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. The date of organization’s original formation was June 1, 1948.

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

Section 1. 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.

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

Section 3. Each recognized, organization shall be allowed one (1) seat in the Assembly. 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, their seat shall be filled by any 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 Assembly;

Section 6. A majority of the Assembly shall constitute a quorum.

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;

Section 9. Every piece of legislation that passes the Assembly shall be presented to the President of the Association before it becomes law. If the President approves the piece, they will sign it; if the 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 of their 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, the bill can be returned to the house for reconsideration with a 2/3 vote of all present and voting members for passage.

a. The members voting in objection must provide rationale for failure;

i. To be dictated by the Clerk of the Association’s record of the proceedings;

b. If during reconsideration, members voting in affirmative of the bill in question may provide rational for passing the bill in question;

c. When voting during reconsideration the final vote determines the bill’s status.

Section 10. The Assembly 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 as a legislative bill and shall follow normal bill procedures.

E. Determine the rules of the Assembly’s procedures;

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

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

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

I. 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.

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

Section 11. The Assembly 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, The Chief Justice of the Student Supreme Court, and shall be chaired by the President.

Section 3. The SGA Treasury shall be comprised of the Treasurer, Comptroller, and Business Manager.
Section 4. The term of office for the President, Vice President and Secretary shall be one (1) year, beginning at the second (2\(^{nd}\)) regular session of the Assembly following their election, after the training period has been complete. 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 second (2\(^{nd}\)) regular session of the Assembly following election.

Section 5. The Executive Board members shall not hold any office within any organization within the Association.

Section 6. A. The President of the Association shall:

1. Nominate, by and with the advice and consent of the Executive Board, 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 they shall deem necessary;

3. Convene the Assembly on extraordinary occasions;

4. Serve as the Chair of SGA’s President’s Council, which shall convene no less than once per semester;
   a. Shall be comprised of all presidents of recognized SGA Organizations with one seat being reserved for the AGC (or successor) President;

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 majority approval from the Assembly;

6. Hire, with the advice and consent of the Executive Board, any and all professional personnel, including interns, 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, as a voting member, and attend all meetings of the College Council meetings;

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

12. Serve as Potsdam College Foundation Board Representative and attend all Potsdam College Foundation Board meetings;

13. Serve as the Faculty Senate Student Representative as a non-voting member;

14. Serve on PACES Board as a voting member along with the Treasurer;

15. Meet with the President’s Designee no less than twice a month, at the President’s Designee discretion;

16. Attend any other committees, meetings, or events as requested by the faculty;

17. Attend meetings of the campus Leadership Forum

18. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor) in the event that the Vice President is unable to attend. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

B. The Vice President of the Association shall:

1. Preside over Assembly and specially convened meetings of the Assembly as the President of Assembly;

2. Co-chair Joint Sessions of the Assembly and Budget Committee with the Treasurer;

3. Attend all Assembly 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 the Election Committee and serve as initial chair of all Association Committees, appointing a Chair and Vice-Chair from within the committee by the third regular meeting of said committee. This excludes appointing a chair for the Financial Review Board (FRB) and Public Relations (PR);

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. Shall be the point of contact for all SGA Organizations;

9. 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 FRB, President of the Assembly and/or President of the Association;

3. Shall run Assembly meetings in the absence of the President of the Assembly.

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

5. Co-chair the Budget Committee and chair the FRB in the Fall Semester;

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

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

8. Convene the Financial Review Board on extraordinary occasions;
9. Serve on PACES Board as a voting member along with the SGA President;

10. 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;

11. Attend all Assembly 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. Chair the FRB in the Spring semester;

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;

7. Keep records regarding all recognized organizations, and as such:
   a. Shall keep an accurate, updated list of officers of each organization;
      i. Shall keep an accurate record on the status of the organization as listed in Article X Section F of the FPP
   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 FRB as they may request regarding recognized organizations;

9. Attend all Assembly meetings (exceptions will be made in extraordinary circumstances);
10. 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;

E. The Secretary shall:

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

2. Prepare any and all materials for Assembly, Executive Board, and Executive Committees 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 Assembly 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;

9. Train all vice-chairs of Association committees and Associate Justice of the Supreme Court in how to take minutes within the two (2) weeks after Association members being appointed to the above positions;

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

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. Shall run Assembly in the absence of the President of the Assembly and the Treasurer.

3. Serve as Associate Chief Justice of the Student Supreme Court.
G. The Sergeant-at-Arms of Assembly shall:

1. Escort a member of the Assembly from the meeting at the direction of a two-thirds (2/3) vote of the Assembly, by the presiding officer with a majority vote of the Assembly, or by a majority vote of the Executive Board;

H. The Chief Justice of the Student Supreme Court shall;

1. Shall hold no less then one (1) office hour per week;

2. Shall serve as the Parliamentarian of the Assembly;

Section 7. 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 meeting of the Assembly;

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;

d. Written documentation will be required one (1) week before elections, so the future Executive Boards so that they may have written account of past years.

Section 8. 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
Assembly, 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 9. 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 – JUDICIAL BRANCH

Section 1. The judicial power 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 a 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, said grievance shall be brought before the rest of the Executive Board.).

B. If a 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.

C. All candidates shall sign a FERPA release in order for the campus to check for eligibility to run.

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, an Assembly member may nominate any eligible Association member. Assembly nominations shall be made at any of the three (3) meetings of the Assembly, prior to the date of the election.

Section 3. 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 their campaign by initialing all campaign materials.

Section 4. 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 by the election committee;
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 5. 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. 5 subsection A of this Article shall be guaranteed the right of appeal to the full Assembly in a timely and efficient manner;

1. Appeals shall be made in writing and filed with the Vice President no 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 Assembly must approve by a two-thirds (2/3) vote. 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 Assembly within the first three weeks of active meetings of the academic year;
D. Assist the Executive Board by:
   1. Provide 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 all Assembly members, present and voting, 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 used solely for SUNY Potsdam student scholarships within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal tax code.

Any such assets not disposed of in the manor stated in the previous paragraph shall be disposed of by a court of competent jurisdiction in the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.
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.