Bill 1748

Bill introduced by Shawn Ramos

Introducer’s signature Shawn Ramos

Bill filed by Tia Jones, Office Secretary

Date 2.26.18

Immediate attention

President of Assembly

Date

Immediate attention

President of Senate

Date

Bill Accepted/Rejected by a vote of 29:0:14

Amani Jones

Date 3/14/18

President of Senate- Bradley Ceeh

Date 3/26/18

Bill Accepted/Rejected by a vote of 7:0:0

Gina Pena

Date 3/22/18

President of the Assembly- Shawn Ramos

Date 3/26/18

Madame President- Sandra Cruz

Date 3/27/18

The Student Government Association of the State University of New York at Potsdam, New York, as represented in Assembly, do hereby enact as follows:

REVISIONS

Changes to the SGA Constitution.

FOR OFFICE USE:

Approved by the:

Senate: Assembly:

Allocated for:
STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

THIS CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF THE STATE UNIVERSITY OF NEW YORK, COLLEGE AT POTSDAM, IS HEREBY ORDAINED AND ESTABLISHED TO ADVOCATE FOR THE NEEDS, EDUCATIONAL VALUES, UNITY, INTERESTS, AND GOALS OF ITS CONSTITUENCY, THE STUDENTS. IN ORDER TO DO THIS, THE ASSOCIATION MUST REMAIN ACCOUNTABLE TO ITS MEMBERSHIP.

ARTICLE I – NAME AND PURPOSE

Section 1. The name of this organization shall be the Student Government Association (SGA) of the State University of New York (SUNY), College at Potsdam, New York.

Section 2. The purpose of the Association shall be to promote the educational well-being of its membership through the recognition of academic, cultural, recreational, social, and athletic programs. The Association shall also serve as the representative voice of the student body in all college affairs.

ARTICLE II – MEMBERSHIP

All SGA fee-paying students at SUNY Potsdam, New York, shall be members of the Association and shall be accorded the privileges, duties and responsibilities pertaining thereto. Participation in funded activities may be limited to those persons paying a student activity fee.

ARTICLE III – REPRESENTATIVE BRANCH

Section 1. The representative power of the Student Government Association shall be vested in the Student Assembly and Student Senate.

Section 2. Membership into the Assembly Representative Branch shall be open to any SGA fee-paying student;

Section 3. Each recognized, organization shall be allowed one (1) seat in the Senate. This seat shall be filled by the Treasurer of the organization, elected according to the procedures set forth in their organization’s constitution. If the Treasurer is unable to regularly attend, the seat shall be filled by a member of that organization.

Section 4. The term of office for all Assembly representatives shall commence at the first Assembly meeting of the fall semester, or, if they are appointed, at the meeting in which they are appointed. The term of office shall expire each year on the day of Commencement.
Section 5. Each Representative shall have one (1) vote in the house in which he/she is a member;

A. No Representative may be a member of the Senate and the Assembly concurrently.

Section 6. A majority of the Assembly and Senate shall constitute a quorum, respectively.

Section 7. One (1) seat in the Assembly shall be reserved for the All Greek Council (AGC) (or successor) President who will serve as a non-voting member of the Assembly. In the case that the President is unable to attend SGA meetings a member of the AGC executive board may attend in his or her place.

Section 8. The Clerk of the Association shall keep a record of its proceedings and publish it weekly;

A. The votes of the members of the Assembly may be entered into the record upon direction of the President of the Assembly or at the desire of one-fifth (1/5) of the Assembly;

B. The votes of the members of the Senate may be entered into the record upon direction of the President of the Senate or at the desire of one-fifth (1/5) of the Senate.

Section 9. Every piece of legislation that passes the Assembly and/or the Senate shall be presented to the President of the Association before it becomes law. If the President approves the piece, he or she will sign it; if he or she vetoes it, the piece shall be returned to the house(s) in which it passed at their next regular meetings during which they shall record the objections and proceed to reconsider the piece. If the President of the Association has not informed the Assembly and/or the Senate of his or her disapproval of any piece before the second regular session of the house(s) in which it passed after initial passage, such piece will become law without the President’s signature;

A. In the event that a bill fails in one house and passes in the other the bill will be returned to the houses for reconsideration with a 2/3 vote for passage.

a. The failing house must provide rationale for failure;

i. To be dictated by the Clerk of the Association’s record of the proceedings;
b. If during reconsideration, the house which passed the Bill in question may provide rational for passing the bill in question;

c. After reconsideration; In the event of the vote being one (1) passing house and one (1) failing house, the bill in question fails.

Section 10. The Representative Branch shall have the power to:

A. Lay and collect a student activity fee for the regular academic year as per SUNY mandatory Fee Guidelines;

B. Nominate candidates for the executive offices of the Association;

C. Effect all measures which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by the Constitution to the SGA;

D. Establish budgetary procedures and assume responsibility for preparation and approval of the Association budget for the next fiscal year. This budget shall be considered by the Assembly and the Senate as a legislative bill and shall follow normal bill procedures.

Section 11. The Assembly shall have the power to:

A. Determine the rules of the Assembly's procedures;

B. Censure and/or expel its members upon the concurrence of three-quarters (3/4) of the Assembly;

C. Override Presidential appointments to the Assembly and or committee representatives by a two-thirds (2/3) vote.

D. Approve or defeat all pieces of legislation regarding financial grants, allocation of funds, and movement of monies to and from the Association's budget;

E. Approve or defeat all pieces of legislation regarding law, constitutional amendments to this constitution and all constitutions subsidiary to this constitution, and matters of regulation within this Association.

Section 12. The Senate shall have the power to:

A. Determine the rules of the Senate's procedures;
B. Censure and/or expel its members upon the concurrence of three-quarters (3/4) of the Senate;

C. Approve or defeat all pieces of legislation regarding financial grants, allocation of funds, and movement of monies to and from the Association’s budget.

D. In the event that the SGA budget is considered Seriatim, Senate members shall not vote on their organizations’ budget, however, they may vote on the budget of the Association as a whole.

Section 13. The Assembly and Senate shall entertain legislative motions from within its own membership.

**ARTICLE IV – EXECUTIVE BRANCH**

Section 1. The executive power of the Student Government Association shall be vested in the President of the Association, who, with the Vice President, Treasurer, Comptroller, and Secretary shall steer general SGA policy. These officers shall comprise the SGA Executive Board.

Section 2. The Executive Cabinet shall consist of the SGA Executive Board, the Chair of each Standing Assembly Committee, as defined in the Bylaws, the President Pro Tempore of the Assembly and Senate, and shall be chaired by the Vice President.

Section 3. The term of office for the President, Vice President and Secretary shall be one (1) year, beginning at the first regular session of the Assembly following their election. The term of office of the Treasurer shall be two (2) years, the first year as Comptroller, the second as Treasurer. The Comptroller will assume office at the first regular session of the Assembly following election.

Section 4. The Executive Board members shall not hold any office within any organization within the Association.

Section 5. A. The President of the Association shall:

1. Nominate, by and with the advice and consent of the Executive Committee, all committee representatives of the Association as listed in the Bylaws;

2. Deliver the State of the Association address at least once per semester as he or she shall deem necessary;

3. Convene the Assembly and/or Senate on extraordinary occasions;
4. Serve as the Chair of President's Council, which shall convene no less than once per semester;

5. Appoint members of the Association to the Assembly;

   a. All potential appointees shall express their interest to the President of the Association and shall sit a mandatory two (2) consecutive meetings;
   b. All appointees shall be subject to two-thirds (2/3) approval from the Assembly;

6. Hire, with the advice and consent of the Executive Committee, any and all professional personnel necessary for the maintenance of the central office, pending approval by the Assembly;

7. Ensure that the rules, regulations, and policies of the Association are faithfully executed;

8. Represent SGA as liaison to the campus-wide community;

9. Schedule, and hold, no fewer than ten (10) office hours per week during the academic year;

10. Serve as SUNY Potsdam Student Representative to College Council and attend all meetings of the College Council meetings;

11. Attend Representative Branch meetings (exceptions will be made in extraordinary circumstances);

12. Serve as Potsdam College Foundation Board Representative;

13. Attend all Potsdam College Foundation Board meetings;

B. The Vice President of the Association shall:

1. Preside over Assembly as the President of Assembly;

2. Preside over joint meetings of the Representative Branch;

3. Attend all Representative Branch meetings (exceptions will be made in extraordinary circumstances);
4. Assume the office or duties of the President of the Association in the event of absence, disability, resignation, or death of the President;

5. Serve as Chair of Election Committee and serve as initial chair of all Association Committees, appointing a Chair from within the committee by the third regular meeting of said committee;

6. Schedule, and hold, no fewer than ten (10) office hours per week during the academic year;

7. Convene the Assembly on extraordinary occasions;

8. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor). If unable to attend meetings, a representative will be appointed at the discretion of the Executive Board;

C. The Treasurer of the Association shall:

1. Oversee all financial transactions and care for the revenue and assets of the Association to include a yearly audit of the funds of the Student Government Association and all its subsidiary organizations.

2. Prepare and deliver such financial reports as requested by the Assembly, the Senate and/or President of the Assembly;

3. Establish and supervise a uniform system of financial management for all organizations and agencies of the Association;

4. Preside over the Senate for the fall semester as President of the Senate;

5. Prepare the Comptroller to assume the duties of the Treasurer;

6. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year;

7. Convene the Senate on extraordinary occasions;

8. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor) in the event that either the President or the Vice President are unable to attend. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;
9. Attend all Representative Branch meetings (exceptions will be made in extraordinary circumstances);

D. The Comptroller of the Association shall:

1. Assist the Treasurer in his/her duties;

2. Assume the office of Treasurer in the event that the office is vacated;

3. Preside over the Senate for the Spring Semester as President of the Senate;

4. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year, five (5) of which must coincide with those of the Treasurer;

5. Serve as financial historian for all SGA organizations;

6. Serve as Chair of the Public Relations Committee of the Representative Branch;

7. Keep records regarding all recognized organizations, and as such:
   a. shall keep an accurate, updated list of officers of each organization;
   b. shall periodically check the status of all organizations to verify which are active and which inactive;
   c. Shall keep an updated inventory of all SGA property;

8. Prepare and deliver such reports to the Executive Board, the Assembly, and the Senate as they may request regarding recognized organizations;

9. Represent SUNY Potsdam in the SUNY Student Assembly (or successor) in the event the President, Vice President, or Treasurer cannot attend. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

10. Attend all Representative Branch meetings (exceptions will be made in extraordinary circumstances);
E. The Secretary shall:

1. Act as Clerk of the Association and as such record the minutes of the Assembly and Senate meetings;

2. Prepare any and all materials for Assembly and Senate meetings (bills, resolutions, constitutions, etc.);

3. Establish and maintain a uniform system of clerical management for the Association;

4. Assist in central office tasks;

5. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year;

6. Attend all Representative Branch meetings (exceptions will be made in extraordinary circumstances);

7. Serve as Historian of the Association;

8. Maintain an electric copy of all current SGA recognized organizational constitutions;

F. The President Pro Tempore of Assembly shall:

1. Assume the office or duties of the Vice President of the Association in the event of absence, disability, resignation, or death of the Vice President;

2. Serve as Chief Justice of the Student Judicial Court.

G. The President Pro Tempore of the Senate shall:

1. Preside over the Senate in the event of the Treasurer and Comptroller are unable to do so;

2. Serve as Chief Justice of the Student Supreme Court;

H. The Sergeant-at-Arms of Assembly shall:

1. escort a member of the Assembly from the meeting at the direction of a 2/3 vote of the Assembly, or by the presiding officer with a majority vote of the Assembly;
I. The Sergeant-at-Arms of Senate shall:

1. escort a member of the Senate from the meeting at the direction of a 2/3 vote of the Senate, or by the presiding officer with a majority vote of the Senate;

Section 6. Executive Board Training Period

A. Outgoing Executive Board members, along with the help of the Advisor to the Executive Board, shall train in-coming Executive Board and/or Advisor for a two (2) week period beginning after the elections have concluded;

   a. After this period has concluded the Executive Board Elects shall be sworn in at the meetings of the Representative Branch;

B. Training shall consist of but not limited to:

   a. Introducing incoming Executive Board members to appropriate faculty/administrators;

   b. Attending current board member office hours until such time training is complete;

   c. Communication of trials, tribulations, and successes of the past year;

   i. Written documentation will be helpful for future Executive Boards so that they may have written account of past years.

Section 7. Vacancies of Office

A. In the event that the office of Vice President is vacated, the President Pro Tempore of the Assembly shall assume the Executive Vice Presidency. The Representative Branches, at their discretion, may choose to direct the Executive Board to hold a new Vice Presidential election;

B. In the event both offices of the President of the Association and Vice President are vacated, the Executive Board shall administer the office of the President. The Executive Board shall choose a chairperson from among themselves who shall preside on their behalf with the consent of the Assembly until an election is held;
C. In the event that the office of the Comptroller is vacated, the Vice President shall supervise a special election to fill the vacancy for the duration of the term. The special election shall take place no later than three (3) Assembly meetings after the office is vacated;

1. In the event that the office of the Comptroller is vacated between January and March, inclusively and the office of Treasurer is filled, then the executive board may elect to leave the position vacated until regular elections;

D. In the event that the office of Secretary is vacated, the Vice President shall supervise a special election to fill the vacancy for the duration of the term. The special election shall take place no later than three (3) Assembly meetings after the office is vacated.

Section 8. There may exist the offices of Executive Assistant to the President and/or Vice President;

A. These offices shall be appointed by the President of the Association or Vice President, respectively;

B. The Executive Assistants to the President of the Association and Vice President shall assist their respective officers in the execution of executive functions.

**ARTICLE V – OATH OF OFFICE**

Section 1. Oath of Office:

A. All Executive Board Members, before taking office, must be administered the following oath of office:

"I do solemnly swear that I will faithfully execute the office of (appropriate title) of the Student Government Association and will, to the best of my ability, preserve, protect, and defend the constitution of the Student Government Association of the State University New York College at Potsdam.

B. The oath of office shall be administered by the presiding Chief Justice before the entire Representative Branch.

**ARTICLE VI – SUPREME BRANCH**

Section 1. The judicial problem of the Association shall be vested in the Student Supreme Court.
Section 2. In the event that a subsidiary organization or member of the Association has an internal problem they may bring their case to the Student Supreme Court. The Student Supreme Court will also convene for the purpose of providing judgment in issues dealing with the interpretation of SGA documents, and those of any subsidiary organizations, disciplinary action, the impeachment of officers and/or the removal of appointed Association representatives and/or Executive Board Members.

Section 3. Grievances

A. All grievances shall be brought to the appropriate member of the Executive Board. If grievance is not resolved with that member, it shall be brought before the President of the Association (unless said grievance is pertaining to the President of the Association. In which case, grievance shall be brought before the rest of the Executive Board.).

B. If grievance cannot be reconciled by the Executive Board, it shall be brought before the Student Judicial Court.

ARTICLE VII – ELECTIONS

Section 1. Eligibility

A. Candidates for elective office within the Association must meet the following criteria. They shall:

1. be full time, SGA fee-paying students attending SUNY Potsdam;

2. be in good academic standing, i.e. must not be on either academic warning or probation at any point during the semester in which the election is held;

3. be in good judicial standing, i.e. must not be on probation for any judicial charges at any point during the election process from nomination to general election;

B. Executive Board candidates must meet the following additional requirements. They shall:

1. Have been a full time, SGA fee paying student at the College, completing at least one (1) semester prior to the semester in which the election is held;
2. Not be planning to apply for graduation, nor have an intent to take part in an exchange program or student teaching during their term of office.

Section 2. Nominations for Executive Board Seats

A. Candidate nominations shall be governed by Sec. 2 of this article, with the following adjustments and additions:

1. Nominating petitions shall contain no less than sixty (60) signatures of Association members, and must be submitted to the SGA office no later than close of business five (5) business days prior to the day of the first scheduled election;

2. In lieu of a nominating petition, Assembly or Senate may nominate any eligible Association member. Assembly and Senate nominations shall be made at any of the three (3) meetings of the Assembly or Senate, respectively, prior to the date of the election.

Section 4. Campaigning

A. All candidates shall be free to run their own campaign in accordance with established SGA rules and guidelines;

B. Candidates cannot campaign until their nominations are accepted;

C. The Association, in order to promote an open, honest, and meaningful exchange of views during the course of any official election, shall recognize three (3) general categories of campaign methods. They are:

1. Word of mouth. This category shall include, but is not limited to, a candidate or member of their staff verbally engaging an individual or group with the content of such engagement primarily concerned with any issue related to the campaign;

2. Public printed material. This category shall include, but is not limited to, any material printed by, or on behalf of, a candidate or member of their staff expressly for use in an official election;

3. Mass media. This category shall include, but is not limited to, newspapers, radio, television, computer transmissions, and other such broadcasts directed specifically at large numbers of Association members expressly for the purpose of soliciting potential voters in an official election;
D. The Association shall not restrict, or in any way discourage, the use of any campaign method provided it complies with college, state, and federal guidelines and statutes governing said material and media.

E. Candidates shall be notified by the Elections Committee, in writing within five (5) business days if there is a complaint concerning campaign materials, otherwise materials shall be considered accepted;

F. All candidates shall be required to officially endorse their materials in campaign be initialing all materials

Section 5. Voting

A. Executive Board elections shall be held on the first full week of classes in April ending no later than the Assembly meeting time that week;

1. In the case that there are more than two (2) candidates running for any one office, that office will run-off in a primary, ending no later than 5:00pm on the Monday immediately preceding the regular elections;

2. The two (2) candidates who receive the highest number of votes for each office involved in the primary will advance to the regular election;

B. Polling places

1. Polling places for both Executive Board and special elections shall be provided for by the elections committee;

C. Conspicuous public notice of election results shall be made within one (1) week of conclusion of ballot tabulations. Exceptions may be made in the case of a contested election;

1. All candidates shall be notified within twenty-four (24) hours of the conclusion of ballot tabulations;

D. Notification in all cases shall be made in accordance with Sec. 2 subsection E of this Article;

E. Votes cast for persons who are not members of the Association, or who are not eligible to hold office as per Sec. 1 of this article shall be declared void, and shall not be counted for the purpose of determining the number of votes needed to constitute a majority;
F.  Handwritten votes cast for persons who are members of the Association and eligible to hold office shall be counted towards the total number of votes needed to constitute a majority.

G.  All students shall be given the option of abstention from any SGA election for any elected position.

Section 6.  Appeal and Adjudication

A.  Members of the Association reserve the right to file a written complaint regarding any aspect of an election.  Said complaint shall be filed no later than close of business, three (3) business days following the close of polls, at the SGA Office;

1.  Matters filed herein shall be adjudicated by the Election Committee, and may result in the admonishment, monetary fine, or disqualification of one or more candidates and/or may result in the dismissal of the general elections, causing another election to be held;

   a.  The Election Committee shall take verbal and/or written testimony from both the person(s) making a complaint, and the person(s) against whom said complaint is made.  The committee reserves the right to determine the manner and form under which testimony is taken in all cases not specifically provided for by statute;

B.  Matters filed in accordance with Sec. 6 subsection A of this Article shall be guaranteed the right of appeal to the full Assembly in a timely, efficient manner;

1.  Appeals shall be made in writing and filed with the Vice President not later than two (2) business days following the resolution of the original action;

2.  Appeals made in proper fashion shall be heard at the first Assembly meeting following the date on which the appeal was filed;

3.  If no Assembly meeting is scheduled between the date after which the appeal is filed and the day before the election, and all appeal procedures have been followed, the Vice President must call a special session of the Assembly at least twelve (12) hours prior to the opening of balloting.
ARTICLE VIII – PARLIAMENTARY AUTHORITY

The parliamentary authority of this Association shall be the newest edition of Robert’s Rules of Order (or subsequent document). Procedures lined out in SGA documents shall supersede the Parliamentary Authority.

ARTICLE IV – ADVISOR TO THE EXECUTIVE BOARD

Section 1. There shall be one (1) faculty/professional staff advisor, selected by the Executive Board with a majority vote, who will then inform the Representative Branch.

Section 2. The Advisor to the Executive Board shall serve a term of one (1) academic year beginning on the first week of the fall semester and shall terminate on the Thursday of the first full week of classes in April the following year. The Advisor shall be selected within three (3) weeks following the SGA Executive Board elections.

Section 3. If the Executive Board deems it necessary to remove the Advisor, the Representative Branch must approve by a two-thirds (2/3) vote in both houses. In this event, a new Advisor shall be selected within two (2) weeks.

Section 4. The Advisor to the Executive Board shall:

A. Serve as a non-voting member of the Assembly and of the Senate;

B. Attend Executive Board meetings per the request of the Executive Board;

C. Attend a meeting of both the Senate and Assembly within the first three weeks of active meetings of the academic year;

D. Assist the Executive Board by: providing guidance and leadership, serving as an information source, and in the development of goals and objectives,

ARTICLE X– AMENDMENTS

Amendments to this Constitution shall require a two-thirds (2/3) affirmative vote of the Assembly, a two-thirds (2/3) affirmative vote of the Senate, and a two-thirds (2/3) vote of the Association who participate in the referendum.

ARTICLE XI – THE INSURANCE INDEMNIFICATION CLAUSE

Section 1. The responsibility of SGA club and/or organization recognition shall lie with the SGA Assembly and Executive Board;
A. The SGA Executive Board shall:

1. Have the privilege to deny SGA recognition to clubs that pose a serious risk to the continuity of SGA insurance coverage.

Section 2. The SGA Executive Board shall:

A. Have the privilege to discontinue any activity that poses a risk to the continuity of SGA insurance coverage.

1. The SGA Executive Board must seek counsel with an attorney or appropriate faculty member or current insurance provider before discontinuing any activity.

ARTICLE XII – SUPREMACY CLAUSE

This Constitution shall be the supreme law by which the members of the Student Government shall abide except in those cases in conflict with the Student Code of Rights, Responsibilities and Conduct.

ARTICLE XIII – NON-DISCRIMINATION CLAUSE

There shall be no discrimination on the basis of race, ethnicity, color, national origin, sex, gender identity, sexual orientation, age, disability, political affiliation, material status, veteran’s status, or religious affiliation within this organization.

ARTICLE XIV – DISSOLUTION CLAUSE

Should the Student Government Association of SUNY at Potsdam, New York dissolve, all remaining assets, after payment of outstanding liabilities, shall be delegated to the Potsdam College Foundation and shall be used solely for SUNY Potsdam student scholarships.

ARTICLE XV – HAZING

Respect for the dignity and rights of other students are a basic tenet of the College community. Any activity expected of someone that humiliates, degrades, abuses, or which endangers the mental, emotional, physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in an organization or team whose members are or include students at SUNY Potsdam is prohibited. Hazing may occur regardless of the person’s willingness to participate. Note: A person commits a hazing offense if the person engages in hazing; solicits, encourages, directs, aids or
attempts to aid another engaging in hazing; or intentionally, knowingly, or recklessly permits hazing to occur. Hazing is prohibited in this community.
For more information please visit the SUNY Potsdam Code of Conduct office.