

# Old Dominion University

## Student Government Association Constitution

We, the students of Old Dominion University, desiring to provide an instrument of student government do hereby ordain this document as the Constitution for the Old Dominion University Student Government Association. The Student Government Association shall communicate the wishes and demands of the Student Body to the Board of Visitors, Administration, Faculty, and the Community. We shall seek to ensure the welfare of each student it serves, as well as student organizations and their allotment of funds.

The Old Dominion University's Student Government Association is committed to the elimination of discrimination based on gender, race, class, economic status, ethnic background, sexual orientation, age, physical ability, and cultural and religious backgrounds.

## **Article I: Name**

The name of this organization shall be the Old Dominion University Student Government Association, hereafter referred to as SGA.

## **Article II: Boards**

The SGA shall consist of three (3) boards: an Executive Board, a Senate and a Judicial Board.

## **Article III. Executive Board**

### **Section 1. Executive Board.**

Executive power of the Student Government Association shall be vested in the Executive Board.

### **Section 2. Members.**

The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer, Chief of Staff and at least four (4) Directors.

### **Section 3. Meetings.**

The Executive Board shall hold weekly meetings unless otherwise ordered by a majority vote of the Executive Board. The President, Vice-President, Secretary, Treasurer, Chief of Staff and Directors shall serve as voting members of the Executive Board. The Speaker of the Senate and Chief Justice shall attend meetings as liaisons who may participate only in debate and discussion. The President may call special Executive Board meetings at his or her discretion. The President may communicate and conduct meetings with the Executive Board, using real-time electronic communications as stipulated in the bylaws.

### **Section 4. Executive Powers and Duties.**

#### **A. The President shall:**

1. Appoint Directors
2. Be able to veto legislation passed by the Senate
3. Preside over regular and special meetings of the Executive Board
4. Appoint SGA members to University Committees
5. Create task forces and assign its members from within the SGA as well as the general student population. The creation of the task force is subject to the approval of a majority in the Senate.
6. Be able to issue Executive Resolutions

- B. The Vice President shall:
  - 1. Oversee the work and execution of responsibilities of the Directors
  - 2. In the absence of the Speaker of the Senate and the Speaker Pro Tempore, serve as the Chairperson of Senate meetings
- C. The Secretary shall:
  - 1. Provide and maintain meeting minutes of the Executive Board and Senate
- D. The Treasurer shall:
  - 1. Make transactions with the SGA's budget with the concurrence of the President.
  - 2. Provide and maintain a record of the budget.
- E. The Directors shall:
  - 1. Be directly responsible for the execution of the policies and goals of the President.
  - 2. Work with the Committee Chairs in the Senate.
- F. The Chief of Staff shall:
  - 1. Maintain the SGA website
  - 2. Manage administrative work throughout the SGA office

#### Section 5. Elections and Appointments.

- A. The President, Vice-President, Secretary, and Treasurer shall be elected in the spring election, which is to be held no later than the 3<sup>rd</sup> week of April.
- B. The President shall appoint Directors. An appointed Director shall be approved by a majority in the Senate.
- C. The Chief of Staff shall be appointed by the President and approved by a majority in the Senate.

#### Section 6. Term of Office.

- A. The President, Vice-President, Secretary, and Treasurer shall take office from the moment they are elected or installed until their successors are elected or installed.
- B. Upon approval, appointees shall serve a term of office concurrent to the President who appointed them.

#### Section 7. Resignation and Impeachment/Removal of Executive Board Members.

- A. A member of the Executive Board may resign by submitting a letter of resignation to the Chief of Staff; if the position is vacant the letter shall be submitted to the President. Upon written receipt of the resignation, the Executive member shall be relieved of his or her duties.

- B. The responsibility of removing an elected member of the executive shall lie with the Judicial Board and the Senate. Impeachment shall be initiated by a majority vote of the Senate, and then a trial must be conducted by the Judicial Board within ten days of the vote. The executive member shall be tried and present his or her case in the Judicial Board. The Judicial Board shall present their findings and recommendation to the Senate at the next Senate meeting. The executive member may be removed from office with two-thirds (2/3) vote of the Senate. Directors and the Chief of Staff may be removed and replaced by the President who appointed them.

#### Section 8. Vacancies.

- A. If the position of President becomes vacant, the Vice President shall become the new President.
- B. If the position of Vice-President becomes vacant, the President may appoint an acting Vice-President until a special election is held within three (3) weeks to replace the vacated position.
- C. If both the position of President and Vice President are vacant, the Speaker of the Senate shall temporarily assume the position of President and appoint an acting Vice-President until a special election is held within three (3) weeks to replace both vacated positions.
- D. If either or both positions of Secretary and/or Treasurer become vacant, the President may appoint a replacement until a special election is held within three (3) weeks.
- E. If any appointed member of the Executive Board becomes vacant, the position shall be replaced as stipulated in Section 5, Subsections B and C of this Article.

## **Article IV. Senate**

#### Section 1. The Senate.

The legislative power of the Student Government Association shall be vested in the Senate.

#### Section 2. Members.

The Senate shall consist of the Speaker of the Senate, Speaker Pro-Tempore, and Senators.

The number of Senate seats shall be based upon the undergraduate population, plus reserved seats. The Senate may expand its membership by ten (10) during the first month of the fall and spring semesters. The Senate shall have fifty (50) seats, unless increased by the Senate. Each member shall have one vote. The Speaker may vote when his or her vote would affect the outcome: to make or break a tie or to make or prevent a two-thirds vote, or when the vote is by ballot.

### Section 3. Committees.

The Senate shall have Standing Committees as stipulated in the bylaws.

### Section 4. Meetings

The Senate shall hold weekly meetings unless otherwise ordered by a majority vote of the Senate. The Senate may call for a special session if approved by the majority of members. The Speaker may communicate and conduct meetings with the Senate, using real-time electronic communications as stipulated in the bylaws.

### Section 5. Legislative Powers and Duties.

- A. The Senate shall have the power to overturn a Presidential Veto.
  - 1. Legislation may be vetoed and the Senate must be informed within five (5) days
  - 2. The veto must be in written form delivered to the Speaker of the Senate and shall inform the Senate immediately
  - 3. A veto of the President may only be overturned by three-fourths (3/4) vote of the Senate
- B. The Speaker shall:
  - 1. With approval of the Senate, Appoint Chairs of Committees
  - 2. Make Committee Assignments for Senate Members
  - 3. Provide the recommended agenda for the Senate
  - 4. Review/Approve Applications for Senate Membership
  - 5. Request a special session of the Senate with the approval of a majority of members
  - 6. Preside over regular and special meetings of the Senate.
- C. The powers and duties of a Senator include the following:
  - 1. Propose legislation
  - 2. Shall have one vote in legislative actions conducted by the Senate, which include confirmations and removals
  - 3. Serve on a Standing Committee of the Senate

### Section 6. Elections and Appointments.

- A. Senators shall be selected through an application process. A candidate must complete an application, letter of intent and resume. The documents must be submitted to the Senate and the Speaker shall review the documents. The Speaker must check if the candidate meets the requirements as stipulated in the bylaws. If the candidate meets the requirements, the Speaker shall inform the candidate that he or she shall attend three (3) Senate meetings. At the third (3<sup>rd</sup>) Senate meeting, the candidate shall be voted on to grant membership into the Senate. A majority vote in the Senate is needed to confirm.

Candidates shall be able to question and/or take part in Senate deliberations. Once approved, he or she shall have all powers and duties of a Senator.

- B. The Speaker of the Senate shall be elected in the spring election, which is to be held no later than the 3<sup>rd</sup> week of April. To be eligible, candidates must be a member of the Senate at the time of the election.
- C. The Speaker Pro-Tempore shall be elected by a majority of the Senate. To be eligible, candidates must be a member of the Senate at the time of the election. The election shall take place the same week as the spring election, which is to be held no later than the third (3<sup>rd</sup>) week in April. If there is not a majority, a runoff election shall be conducted between the top two (2) vote getters of the first election.
- D. Standing Committee Chairs shall be appointed by the Speaker and approved by the majority in the Senate at the beginning of the fall semester. The Speaker may only appoint a member of the Senate for Standing Committee Chairs.

#### Section 7. Term of Office.

- A. The term of office of a Senator shall be one (1) year. The term shall be from the day of approval in the Senate until the next year. A Senator may ask for a renewal and must be made three (3) weeks before their term expires. The renewal shall be approved by a majority in the Senate during the last week of the Senator's current term.
- B. Speaker of the Senate and Speaker Pro-Tempore shall take office from the moment they are elected or installed until their successors are elected or installed.
- C. Upon approval, Committee Chairs shall serve a term of office concurrent to the Speaker who appointed them.

#### Section 8. Resignation and Impeachment/Removal of Senate Members.

- A. A member of the Senate may resign by submitting a letter of resignation to the Speaker; if the position is vacant the letter shall be submitted to the Speaker Pro-Tempore. Upon written receipt of the resignation, the Senate member shall be relieved of his or her duties.
- B. The responsibility of impeachment and removing a Senate member shall lie with the Judicial Board and the Senate. Impeachment shall be initiated by a majority vote of the Senate, and then a trial must be conducted by the Judicial Board. The Senate member shall be tried and present his or her case in the Judicial Board. The Judicial Board shall present their findings and recommendation to the Senate. The Senate member may be removed from office with two-thirds (2/3) vote of the Senate. A Committee Chair may be removed and replaced by the Speaker who appointed them.

#### Section 9. Vacancies.

- A. If the position of Speaker of the Senate becomes vacant, the Senate Pro-Tempore shall become Speaker until a special election is held within three (3) weeks to replace the Speaker.
- B. If the Speaker Pro-Tempore is vacant, the position shall be replaced as stipulated in Section 6, Subsection C of this Article.
- C. Vacancies in Committee Chair shall be replaced as stipulated in Section 6, Subsection D of this Article.
- D. If both the Speaker and Speaker Pro-Tempore positions are vacant, the Vice President shall preside in the Senate temporarily until a new Speaker and Speaker Pro-Tempore are replaced as stipulated in this Article.
- E. In events when the Speaker is unavailable to fulfill his or her duties as presiding officer, the Speaker Pro-Tempore shall preside temporarily as Chairperson of the Senate.

### **Article V. Judicial Board**

#### Section 1. Judicial Board.

- A. The judicial power of the Student Government Association shall be vested in the Judicial Board.

#### Section 2. Members.

The Judicial Board shall consist of the Chief Justice and four Associate Justices.

#### Section 3. Meetings.

The Judicial Board shall hold at least one monthly meeting. The Judicial Board may call for a special session if approved by the majority of members. The Chief Justice may communicate and conduct meetings with the Judicial Board, using real-time electronic communications as stipulated in the bylaws.

#### Section 4. Judicial Power and Duties.

The Judicial Board shall have jurisdiction over cases with the interpretation of this Constitution and bylaws of the SGA. The Judicial Board shall have authority over disputes between organizations recognized by the SGA. The Judicial Board shall have jurisdiction over impeachment trials and shall present their findings and recommendation to the Senate.

- A. The Chief Justice shall:
  - 1. Appoint Associate Justices
  - 2. Provide the recommended agenda for the Judicial Board, subject to the approval of the body
  - 3. Break a tie regarding decisions by the Judicial Board
- B. An Associate Justice shall:
  - 1. Have one vote in Judicial Board decisions

#### Section 5. Appointments.

- A. The Chief Justice shall be appointed by a majority vote from a committee consisting of the President, Vice President and Speaker of the Senate. The appointment shall be approved by a majority in the Senate.
- B. The Associate Justice shall be appointed by the Chief Justice with the approval of a majority in the Senate.

#### Section 6. Term of Office.

The term of office of the Chief Justice and Associate Justices shall be from the moment of approval in the Senate until the end of his or her tenure as a student at Old Dominion University unless until they vacate or removed from office.

#### Section 7. Vacancies.

- A. If the seat of Chief Justice becomes vacant, the position shall be replaced as stipulated in Section 5, Subsection A of this Article.
- B. Vacancies in Associate Justice positions shall be filled as stipulated in Section 5, Subsection B of this Article.

#### Section 8. Resignation and Impeachment/Removal of Judicial Board Members.

- A. A member of the Judicial Board may resign by submitting a letter of resignation to the Chief Justice; if the position is vacant the letter shall be submitted to the most senior member of the Judicial Board. Upon written receipt of the resignation, the judicial member shall be relieved of his or her duties.



- B. The responsibility of impeachment and removing a judicial member shall lie with the Executive Board and the Senate. Impeachment shall be initiated by a majority vote of the Senate, and then a trial must be conducted by a Judicial Review Board. The Judicial Review Board shall consist of the Vice President, Speaker of the Senate and three (3) Senators. The three Senators shall be selected at random upon the creation of the Judicial Review Board. The Judicial member shall present his or her case in the Judicial Review Board. The Judicial Review Board shall present their findings and recommendation to the Senate. The Judicial member may be removed from office with two-thirds (2/3) vote of the Senate.

## **Article VI. Election Commission**

### **Section 1. Election Commission.**

SGA elections shall be conducted by the Election Commission. All matters of the election from initiating, conducting of the process and canvassing shall be under the jurisdiction of the Election Commission. All election results must be certified by the Election Commission. Election protests and complaints shall be under the jurisdiction of the Election Commission.

### **Section 2. Members.**

The Election Commission shall consist of the Election Commission Chairman and four (4) Commissioners.

### **Section 3. Meetings.**

The Election Commission shall meet weekly beginning in the first week of March. The Chairman may communicate and conduct meetings with the Election Commission, using real-time electronic communications as stipulated in the bylaws.

### **Section 4. Powers and Duties**

- A. The Election Commission shall have the power to plan, organize and certify SGA elections.
- B. The Chairman shall:
1. With the approval of the Senate, appoint Commissioners to the Election Commission
  2. Provide the recommended agenda for the Election Commission, subject to the approval of the body
  3. Oversee Special Elections
- C. Commissioners shall:
1. Carry out the duties and recommendations of the Chairman
  2. Monitor election Poll Stations

## Section 5. Appointments.

- A. The Election Commission Chairman shall be appointed by a majority vote from a committee consisting of the President, Speaker of the Senate and the Chief Justice at the beginning of the Fall Semester. The appointment shall be approved by a majority vote in the Senate.
- B. The Commissioner shall be appointed by the Election Commission Chairman with the approval of a majority in the Senate by the 3<sup>rd</sup> week in January.

## Section 6. Term of Office.

The term of office of the Election Commission Chairman and Commissioners shall be from the moment of approval in the Senate until the Spring Elections are finalized or until they vacate or removed from office.

## Section 7. Resignation and Impeachment/Removal of Election Commission Members.

- A. A member of the Election Commission may resign by submitting a letter of resignation to the Election Commission Chairman; if the position is vacant the letter shall be submitted to the President. Upon written receipt of the resignation, the Commission member shall be relieved of his or her duties.
- B. The responsibility of removing an elected member of the Election Commission shall lie with the Judicial Board and the Senate. Impeachment shall be initiated by a majority vote of the Senate, and then a trial must be conducted by the Judicial Board. The Election Commission member shall be tried and present his or her case in the Judicial Board. The Judicial Board shall present their findings and recommendation to the Senate. The Election Commission member may be removed from office with two-thirds (2/3) vote of the Senate.

## Section 8. Vacancies.

Vacancies in the Election Commission shall be replaced as stipulated in Section 5 of this Article.

# **Article VII. Parliamentary Authority**

## Section 1. Parliamentary Authority

The SGA shall operate under this Constitution and bylaws.

The rules contained in the current edition of *Roberts' Rules of Order Newly Revised* shall govern the SGA in all cases to which they are applicable and not inconsistent with this Constitution, the bylaws and any special rules of order the SGA may adopt.

## Section 2. Special Rules.

Each board shall be responsible for its own respective rules and/or any special rules of order to govern its meetings provided that they are not inconsistent with the rules outlined in this Constitution or the bylaws.

# **Article VIII. Amendments**

## Section 1. Amendments

Amendments to this Constitution shall be presented in writing to the Senate and placed on the agenda for the next regular meeting. Upon a majority vote of the Senate, the amendment shall be presented to the Student Body in a referendum, to be held within thirty (30) days of passage of the amendment in the Senate. A majority vote of the Student Body participating in the election shall be required to pass the Amendment.

## Section 2. Effective Date of Amendment

A majority of the student body voting in the referendum shall bring the amendment into full effect and force. Amendments to the Constitution shall take effect immediately upon the determination of their passage unless otherwise provided in the amendment.