMU shall have the specific powers and duties to:

- A. Officially represent the entire student body at any function on or off the University campus.
- B. Promote school spirit at athletic events and other campus activities.
- C. Initiate and maintain several community service initiatives throughout their reign.

## Section 3 King and Queen of Orange and Green

The King and Queen of Orange and Green shall have the specific powers and duties to:

- A. Officially represent the entire student body at any function on or off the University campus.
- B. Promote school spirit at athletic events and other campus activities.

Assume the powers of Mr. and Miss FAMU upon their request or absence,

## Section 4 Class Attendants

The Freshman, Sophomore, Junior, Senior, and Graduate Attendants have the specific powers and duties to:

- A. Officially represent their respective classes at any function on or off the University campus.
- B. Assist Miss FAMU in her duties.
- C. Assume the powers of Miss FAMU upon her request or absence.

## Section 5 Class Presidents

The Class Presidents shall have the specific Powers and duties to:

- A. Represent their respective Classes.
- B. Appoint qualified individuals to the respective cabinets.
- C. Coordinate activities or projects that pertain to their respective classes.
- D. Serves on the H. Manning Efferson Campus Activities Board.
- E. Preside over respective class cabinet meetings or designee at least 4 times per semester;
- F. Enforce due compliance with the Constitution of the Class Cabinets;
- G. Serve as chief spokesperson of their Class;
- H. The Presidents will serve as a voting member of the Campus Activities Board.

- I. The Presidents shall serve as the liaison between respective class, University Administration, faculty, staff, and Student Government Association.

Section 6          Class Vice-Presidents

The Class Vice-Presidents shall have the specific powers and duties to:

- A. Perform the duties of the President in the President's absence;
- B. Assist the President in official duties and responsibilities as designated by the President
- C. The Vice-Presidents will serve as a voting member of the Campus Activities Board.

Section 7          Order of Succession for Presidents and Vice-Presidents

- A. In the event that the respective class President and/ or Vice-President is unable to serve his/her term, the Chief of Staff, the Chief Financial Officer, then the Secretary of Communications will take office in that order. After those two individuals are not able to serve the tenure of office the next highest-ranking members of the class cabinet, which is determined by the internal documents of the respective classes, will take office.
- B. In the Event that a position has no tickets in the election then a special election will occur for the respective class during the next general election cycle (Fall or Spring).

Section 8          Succession of Mr. and Miss FAMU

Should Mr. or Miss FAMU, for any reason, become unable to serve, the advisor of the Royal Court shall notify the Electoral Commissioner. The First Runner Up in the Spring Elections, proceeding the reign of Mr. and Miss FAMU, shall fill the vacancy. If the Runner Up is unable and/ or unwilling to serve as Mr. or Miss FAMU, a special election shall be held by approval of the Student Senate with a two-thirds vote.

Section 9          Succession of the Class Attendants and King or Queen of Orange and Green

Should any member of the Class Attendants, the King or Queen of Orange and Green, for any reason, become unable to serve, the advisor of the Royal Court shall notify the Electoral Commissioner. The First Runner Up in the Spring Elections, proceeding the reign of the respective office, shall fill the vacancy. If the Runner Up is unable and/ or unwilling to serve in the necessary capacity, a special election shall be held upon approval of the Student Senate with a two-thirds vote.

*History: 36<sup>th</sup> Student Senate CA06F-001, 47<sup>th</sup> Student Senate CAB18SP-001*

**ARTICLE VII  
ELECTION OF OFFICERS**

Section 1          Times

- A. Election of the SGA President and Vice-President; Mr. and Miss FAMU; the Sophomore, Junior and Senior Attendants; The Electoral Commissioner; King and Queen of Orange and Green; the Sophomore, Junior, and Senior Class Presidents and Vice Presidents; and Junior Senators shall be held during the eighth week of the Spring semester of each year on the second Tuesday of February, except in cases deemed necessary by the Electoral Commissioner with a two-thirds (2/3) vote of the Student Senate.
- B. Elections for Freshman Class Presidents and Vice-President, the Freshman Attendant, the Graduate Attendant, Freshman Senators, and Graduate Senators shall be held during the second week of September in the Fall Semester of each year on the second Tuesday of September, except in cases deemed necessary by the Electoral Commissioner with a two-thirds (2/3) vote of the Student Senate.

## Section 2 Office Tenure

- A. The SGA President and Vice President shall assume office on the day after the last day of finals in the Spring Semester of each year and shall serve for one calendar year.
- B. During the period when the SGA President-Elect is determined and until the aforementioned date that he/she assumes office, the SGA President-Elect will only be empowered to formulate the SGA Executive Branch Budget in conjunction with the SGA Budget Committee as delineated by the SGA Finance Code and to select his/her cabinet for Student Senate approval with a two-thirds (2/3) vote.
- C. During the period when the SGA Vice-President-elect is determined and until the aforementioned date that he/she assumes office, the SGA Vice-President-elect will only be empowered to formulate the Homecoming Steering Committee as prescribed in Title XVI of the System of Student Body Statutes.
- D. Mr. and Miss FAMU; the Sophomore, Junior, and Senior Attendants; the Electoral Commissioner; the King and Queen of Orange and Green; and the Sophomore, Junior, and Senior Class Presidents and Vice- Presidents shall assume reign/office on the day after the last day of finals in the Spring Semester of each year and shall serve for one calendar year. The Freshman and Graduate Attendant shall assume their reign of office immediately upon the results of Fall elections and shall serve until after the last day of finals in the Spring Semester of their elected academic year.
- E. Freshmen Senators assume office immediately upon being installed and serve until the day after the last day of finals in the Spring Semester of their sophomore year.
- F. Junior Senators assume office immediately upon being installed and serve until the day after the last day of finals in the Spring Semester of their senior year.
- G. Graduate/ Professional Senators assume office immediately upon being installed and serve until the day after the last day of finals in the Spring Semester of they were installed.
- H. Law School Senators assume office immediately upon being installed and serve until the day after the last day of finals in the Spring Semester of they were installed.

## Section 3 Electoral Commissioner

The Electoral Commissioner shall be elected during the Spring Semester and serve until a new Commissioner is elected. He/she shall have complete administrative responsibility for carrying out elections under this Constitution. He/she must be a sophomore or above at the time he/she declares his/her candidacy.

## Section 4 Electoral Commission

There shall be an Electoral Commission to assist the Commissioner in carrying out the responsibilities of his/her office. It shall consist of fifteen (15) individuals selected by the Electoral Commissioner. They must receive a two-thirds (2/3) vote of the Student Senate in order to serve. This shall exclude the Electoral Commission Volunteer List, which shall receive the approval of the Student Senate.

## **ARTICLE VIII QUALIFICATIONS FOR OFFICE**

### Section 1 Classification

For the purpose of this Article the following explanations are given. Freshmen are those students having less than 30 semester hours inclusively, or in their first year of undergraduate studies. Sophomores are those students having 30-59 semester hours inclusively, or in their first year of undergraduate studies. Juniors are those students having 60-89 semester hours inclusively, or in their first year of undergraduate studies. Seniors are those students having 90 or more semester hours inclusively, or in their first year of undergraduate studies. Graduate students are those students enrolled in a Florida Agricultural and Mechanical University Graduate or Professional Program. Law School students are those enrolled at the FAMU College of Law.

### Section 2 Requirements

Any person running for/holding an elected or appointed to officers must be an enrolled, registered full time student of FAMU and meet the following qualifications:

#### A. SGA President

A candidate for this office must be classified as a junior or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office. He/She must pass all institutional requirements and must not have been convicted of any major offense(s) by the Student Supreme Court or any administrative Hearing Panels. He/She must have and maintain a minimum cumulative grade point average of 2.8 at the time of declaration of candidacy and during his/her reign, respectively.

#### B. SGA Vice President

Candidates for this office must meet the same qualifications as are required for candidacy for SGA President, with the exception that he/she must be classified as a sophomore or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office.

#### C. Student Senate

1. Senate President: Candidates for this office must meet the same qualifications as are required for candidates for SGA Vice President. In addition, he/she must also have one academic year of Student Senate tenure to be elected to office.
2. Student Senators: All candidates for these offices must have and maintain a minimum cumulative grade point average of 2.5 at the time of declaration of candidacy and while holding office, respectively, with

the exception of freshmen. However, all Freshmen Senators must obtain a minimum cumulative grade point average of 2.5 at the end of the first semester of their term. He/She must not have been convicted of any major offense(s) by the Student Supreme Court or any Administrative Hearing Panels.

#### D. Justices of the Student Supreme Court

1. Chief Justice: Prospective appointees to these positions must meet the same qualifications required for candidates for SGA Vice President. In addition, he/she must have one academic year of Supreme Court tenure to be eligible for appointment and shall serve until graduation unless removed by referendum or resignation.
2. Associate Chief Justice: Prospective appointees to these positions must meet the same qualifications required for candidates for SGA Vice President and shall serve until graduation unless removed by referendum or resignation.
3. Justices: Prospective appointees to these positions must have a minimum cumulative grade point average of 2.5. They shall serve until graduation unless removed by referendum or resignation.

#### E. SGA Appointees

Prospective appointees to these positions must have a minimum cumulative grade point average of 2.5, pass all standard institutional requirements, and must not have been convicted of any major offense(s) or violations of this Constitution by the Student Supreme Court or any Administrative Hearing Panels.

#### F. Mr. and Miss FAMU

Candidates for these offices must be classified as a junior or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office. He/She must have and maintain a minimum cumulative grade point average of 2.8 at the time of declaration of candidacy and during his/her reign, respectively, and he/she must not have been convicted of any major offense(s) by the Student Supreme Court or any Administrative Hearing Panels.

#### G. Class Attendants

Candidates for these offices must meet the same requirements as Mr. and Miss FAMU except they must have a minimum cumulative grade point average of 2.5 at the time of declaration of candidacy with the exclusion of freshmen. However, the Freshmen Class Attendant must obtain a minimum cumulative grade point average of 2.5 at the end of the first semester of her reign. All Class Attendants must be members of their respective classes at the time they take office.

#### H. King and Queen of Orange and Green

Candidates for these offices must be classified as a sophomore or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office. Each candidate must have and maintain a minimum cumulative grade point average of 2.5 at the time of declaration of candidacy and during his/her reign, respectively, and must not have been convicted of any major offense(s) by the Student Supreme Court or any Administrative Hearing Panels.

#### I. Class Officers

1. Class President: Candidates for this office must meet the same requirements as candidates for SGA Vice Presidential with the exception that he/she must be a member of his/her respective class at the time he/she takes office.
2. Class Vice President: Candidates for this office must meet the same requirements as Class Presidents.

J. Any individual not meeting the criteria in this section shall not be eligible for elected or appointed office, or any of the rights and privileges vested therein.

### Section 3 Enrollment Tenure

All candidates for elected office at Florida Agricultural and Mechanical University must have completed at least one full semester at the University by at the time they declare their candidacy except for SGA President and Mr. and Miss FAMU. Candidates for the offices of President, and Mr. and Miss FAMU must have completed at least two full semesters at the University by the time they declare their candidacy.<sup>3</sup> Freshmen, however, are exceptions to the enrollment tenure and shall be eligible for all freshmen elected positions.

## ARTICLE IX

### FINANCE

#### Section 1 Development of Activity & Service Fee Budget

- A. The allocation and expenditure of Activity & Service Fee (A&S Fees) shall be determined by the SGA Student Senate. The University or SGA President may veto any line item or portion thereof within the budget when submitted by the SGA Student Senate.
- B. All agencies or organizations seeking allocation from the A&S Fee Fund shall submit to the Senate Organization and Finance Committee (OFC), or its designated equivalent, a proposed operating budget for the next academic year and financial statements of the present, and, if possible preceding year.
- C. After proper budget hearings, allocation to the A&S agencies shall be recommended by the OFC to the Student Senate. The Student Senate shall have the final vote, with the exception of vetoed line items by the University President as stated by statute (F.S. 1009.24) or its legislative designated equivalent.

#### Section2 Public Records

- A. All SGA records (including salaries, legal documents, expenditures, etc.) shall be open to inspection to the public, at all times, under supervision by the custodian of the records (Attorney General) or his/her designee (F.S. 119.07)
- B. All A&S Fee funded agencies shall keep a ledger of all expenditures and shall be required to file receipts of all purchases in a proper storage area and shall be made available to the public.
- C. The SGA reserves the right to investigate an allegation of improper use of student funds through the SGA Comptroller, an appointed auditor, or an auditing commission. Those agencies found in violation of improper use of funds shall be subject to Student Senate and Student Supreme Court penalties as well as any applicable state or federal laws.
- D. Funds shall be provided by the Executive Branch to the Attorney General to provide for the secure storage of official legislation containing the original signatures, or their official electronic equivalent, of the Senate President and SGA President.

**ARTICLE X**  
**AMENDMENTS TO THE CONSTITUTION**

Section 1        Amendments

The Student Senate shall propose amendments to this Constitution or amendments may be proposed by a petition signed by ten percent (10%) of the Student Body.

Section 2        Procedure

To amend any part of this Constitution, proposed amendments must be introduced in writing by a Student Senator at a regular Senate meeting. Upon release by the committee(s), the amendments shall be read a second time during the Senate meeting.

Section 3        Referendum

If an amendment is defeated by the Student Senate and not referred to the Student Body for vote, it shall be (when presented to the Student Senate by a petition by ten percent (10%) of the Student Body), automatically placed on the ballot by the Student Senate for referendum. Such amendments shall be adopted when ratified by majority of those voting in a referendum.

Section 4        Limitations of Amendments

- A. No more than three (3) sections of any one (1) article of this Constitution may be amended during the course of an academic semester. Any further revisions after such limitation shall require passage by a Constitutional Convention, comprised of members from the Legislative, Judicial, and Executive Branches.
- B. A Constitutional Convention Committee shall be created by a majority vote of the Student Senate and composed of three (3) delegates from each branch of Student Government, who shall be the only voting members of this committee and chosen by the Chief Officer of each branch. The Constitutional Convention Committee shall be the review committee of all Constitutional Amendments exceeding the stated limit in Subsection A and shall function as an ad hoc Legislative Committee with the Senate President Pro- Tempore, or his/her designee presiding. Passage of the revised Constitution from this committee shall require a two-thirds (2/3) vote of the entire membership of the Committee.
- C. A two-thirds (2/3) approval of each of the three branches individually is necessary for referral to the Student Body for referendum.
- D. The revised Constitution shall be adopted when ratified by a majority of those voting in a campus wide referendum.

*History: 35<sup>th</sup> Student Senate, CA06S-002*