



# **CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION**

Embry-Riddle Aeronautical University  
Daytona Beach Florida  
Student Government Association

This SGA Constitution has been last amended and ratified effective 11 March 2009.

**Preamble:**

We, the students of Embry-Riddle Aeronautical University establish this constitution as a guide for the Student Government Association to provide a voice for the student opinions concerning the affairs of the University. Additionally, it develops a framework around which students may respond to the challenges of a democratic society through the process of elective student government. Through this constitution, the SGA will uphold individual responsibilities while acknowledging the professional principles upon which this university was founded.

**Grant of Power:**

Embry-Riddle Aeronautical University hereby grants the Embry-Riddle Aeronautical University Student Government Association the right to exist and act on behalf of the student body in its goals to facilitate and promote student life and services, to collect fees from the student body to finance its student services, to maintain offices and operations on campus, and to have a member serve on the board of trustees.

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## **Article I: Declaration**

### Section 1. Name

The name of this organization shall be the Embry-Riddle Aeronautical University Student Government Association hereafter referred to as SGA.

### Section 2. Purpose

The SGA shall strive to achieve the goals as outlined in the Preamble; to enhance student life at Embry-Riddle Aeronautical University through the provision of services, events, and representation while providing a means for students to address issues with the administration.

### Section 3. General Membership

All students currently enrolled at Embry-Riddle Aeronautical University, Daytona Beach campus who have paid the SGA fee shall be considered a member of the SGA.

### Section 4. SGA Officials

The following shall be considered SGA Officials:

- a. SGA President
- b. SGA Vice-President
- c. Treasurer
- d. Chief Justice
- e. Student Representative Board (SRB) Members
- f. Student Finance Board (SFB) Members
- g. Associate Justices
- h. SGA Division Chairpersons

## **Article II: Branches of the SGA**

### Section 1. The Executive Branch

The Executive Branch shall be composed of the SGA President, Vice-President, Treasurer, and Chief Justice. Its purpose is to ensure that the overall mission of the SGA is carried out.

### Section 2. The Legislative Branch

The Legislative Branch shall be composed of the Student Representative Board and the Student Finance Board. Its purpose is to be the policy and decision-making body within the SGA, to represent student's interests and viewpoints, and to make responsible financial decisions.

### Section 3. The Judicial Branch

The Judicial Branch is composed of the Student Court members. Its purpose is to protect the rights of the student body and to advise them of their rights and responsibilities within the parameters of the University policies and procedures manual. It also renders interpretations of the SGA Constitution.

## **Article III: Divisions of the SGA**

### Section 1. Divisions

In order to enhance student life, the SGA will maintain the following divisions:

- a. The Avion Newspaper
- b. Touch-N-Go Productions
- c. Eagles FM

### Section 2. Rules Governing Divisions

Each division will have current bylaws or other governing documents on file in the SGA office. No provision or interpretation of these bylaws shall conflict with the SGA Constitution.

### Section 3. Process for Adding a Division

- a. Any prospective division will submit a proposed copy of its bylaws to the SRB which must in turn be approved by a 2/3 vote.
- b. A proposed budget must be approved by the SFB with a 2/3 vote.
- c. The group will be considered a division when the above criteria are met.

### Section 4. Process for Removing a Division

- a. Any SGA member may initiate the removal process.
- b. The member must submit a detailed written request to the SRB and the SFB.
- c. The division will cease to exist after a 2/3 vote of the SRB and SFB to remove it.
- d. Any decision may be appealed within five school days to the Student Court.

## Article IV: Powers, Duties, and Limitations

### Section 1. The Executive Board

The Executive Board *shall*:

- a. Log a minimum of 5 office hours per week.

### Section 2. President

The President *shall*:

- a. Coordinate and communicate with SGA Officials to further the interest of the students at the University.
- b. Bear *ultimate responsibility* for activities conducted by the SGA and its organizations within.
- c. Publicly express the views and recommendations of the SGA.
- d. Have veto power over all legislation, which must be exercised within five school days.
- e. Have the responsibility to review all resolutions and SGA formal proposals made and passed by the SRB or SFB within seven school days of the resolution.
- f. Chair an SGA Executive Board Meeting at least once each month during the school session for the purpose of coordinating the overall SGA function.
- g. Chair a meeting of the SGA branches and divisions twice during the Fall and Spring semesters and once during the Summer.
- h. Have the authority to call any necessary joint sessions of any and all branches, committees, and/or divisions.
- i. Hold an open Student Forum twice per semester to inform the students of current campus issues and to receive student input and questions.
- j. Appoint the Chief Justice when the position is vacated.
- k. Assist in the interviewing process of Associate Justices.
- l. Appoint elections committee chairman.
- m. Meet each month with the Dean of Students or his/her equivalent, to voice student views.
- n. Maintain active representation as a member of the Independent Colleges and Universities of Florida (ICUF) Student Alliance.

- o. Hold a training seminar for all Branches of the SGA and the Executive Officers of the SGA Divisions each year during the Fall Semester.
- p. Act as the advisor to Task Force One.
- q. Be responsible for following the Task Force One Constitution.
- r. Have the power to create ad-hoc positions that will be subject to all the rules and regulations set forth by this Constitution. A job description for each ad-hoc position will be kept on file by the Student Court.

### Section 3. Vice-President

The Vice-President *shall*:

- a. Be chairperson of the SRB and shall cast a vote only in the event of a tie.
- b. Delegate duties and responsibilities to members of the SRB as necessary to conduct the business of the SRB.
- c. Act as a liaison between the SRB and all branches and divisions of the SGA.
- d. Attend and report on the SRB at all Executive Board meetings.
- e. Assist in the interviewing process of Associate Justices.
- f. Appoint students to serve on University Committees.
- g. Create an agenda for all SRB meetings.
- h. Verify compliance with all SRB Bylaws.

### Section 4. Treasurer

The Treasurer *shall*:

- a. Be chairperson of the SFB and shall cast a vote only in the event of a tie.
- b. Delegate duties and responsibilities to members of the SFB as necessary to conduct the business of the SFB.
- c. Act as a liaison between the SFB and all branches and divisions of the SGA.
- d. Attend and report on the SFB at all Executive Board meetings.
- e. Assist in interviewing process of Associate Justices.
- f. Create an agenda for all SFB meetings.
- g. Verify compliance with all SFB Bylaws.

## Section 5. Chief Justice

The Chief Justice *shall*:

- a. Be the chairperson of the Student Court and shall cast a vote only in the event of a tie.
- b. Coordinate the appointment of all Associate Justices.
- c. Delegate duties and responsibilities to the Associate Justices as necessary to conduct the business of the Student Court.
- d. Act as a liaison between the Student Court and all branches and Divisions of the SGA.
- e. Attend and report on the Student Court at all Executive Board meetings.
- f. Be responsible for swearing in all new SGA officials.
- g. Be appointed by the SGA President and approved by a 2/3 vote of the SFB and SRB when the position becomes vacant. All appointees must currently serve on the Student Court, unless no current Associate Justice meets eligibility requirements or accepts the nomination.

## Section 6. SGA Advisor

The SGA Advisor *shall*:

- a. Perform the duties as directed by the current job description and title on file in the University Department of Human Resources and the SGA.
- b. Attend SRB, SFB and Executive Meetings as an **ex-officio, non-voting member**. If unable to attend, shall notify the SGA President or the appropriate division head or branch official.

## Section 7. Student Representative Board (SRB)

The SRB *shall*:

- a. In conjunction with the SFB, have the authority to override a Presidential veto on all formal SGA proposals by a 2/3 vote.
- b. Have responsibility to review and vote on formal SGA proposals.
- c. Provide for a compilation and publication of all legislation.
- d. In conjunction with the SFB, approve an Elections Committee Chair with a 2/3 vote.
- e. Hold weekly meetings in accordance with the SRB bylaws.
- f. Follow all guidelines as established in the current SRB bylaws.

- g. In conjunction with the SFB, approve a Chief Justice nominee put forth by the President.
- h. Have current bylaws or other governing documents on file in the SGA Office. No provision or interpretation of these bylaws shall conflict with the SGA Constitution.

#### Section 8. Student Finance Board (SFB)

The SFB *shall*:

- a. Hold weekly meetings in accordance with the SFB bylaws.
- b. Oversee the budgetary process of the SGA as outlined in the SGA Budget Guidelines.
- c. Approve the SGA budgets as a whole, with a majority vote.
- d. Have the responsibility to review and vote on formal SGA proposals.
- e. Have the responsibility to review all requests for funds and to verify that funds would be used according to the SGA Budget Guidelines.
- f. In conjunction with the SRB, have the authority to override a Presidential veto on all formal SGA proposals by a 2/3 vote.
- g. Have the authority to select new members by a 2/3 vote when positions become vacant on the Student Finance Board.
- h. Follow all guidelines as established in the current Budget Guidelines and SFB bylaws.
- i. In conjunction with the SRB, approve a Chief Justice nominee put forth by the President.
- j. Have current bylaws or other governing documents on file in the SGA Office. No provision or interpretation of these bylaws shall conflict with the SGA Constitution.
- k. In conjunction with the SRB, approve an Elections Committee Chair with a 2/3 vote.

#### Section 9. Student Court

The Student Court *shall*:

- a. Have regular sessions chaired by the Chief Justice run according to the Student Court bylaws.
- b. Maintain judicial power extending to all cases arising under this Constitution, the Branches and Division bylaws, guidelines and legislation enacted by the SGA; to all cases which may be referred to the Court by the Division of Student Life and disputes between students.

- c. Follow all guidelines as established in the current Student Court bylaws.
- d. Maintain the power to levy fines and recommend probation, suspension, or dismissal.
- e. Any interpretation issued by the Student Court will remain in effect for one year from the date of interpretation and will be documented and kept by the Student Court.

## **Article V: Resignation, Removal, and Impeachment**

### Section 1. Resignation

Officials of the SGA reserve unto themselves the right to cease their duties by letter of resignation delivered to the SGA Executive Board at any time during their term of office.

### Section 2. Absences and Removal

- a. Any official of the SGA accumulating three unexcused absences from regular meetings in one semester shall automatically be removed from office.
  1. An absence may be excused by the chair of that particular board or committee prior to the absence or within a week following the absence.
  2. Tardiness of more than ten (10) minutes to a regular meeting shall result in 1/3 of an unexcused absence. Tardiness of more than thirty (30) minutes shall result in an unexcused absence.
  3. The missing of a special or emergency meeting shall result in 1/3 of an unexcused absence.
  4. Absences not excused by the chair of that particular board or committee may be appealed to the Student Court within five (5) business days.
- b. Placement on disciplinary probation, as defined in the current University Catalog or Student Handbook, will result in immediate removal from an office. The SGA Advisor will monitor holders of any official SGA position to ensure none are serving probation.
- c. Failure to maintain a minimum of six credit hours per semester will result in immediate and automatic dismissal from an official position in the SGA.
- d. Failure to maintain at least a 2.5 cumulative grade point average (CGPA) will result in immediate and automatic dismissal from an official position in the SGA.

### Section 3. Impeachment

Any official of the SGA who fails in their duties and responsibilities or abuses the power of their office may be impeached.

- a. Any member of the SGA may submit a written charge of impeachment to the Student Court against any official of the SGA.
- b. The Student Court will then notify the person being charged for impeachment and in two weeks conduct a hearing at which the person being charged may submit any evidence to their defense. A 2/3 vote of the Student Court is required for the impeachment of the person to be carried out.

- c. In the event a member of the Student Court comes under impeachment charges the SRB and the SFB shall conduct hearings and hold an impeachment vote following the above outlined procedure.
- d. If the person charged with impeachment is not satisfied with the ruling handed to them, they may file an appeal with the SGA Advisor within five school days. The SGA Advisor will then call for a joint meeting of the SRB and SFB in which a 2/3 vote is required to overturn the impeachment ruling.

## Article VI: Election Process

### Section 1. Election's Committee Chairman

It shall be the duty of the SGA President to appoint an Election's Committee chairman no later than the 2<sup>nd</sup> week of the Spring semester. The appointment shall be approved by both a 2/3 vote of the SRB and a separate 2/3 vote of the SFB. Should either body fail to approve the appointment with a 2/3 vote, then the appointment fails.

### Section 2. Guidelines

The elections shall follow the Student Election Committee Bylaws; any changes to the Student Election Committee Bylaws must be done in accordance with the procedure outlined within the Student Election Committee Bylaws.

### Section 3. Elections Committee

The Election Committee will be appointed by the Election's Committee chairman. The Election Committee holds the power involved in running all aspects of the election.

### Section 4. Qualifications to be appointed or elected to an Official position

- a. Must not be on academic or judiciary probation as defined in the current University Catalog and Student Handbook.
- b. Must have and maintain at least a 2.5 cumulative grade point average (CGPA).
- c. Must attest, in writing, to the intent of remaining a registered student pursuing not less than six credit hours for the Spring and Fall semesters on the Daytona Beach campus throughout his/her term in office.
- d. Meet all other requirements as set forth in the Student Election Committee Bylaws for the position they are running for.

### Section 5. Executive Officer's Ticket

- a. The following Executive Officers shall be elected as a ticket during the General Election:
  1. President
  2. Vice-President
  3. Treasurer
- b. No one shall qualify for elected Executive Office unless he/she has completed 2 semesters of no less than six credit hours each. For the purpose of meeting this qualification, summer terms A and B combined comprise one complete semester. However, a student must be enrolled for at least three credit hours per summer term.
- c. Regarding Executive Branch Member summer obligations.

1. The SGA President must serve office hours for the entire academic year, including all summer semesters. The President may not participate in summer abroad activities, internships, or Co-ops, except where provided by section 3 or 5 or 7 of this paragraph.
2. All other Executive Branch Members may participate in summer internships or Co-ops provided they are based in the continental 48 states.
3. All Executive Branch Members may participate in documented military obligations.
4. No more than two Executive Branch Members may be excused at any given time under this section provided there are no extenuating circumstances.
5. Any Executive Branch Member with extenuating circumstances may be excused for up to two weeks with approval by the SGA Advisor and the Chief Justice.
6. All Executive Branch Members are subject to these procedures when absent due to summer obligations. Failure to maintain these standards will result in the forfeiture of the executive position.
  - i. All internships and Co-ops must be approved by the SGA Advisor.
  - ii. An individual from the respective board must be appointed by the outgoing Executive Branch Member to act on their behalf.
    - A. This person will gain all rights and responsibilities of the position during the absence of the Executive Branch Member.
    - B. The appointed interim is subject to practices defined under Article V, and upon removal from office, will revert to their previous position. A new interim must then be appointed.
    - C. Weekly contact between the Executive Branch Member and their interim must be established and maintained.
    - D. Meet all other requirements as set forth in the Student Election Committee Bylaws for the position they are running for.
7. A second term president may participate in an internship with the approval of the remainder of the Executive Board, but must still attend all Board of Trustees meetings, report weekly to the SGA advisor, and adhere to all of the aforementioned provisions set forth regarding summer obligations.

#### Section 6. Chief Justice Appointment

The Chief Justice position shall be appointed by the President and approved by a 2/3 vote of the SRB and SFB. The Chief Justice shall serve a term to last no more than two academic years.

## Section 7. Student Court Members

Student Court members shall not run for any SGA position unless they have previously resigned their Student Court position.

## Section 8. Terms of Office

The term of office of all elected officials shall be approximately one year to begin at the annual SGA Awards Banquet held each Spring. Before taking office, each SGA member must be sworn in by the Chief Justice with the following oath of office:

“I, (state your full name), do solemnly swear that I will faithfully execute the office of (state name of office) of the Embry-Riddle Aeronautical University Student Government Association in accordance with the Constitution, Bylaws, and Code of Conduct. I shall, to the best of my ability, faithfully represent those students who elected me to this office.”

## Section 9. Vacancies of Office

- a. Should a vacancy occur in the Office of the President, the Vice-President shall assume the duties of the President and the Vice-President position shall be filled according to subpart b of this section.
- b. A vacancy of the Vice-President or the Treasurer shall be filled by an election within the SRB and the SFB respectively. Both positions shall be approved by a 2/3 vote of the SRB and SFB.
- c. Should there at one time be a simultaneous vacancy of both the President and the Vice-President, the President position shall be filled by an election within the SRB and SFB and approved by a 2/3 vote of the SRB and SFB. The Vice-President position shall be filled according to subpart b of this section.

## Section 10. Re-Elections

- a. All persons holding elected positions (incumbents) are eligible for re-election provided eligibility criteria have been met. However, they may not serve on the Elections Committee and may not vote on the eligibility criteria.
- b. No individual may declare eligibility for more than one elected position.

## Section 11. Records

- a. The Elections Committee shall keep a file containing committee procedures and election results and submit an evaluation report to the SGA President for the reference of future committees.
- b. An official record of the election results will remain a part of the records in the SGA office for two years under the protection of the SGA Advisor.
- c. Election ballots will be disposed of as per the Student Election Committee Bylaws.



## **Article VII: SGA Fee Adjustment**

### Section 1. Review

- a. A proposal for increasing the SGA fee may be presented by any SGA member.
- b. The SFB shall conduct a financial review of the SGA to determine the need and/or feasibility of an SGA fee adjustment.
- c. The SFB will conduct this review as necessary and shall submit its recommendation to the SRB in a timely manner.

### Section 2. Approval

- a. Upon a 2/3 vote of the SRB approving the adjustment, the recommendation shall be forwarded to the President of the SGA.
- b. The SGA President shall consider the recommendation and either approve and pass the recommendation to the University Fee Advisory Committee for final approval, or veto the recommendation.

## **Article VIII: Amendments to the Constitution**

### Section 1. Purpose

Amendments to this Constitution may be necessary in order to maintain consistent and impartial service to the students of Embry-Riddle Aeronautical University's Daytona Beach Campus.

### Section 2. Process

- a. Amendments to this Constitution may be initiated by any student and presented to the SGA Vice-President.
- b. All potential changes to the Constitution need to be approved by a 2/3 vote in a joint session of the SRB, SFB, and division chairpersons.
  1. The chairmen of the SGA branches shall cast a vote in the event of a tie.
  2. The president of the SGA will break any ties between the chairmen.
- c. The approved changes will be advertised to the students for a period of one (1) week.
  1. The advertisement shall be made in “The Avion” and using the SGA standard flyer.
  2. Posting of the SGA standard flyer shall conform to the Student Activities Guidelines.
  3. Instructions to students detailing Article VIII, Section 2, Part d of the SGA Constitution shall also be included in the advertisement.
- d. The amendment shall be adopted if, within two weeks of the vote, no petition for veto has been filed with the Chief Justice. The petition for veto must contain the signatures of Embry-Riddle Aeronautical University students equal to twenty-five percent of the turn out in the last general election.

## **Article IX: Ratification**

### Section 1. Definition

Ratification of this Constitution shall require a  $2/3$  affirmative vote in a referendum, in accordance with *Article VIII, Sections 1-2*, after which the amendment shall be considered part of this Constitution immediately.

### Section 2. Endorsements

This Constitution has been last amended and ratified effective 5 April 2007.