

**STUDENT GOVERNMENT ASSOCIATION OF
WEST TEXAS A&M UNIVERSITY
CONSTITUTION**

We, the students of West Texas A&M University, in order to promote the general welfare, to secure the full benefits of the United States Constitution for ourselves and our successors, and to act as an official voice of the Student Body, do hereby ordain and establish this Constitution of the Student Government Association of West Texas A&M University. All provisions of the Constitution are subject to the regulation of the Board of Regents of The Texas A&M University System and the Texas Higher Education Coordinating Board.

ARTICLE I

NAME AND PURPOSE OF ORGANIZATION AND MEMBERS THEREOF

SECTION 1. The governmental organization of the students of West Texas A&M University shall be known as the Student Government Association of West Texas A&M University.

SECTION 2. Every student enrolled at West Texas A&M University, as defined by the registrar of West Texas A&M University, shall have the right to voice their opinion to Student Government and vote in all Student Government Association elections.

SECTION 3. To provide a representation for the students of West Texas A&M University, to listen to the opinions of these students, and to act as their liaison between the University administration, local and state government, and the public at large.

ARTICLE II

BILL OF RIGHTS

Preamble:

We do hereby establish this Bill of Rights, as the Student Body of West Texas A&M University, for the provision and protection of our rights as students as implied by West Texas A&M University's Vision:

Section I. Protection under the Law

A. The right to the protection of the laws of the United States of America and the State of Texas in all matters, especially the Constitutional rights endowed to citizens of both the nation and the state, shall not be infringed upon by West Texas A&M University, by sub-organizations of the University, by the student government, or by individuals or groups associated with the University.

Section II. Academic Rights

A. The right to learn in a safe and secure environment.

B. The right in the academic field, including classroom and research settings, to full expression, discussion, dissent, and inquiry related to the topic or course which encourages respect and understanding.

C. The right to receive a current syllabus from each of one's instructor. Syllabus should include, but is not limited to: instructor's name; contact information; office hours; course schedule of tests, quizzes, and major assignments; academic integrity; information on grading.

D. The right to receive written instruction for each course assignment. Instructions should include, but are not limited to: purpose, task, format, due date, and grading criteria.

E. The right to receive written explanation of material to be covered on tests and the format(s).

F. The right for students to be evaluated based solely on academic performance.

- G. The right to receive all graded material, tests, quizzes, and assignments in a timely manner, generally within two weeks.
- H. The right to meet with the instructor(s) during their posted office hours.
- I. The right to withdraw from a course(s) before or on the published deadlines (see University calendar) without incurring monetary or academic penalties, within University policy.
- J. The right to repeat a course(s) in which one received a failing grade, within University policy.
- K. The right to receive accurate, thorough, and helpful information from academic advisors.
- L. The right to academic privacy among peers.
- M. The right to be treated with courtesy, dignity, honesty, and respect by the instructors, staff, and other students.

Section III. Access to Higher Education

A. West Texas A&M University, within the limits of its facilities, should be open to all students who are qualified according to its admissions standards. The facilities and services of West Texas A&M University should be open to all of its enrolled students, and West Texas A&M University should use its influence to secure equal access for all students to public facilities in the local community.

Section IV. Civic Freedom

- A. The right to participate fully as citizens of the city, county, state, and country without repercussion from the University or groups affiliated with the University.
- B. The right to participate fully in non-violent civil disobedience, such as protests and rallies, without repercussion from the University or groups affiliated with the University so long as that civil disobedience does not hinder the University from accomplishing its mission.

Section V. Conduct and Due Process

- A. The rights to an independent, fair and impartial university conduct process with jurisdiction in student code of life infractions (see Student Code of Life and University Disciplinary Process).
- B. The right to engage an advisor, advocate, or an attorney during the conduct process.
- C. The right for the students to present witnesses and any pertinent documentation in their defense.
- D. The right to appeal disciplinary decisions issued by university judiciary bodies.
- E. The right to appeal an unfair grade, and for that appeal system to be uniform throughout the University.
- F. The right to be subject only to policies, rules, and regulations as have been fully and clearly formulated, published, and generally made known to everyone concerned.
- G. The right for any individual being charged to be fully informed of the charges and basis for the charges brought against him or her by university judiciary bodies.

Section VI. Democratic Student Governance

- A. The right to establish and maintain a democratic student government association in which each student shall have an equal right and ability to participate, within the student government associations policy.
- B. The right for the student body to elect its student leaders by campus elections where each student shall have an equal chance to cast a vote.
- C. The right for students to petition the student government association with grievances and/or advisory referenda.

Section VII. Freedom of Association

A. The rights to form, join, and participate in any group or organization at West Texas A&M University for intellectual, political, religious, social, economic, or cultural purposes subject to reasonable regulation by the University.

B. The rights to form, join, and participate in any group or organization outside West Texas A&M University for intellectual, political, religious, social, economic, or cultural purposes without negative repercussion from the University.

Section VIII. Freedom from Discrimination

A. The right to enjoy the same opportunities and privileges as any other student without discrimination or prejudice regarding the student's: race, creed, color, sex, age, national origin, sexual orientation, gender expression, religious views or affiliation, political views or affiliation, marital status, condition of physical and mental ability, or any other unreasonable or arbitrary consideration.

Section IX. Freedom of Expression

A. Students and student organizations should be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. Students should always be free to support causes by orderly means that do not disrupt the regular and essential operations of the institution. At the same time, it should be made clear to the academic and larger community that student's and student organization's expressions and demonstrations are not endorsements or reflections of West Texas A&M University, faculty and staff, or other affiliated students and organizations.

Section X. Independent Student Media

A. The right for students to establish and operate communications media which are independent of University editorial control.

B. The right for independently established student communications media to be circulated around the University.

Section XI. Inquiry

A. The right to inquire into, and be honestly and fully informed of, the reasons for any University policy affecting the student body, the process by which it was adopted, and the means by which it might be changed.

B. The right to petition the appropriate authority for changes in faculty, administration, curriculum, and University policy, without fear of reprisal.

Section XII. Shared Governance

A. The right for the student body to participate in the shared governance of the University especially on university committees that affect the tuition rate, deal with the University budget, and set policy.

Section XIII. Enumerated Rights

A. The enumeration of these rights shall not be construed as in any way nullifying or otherwise limiting any other rights possessed by students or university standards.

B. The student government association has the right, following stated processes prescribed in their rules, to amend this document.

ARTICLE III
THE LEGISLATIVE BRANCH

SECTION 1. The legislative branch of the Student Government Association shall be the Student Senate.

SECTION 2. The officers of the Student Senate shall include:

- (A) The Vice President of the Student Government Association who shall also be the President of the Student Senate.
- (B) The President Pro-tem who shall be a senator nominated by the Student Senate, and then approved by a majority vote (50% + 1) of the total present membership of the Student Senate. In the event of more than two nominees, a preliminary vote will be taken. The two candidates receiving a plurality of votes will be in the final run-off vote. In the final run-off vote, as stated, a majority vote is required. The President Pro-tem shall have the following duties:
1. To serve as presiding officer of the Student Senate in the absence of the President of the Student Senate.
 2. To succeed to the office of Vice President of Student Government Association /President of the Student Senate upon the Student Senate President's death, resignation, or removal. In the event that the President Pro-tem cannot fulfill the duties of this office, the Student Senate shall elect one of their own members to serve as Vice President of Student Government Association/President of Student Senate for the remainder of the term.
 3. To have the same qualifications as the President of the Student Senate.
- (C) The Parliamentarian who shall be a senator nominated by the Student Senate, and then approved by a majority vote (50% + 1) of the total present membership of the Student Senate. In the event of more than two nominees, a preliminary vote will be taken. The two candidates receiving a plurality of votes will be in the final run-off vote. In the final run-off vote, as stated, a majority vote is required. The Parliamentarian shall have the following duties:
1. To advise the President and other officers, committees, and members on matters of parliamentary procedure.
 2. To advise the President on questions of order or parliamentary inquiry.
- (D) The Parliamentarian Pro-tem shall be a senator nominated by the Student Senate, and then approved by a majority vote (50% +1) of the total membership of the student Senate. In the event of more than two nominees, a preliminary vote will be taken. The two candidates receiving a plurality of votes will be in the final run-off vote. In the final run-off vote, as stated, a majority vote is required. The Parliamentarian Pro-tem shall have the following duties only in the absence of the parliamentarian:
1. To advise the President and other officers, committees, and members on matters of parliamentary procedure.
 2. To advise the President on questions of order or parliamentary inquiry.
- (E) The Sergeant at Arms shall be a senator nominated by the Student Senate, and then approved by a majority vote (50% +1) of the total membership of the student Senate. In the event of more than two nominees, a preliminary vote will be taken. The two candidates receiving a plurality of votes will be in the final run-off vote. In the final run-off vote, as stated, a majority vote is required. The Sergeant at Arms shall have the following duties:
1. To close the door to the Senate Chambers upon the President calling the meeting to order.
 2. To lead the senate in a moment of silence at the beginning of each Senate meeting.

3. To lead the senate in the Pledge of Allegiance at the beginning of each Senate meeting.
 4. To administer the oath of office to all new members of the Senate.
- (F) The President Pro-tem, Parliamentarian, Parliamentarian Pro-tem, and the Sergeant at Arms shall be elected after freshmen and graduate elections, but no later than the fourth regular meeting of the Student Senate. In the event of the death, resignation, or removal, a replacement shall be elected no later than the second regular meeting after the vacancy occurs. A vacancy shall be filled by the same process as stated in Section 2 B, C, and D.
- (G) In the event of the absence, death, resignation, or removal of the Vice President of Student Government Association/President of the Student Senate, the line of succession shall be as follows: 1) President Pro-tem of the Student Senate, 2) a senator nominated by the Student Senate, then approved by 2/3 majority vote of the total present membership of the Student Senate, and who meets the same qualifications as the President of the Student Senate. This person shall be elected when necessary.

SECTION 3. Senate Membership.

- (A) The membership of the Student Senate shall be composed of a number in the ratio of one senator to every two hundred students within the designated colleges. The number of freshman senators shall be composed of a number in the ratio of one senator to every two hundred freshman students. The number of graduate senators shall be composed of a number in the ratio of one senator to every two hundred graduate students. Senators must remain in their elected college in order to continue representation of that college. To be elected to the Student Senate, in a general election, candidates must be a declared major for the college which they wish to represent for the duration of their term of office. Candidates for appointment to Senate, as per Article III, Section 9, can be approved by the Student Senate without meeting this qualification.
- (B) To be a member of the Student Senate, an undergraduate student must be currently registered at West Texas A&M in at least twelve (12) semester hours, unless enrolled in final semester, and have and maintain a cumulative 2.750 grade point average. Senators shall not be on scholastic or disciplinary probation while campaigning for or during their term of office. Freshman senators must have less than 30 hours while serving their term, and must maintain a 2.750 cumulative grade point average. A graduate senator must be enrolled in Graduate School or in the Continuing Education Program, and have and maintain no less than a 2.750 cumulative grade point average. Graduate senators must be currently registered at West Texas A&M in no less than six hours of class work, unless enrolled in final semester.

SECTION 4. The sessions of the Student Senate shall be from the second Monday on which classes are held of each fall and spring semester and end the last Monday before finals.

SECTION 5. Quorum.

- (A) A quorum consists of 2/3 majority of the Student Senate seats currently filled. A quorum is lost when there is no longer 51% of the Student Senate seats currently filled present at that meeting. A quorum must always be present for any business requiring a vote, except for adjournment and setting the time for adjournment, from the time a meeting is called to order until the time it is adjourned. The only motions that will be heard without a quorum are for adjournment and setting the time for adjournment.
- (B) Calling a meeting to order without a quorum: A meeting may be called to order without a quorum. Senate can proceed for the invocation, pledge, first roll call, guest speakers, discussion, committee reports, announcements, second roll call, adjournment, and setting the time for adjournment.

- (C) Continuing a meeting in progress after losing quorum: After quorum has been lost, Senate can proceed for guest speakers, discussion, committee reports, announcements, and the second roll call, adjournment, and setting the time for adjournment.

SECTION 6. A first and second roll call will always be taken before adjournment for record keeping purposes.

SECTION 7. Student senators shall meet with the Dean of the College under which they are elected no less than once a semester (fall and spring). Reports of these meetings shall be presented to the Student Senate. Attendance at such meetings shall be enforced in the same manner as regular Senate meetings.

- (A) The Senators of the Freshmen College shall meet with the Head of Admissions no less than once a semester (fall and spring). The Student Government Association President will meet with the senators to help schedule and go over the expectations of the meeting with the Head of Admissions at least once in the fall semester. This meeting shall include but is not limited to scheduling the meetings, teaching them how to make an agenda, expectations of a meeting with an administrator, and answering the questions of the senators. He/she shall attend one meeting to help facilitate the discussion. Freshmen Senators will attend the Dean's meeting under their current degree choice.
- (B) The Senators of the Graduate College will have the option to attend the Dean's meeting under their degree choice. They must let the senior senator in the college know they wish to attend the Dean's meeting.

SECTION 8. Student Senate Absences.

- (A) Each senator shall be allowed a total of four absences during the fall and spring semesters combined as determined by the Internal Affairs Committee chair and the Parliamentarian. Unless, the circumstance arises where the Internal Affairs Committee Chair also assumes the role of Parliamentarian, and in that case the duty of assessing absences would transfer to the Student Government Association Advisor. If a fifth absence occurs, the Senator shall be automatically removed from his/her seat.
- (B) In the case of an emergency absence, the Internal Affairs Committee chair may find the absence excusable and it will not count toward a regular absence. The Senator must provide written documentation to the Chair of Internal Affairs Committee within two weeks of the date of absence for this to be considered.
- (C) In regards to half absences: The Senate President along with the Chairman of the Internal Affairs Committee shall be informed of the absences 24 hours in advanced in order for said absence to be excused. In the event that a scheduled class is the reason for a senator to miss the first or second roll call, a class schedule should be provided at the beginning of the semester. In the instance that a university event is the reason for a senator to miss the first or second roll call, documentation from a coach, sponsor, or professor shall be provided 24 hours in advance for said event. Excused absences shall not count against a senator. Fines and absences for missing a senate meeting will still be addressed by the Parliamentarian who will report them to the Senate President and Internal Affairs Chair whom will in turn, report these issues to the Student Government Association Advisor for documentation.
- (D) Absences shall be recorded by the Senate secretary and the Internal Affairs Committee chair, or a member of the committee in the event of the Chair's absence.
- (E) Student senators shall meet with the dean of the College under which they are elected no less than once a semester (fall and spring). Attendance to dean's meetings shall be enforced in the same manner as regular Senate meetings. Failure to meet with the dean shall result in one (1) absence per missed meeting.

SECTION 9. Any vacancy occurring shall be filled by a student who:

- (A) Meets all Senate qualifications (Section 3 B).

- (B) Is present at the meeting on which the vacancy shall be voted.
- (C) Is approved by plurality of the Senate present.
- (D) Vacancies can be filled once a month during the first Senate meeting of the respective month and will be specified on the agenda as “Vacancy Filling.” This section of the agenda will be forgone if no vacancies are to be filled.
- (E) All students that are interested in filling a vacancy must attend at least one (1) Senate meeting prior to the candidate’s presentation to the Senate and the confirmation vote.
- (F) All students interested in filling a vacancy have to attend an evaluation/interview process with the Student Senate President and two (2) of the Committee Chairs before the senate shall vote on the vacancy.

SECTION 10. The Student Senate shall have the following powers:

- (A) To enact all laws considered necessary and proper by a majority of Senate seats currently filled for the general welfare of the Student Body.
- (B) To approve the recommendations by the Student Body President for the Chief Justice and Student Judicial Board by a 2/3 majority vote of all members present.
- (C) To set all procedures for general and special elections as according to the current Election Code.
- (D) To submit, by 2/3 vote of the total membership of Student Senate, any proposed amendments to this Constitution of the Student Government Association to the Student Body.
- (E) To bring articles of Impeachment against any student body officer or Student Government Association Member, elected or appointed, while following the rules herein.
- (F) To fill any appointed office which the Student Body President or Special Appointing Committee of the Student Government Association does not fill by two long-semester class weeks after the vacancy has occurred. The Senate will fill the vacancy by a 2/3 vote of the members present. In the event that a suitable candidate cannot be found, the Special Appointing Committee will appoint an interim to fill the appointed office until a suitable candidate is found.
- (G) To attend all required Student Government Association related events at the discretion of the Senate President.

ARTICLE IV **THE EXECUTIVE BRANCH**

SECTION 1. The executive power of the Student Government Association shall be vested in the President of the Student Government Association.

- (A) The President shall have an executive cabinet comprised of the Vice President of the Student Government Association, the Chief Justice, and such other administrative appointees of the President.
- (B) The President shall be the chairperson in all cabinet meetings. The Vice President shall be the vice-chairperson and shall represent the interest of the executive cabinet in the Student Senate.
- (C) The executive cabinet shall be the policy implementing body of the Student Government Association officers.
- (D) The Advisory Council shall be established to provide guidance to the President of the Student Government Association and act as a liaison from University colleges, organizations, and other entities as seen appropriate. The President’s Advisory Council

shall consist of the President and a minimum of three (3) Advisory Council members and a maximum of ten (10) Advisory Council members.

1. When assuming the role of an Advisory Council member, they must have and maintain a 2.750 cumulative grade point average, be currently registered at West Texas A&M in at least twelve (12) semester hours, unless enrolled in final semester. Graduate students must be registered at West Texas A&M University in no less than six (6) semester hours, unless enrolled in final semester, and must have and maintain a 3.000 cumulative grade point average. Students may not be on scholastic or disciplinary probation when applying for or during term of office.
2. The selection process of an Advisory Council member shall consist of an application, interview process, and affirmation by the Student Senate. The interview shall consist of the President, Student Government Association Advisor, and any other executive cabinet members at the discretion of the President.
3. The Advisory Council members shall serve their term from the point of their selection and affirmation until the end of the President's term. Vacancies shall be filled by the same process as the original appointments and the new appointee(s) will finish out the term(s) of the previous Advisory Council member.
4. The meetings of the President's Advisory Council shall be held on a bi-weekly basis at a unanimous time and location decided upon by the President and Council members.
5. The President's Advisory Council shall consist of a minimum of the three (3) members aforementioned. These first three (3) appointed members shall fill the titles of Secretary of External Affairs, Secretary of Student Involvement, and Secretary of Facilities. The Secretary of External Affairs shall act as a liaison between the City of Canyon, attend Canyon Town Hall meetings when deemed necessary, and report all pertinent information regarding those meetings back to the President, who can then utilize and disperse that information appropriately. The Secretary of External Affairs shall represent, attend, and achieve all other duties deemed necessary by the President. The Secretary of Student Involvement shall be a liaison between on-campus organizations, Greek life, and athletic departments. The Secretary of Student Involvement shall represent, attend, and achieve all other duties deemed necessary by the President. The Secretary of Facilities shall act as the Student Government Association's Food and Facilities representative. They shall also serve as the Information and Technologies (IT) representative and attend all meetings that require their attendance. The Secretary of Facilities shall represent, attend, and achieve all other duties deemed necessary by the President. Any other Council Advisory members exceeding the required three (3) who are appointed by the President will fill the title, role, and duties assigned at the discretion of the President.
6. The members of the President's Advisory Council shall meet with the President to discuss the delegation of the Student Government Association iPads to eligible students at the discretion of the Council and the President.
7. The President's Advisory Council shall attend all Student Government Association events as well as meetings when pertinent to their role, duties, or responsibilities.

SECTION 2. The President of the Student Government Association must have a minimum of 50 accredited credit hours upon completion of the spring semester, and must have completed 60 accredited credit hours (Junior standing), or be of graduate standing by the beginning of the fall semester following election upon taking office. He or she must have been enrolled the previous two consecutive semesters at West Texas A&M University prior to assuming office and must be currently registered at West Texas A&M University in at least twelve (12) semester hours, unless enrolled in final semester. They must have and maintain a cumulative 3.000 grade point average. Graduate students must be registered in no less than six (6) semester hours, unless enrolled in final semester, and must have and maintain a 3.000 cumulative grade point average. The President shall not be on scholastic or disciplinary probation when applying for or during his/her term of office. At the time of application, he or she shall have needed to serve in any branch of Student Government Association for at least one long fall or spring semester. In the event that he or she has not previously served in Student Government Association, then the applicant's nomination must be approved by Student Senate by a majority vote.

SECTION 3. The President of the Student Government Association shall have the following duties and responsibilities:

- (A) To be the official representative and chief executive officer of the Student Government Association.
- (B) To ensure that all provisions of the Constitution and By-Laws of the Student Government Association are faithfully executed and adhered to.
- (C) To act as chief coordinator of executive cabinet functions and activities involved with the Student Government Association officers.
- (D) To act as an ex-officio member of all executive committees of the Student Government Association.
- (E) To not hold any other job which will interfere with office hours, Monday through Friday, as agreed to in the acceptance agreement.
- (F) To present a State of the Student Body Address outlining tentative goals for inclusion into the legislative program for the coming year. This Address shall be presented to Student Senate by its third regular meeting.
- (G) To present the projected budget before the end of September; whether that be in an official meeting or in the form of a special meeting so that the Student Senate may be informed of the fiscal projections for the academic year.
- (H) To serve, if not currently a member of Student Senate, as an ex-officio member of Student Senate after spring general election until taking office.
- (I) To inform the other Student Body Officers and the Chair of the Internal Affairs Committee of any felony, misdemeanor, or Code of Student Life charge/violation within one week of the incident.

SECTION 4. The President of the Student Government Association shall have the following powers:

- (A) To serve on and/or recommend student representatives to University committees as requested by University officials.
- (B) To create Student Government Association executive committees and appoint their chairpersons.
- (C) To require in writing by the Student Judicial Board an interpretation of any provision of the Constitution, Senate by-laws, or executive order.
- (D) To issue orders designed to carry out the proper functioning of the Constitution or Senate bylaws.
- (E) To call a special election with the approval of 2/3 of senators present.

- (F) To have direct veto power on any legislative action of the Student Senate. Any bill or resolution not signed or vetoed within ten days shall be considered signed by the President. Veto may be overridden by a 2/3 vote of senators present and enacted within two weeks of the date of veto. Any veto made must be reported to the Senate within one week or will be considered signed by the President.

SECTION 5. The Vice President of Student Government Association shall meet the same qualifications as the President of Student Government Association (Article IV, Section 2), and must have served, at time of application, at least two long semesters as a Senator.

SECTION 6. The Vice President of Student Government Association shall have the following duties and powers:

- (A) To serve as President of Student Senate.
- (B) To see that the responsibilities of the Senate are faithfully executed.
- (C) To succeed to and carry out the functions of the presidency in case of death, resignation, removal, or temporary absence of the President.
- (D) To not hold any other job which will interfere with office hours, Monday through Friday, as agreed to in acceptance agreement.
- (E) To appoint the members and chairpersons of any standing, special, and temporary committees of the Student Senate.
- (F) To call special sessions of the Student Senate.
- (J) To inform the other Student Body Officers and the Chair of the Internal Affairs Committee of any felony, misdemeanor, or Code of Student Life charge/violation within one week of the incident.

SECTION 7. The Special Appointing Committee shall consist of the incoming President, Vice President, Chief Justice, and Advisor of Student Government Association and shall have the following duties and powers:

- (A) To interview applicants for Chief Justice and the Student Judicial Board. The Special Appointing Committee, for interviewing the incoming Chief Justice, shall consist of the incoming President and Vice President, the outgoing Chief Justice, and the advisor for Student Government Association.
- (B) To make recommendations for Chief Justice and the Student Judicial Board to the Student Body President.
- (C) To make non-binding recommendations for executive director and supporting directors to the Student Body President.

SECTION 8. In such a case when the President of the Student Government Association can no longer fulfill the duties of their office, the Vice President shall assume the duties of the Office of the President. The President Pro-tem shall resign from the senate and assume the duties of the Office of the Vice President. In such case where multiple officers can no longer fulfill the duties of their office, the line of succession shall be as follows:

1. Vice President of the Student Body
2. President Pro-tem of the Senate
3. Cabinet Secretary for External Relations
4. Parliamentarian of the Senate
5. Cabinet Secretary for Facilities
6. Sergeant at Arms of Senate
7. Cabinet Secretary for Student Involvement

ARTICLE V

THE JUDICIAL BRANCH

SECTION 1.

The Student Judicial Board, its members, and jurisdiction.

- (A) The judicial branch of the Student Government Association shall consist of the Student Judicial Board.
- (B) The Student Judicial Board shall consist of the Chief Justice and four (4) associate justices. When assuming the role of a justice, they must have and maintain a 2.750 cumulative grade point average, be currently registered at West Texas A&M in at least twelve (12) semester hours, unless enrolled in final semester. Graduate students must be registered at West Texas A&M University in no less than six (6) semester hours, unless enrolled in final semester, and must have and maintain a 3.000 cumulative grade point average. Students may not be on scholastic or disciplinary probation when applying for or during term of office.
- (C) The Chief Justice of the Student Government Association must have a minimum of 45 hours or be of graduate status upon completion of the spring semester. The Chief Justice must have been enrolled at West Texas A&M University the two (2) previous consecutive semesters prior to assuming office and must be currently registered at West Texas A&M University in at least 12 semester hours, unless enrolled in final semester. He or she must have and maintain a 3.000 cumulative grade point average. Graduate students must be registered at West Texas A&M University in no less than six (6) semester hours, unless enrolled in final semester, and must have and maintain a 3.000 cumulative grade point average. The Chief Justice shall not be on scholastic or disciplinary probation when applying for or during term of office.
- (D) The Chief Justice and justices shall serve a term of one academic year. Vacancies shall be filled by the same process as the original appointments and the new appointee will finish out the term of the previous Chief Justice or justice.
- (E) Unexcused absences at Student Judicial Board hearings incurred by the justices, four (4) for the fall and spring semesters combined, will automatically remove a justice from the Student Judicial Board. Attendance to hearings will be recorded by the Chief Justice. The vacancies, due to unexcused absences, will be filled in the same manner as the process for original appointments. The new appointee will finish out the term of the previous justice.
- (F) The Chief Justice shall be the presiding officer of the Student Judicial Board. Three (3) members of the Student Judicial Board shall constitute a quorum. If both the Chief Justice and the Chief Justice Pro-tem are absent, the associate justices shall elect one of their number to preside over hearings.
- (G) The Chief Justice Pro-tem shall be an associate justice chosen by the Chief Justice at the beginning of the fall and spring semesters. In the event of the death, resignation, or removal of the Chief Justice, the Chief Justice Pro-tem shall automatically have the following powers:
 - 1. To serve as presiding officer for hearings of the Student Judicial Board.
 - 2. To swear in members of the Executive Cabinet and Student Judicial Board.
 - 3. To assume the duties and responsibilities over Student Government Association elections. In the event of the absence of the Chief Justice, the Chief Justice Pro-tem shall have the powers listed under Article V, Section 1, letter G, numbers 1, 2, and 3 only at the instruction/discretion of the Chief Justice. If the Chief Justice is running for elective office, honorary position, or is otherwise unable to fulfill these duties, his/her duties and responsibilities over the election, shall be passed down to the Chief Justice Pro-tem. In the event that the Chief Justice and the Chief Justice Pro-tem are both running for an elective office, honorary position, or are otherwise unable to

fulfill these duties, the remaining justices shall elect one of their members to assume the duties and responsibilities of the election.

- (H) The judicial power of the Board shall be extended to all cases arising under this Constitution, the functions of Student Affairs, and appeal, with such exceptions and under such regulations that the Student Senate or the University shall make.
- (I) The Student Judicial Board shall hear cases as assigned and pertaining to:
 1. Violations of the current Code of Student Life.
 2. Violations of the current Residence Hall Handbook.
 3. Appeals of decisions made by the Inter-Fraternity Council, the Panhellenic Council, or the Intramural Board.
 4. Violations of the Student Bill of Rights.
- (J) The Student Judicial Board shall have the power of judicial review over any Senate by-law change or any election code revision. In order for the Judicial Board to hear the case a member of the student body must create a student body petition (clearly stating the constitutional question) that is signed by 30% of the total number of votes cast in the preceding general election. Such a petition must be presented to the Judicial Board after the signatures have been verified by the Student Government Association Advisor as officially registered in the university. In order to assist the Student Government Association Secretary in this verification process, every signature must include the student's ID number to be counted as a valid signature.

SECTION 2. The Student Judicial Board shall have the authority to summons individuals and/or physical evidence as pertaining to the incident or situation at hand.

SECTION 3. The Chief Justice shall have the following duties and responsibilities:

- (A) To be the presiding officer of the Student Judicial Board.
- (B) To see that the responsibilities of the members of the Student Judicial are faithfully executed.
- (C) To serve on University Committees as requested.
- (D) To oversee Student Government Association elections.
- (E) To issue orders designed to carry out the proper functioning of the Election Code.
- (F) To act as chief coordinator of judicial branch functions and activities involved with the members of the Student Judicial Board.
- (G) To ensure that all provisions of the Constitution and By-laws of the Student Government Association are faithfully executed and adhered to.
- (H) To perform duties assigned or required by the Executive Secretary for the Vice President for Student Affairs, the University Judicial Officer, and the Student Government Association Office.
- (I) To make sure all members of the Student Judicial Board are sworn in before assuming the duties of their position.
- (J) To keep a current list of the members of the Student Judicial Board, their addresses and phone numbers, and furnish same to the Executive Secretary for the Vice President for Student Affairs, the University Judicial Officer, and the Student Government Association Advisor.
- (K) To schedule hearings at the Chief Justice's discretion and report them to the Executive Secretary for the Vice President for Student Affairs, the University Judicial Officer, and the Student Government Association Advisor, and make them aware of any changes to such schedule.

- (L) To supply the members of the Student Judicial Board with the proposed policies and regulations of the Board, and to provide a copy of these policies and regulations to the Student Government Association Advisor.
- (M) To have all members of the Student Judicial Board sign a scholarship agreement at the beginning of the fall and spring semesters, and to provide the Student Government Association Advisor with copies of the completed agreements.
- (N) To not hold any other job which will interfere with office hours, Monday through Friday, as agreed to in the acceptance agreement.
- (O) To inform the other Student Body Officers and the Chair of the Internal Affairs Committee of any felony, misdemeanor, or Code of Student Life charge/violation within one week of the incident.

SECTION 5. The Associate Justices shall have the following duties and responsibilities:

- (A) Attend all scheduled hearings, unless an alternate justice.
- (B) Work election polls.
- (C) Assist with and attend Student Government Association programs and events.
- (D) Attend Student Judicial Board training.
- (E) Only hear cases given to the Board by the Senior Director for Student Development/University Judicial Officer.
- (F) Abide by the proposed policies and regulations of the Student Judicial Board.
- (G) Fill out a scholarship agreement at the beginning of the fall and spring semesters.

SECTION 6. The Judicial Advocates shall have the following duties and responsibilities:

- (A) A minimum of two (2) and maximum of four (4) Judicial Advocates be appointed each academic year, by the Chief Justice, to ensure students of West Texas A&M University receive a fair hearing before the Student Judicial Board.
- (B) Must be enrolled in at least twelve (12) semester hours unless this is your final semester. Graduates must be enrolled in no less than six (6) semester hours.
- (C) Must have and maintain a cumulative grade point average of 2.750. Graduates must have and maintain a cumulative grade point average of 3.000.
- (D) Judicial Advocates are available to serve as counsel for those involved in appeals before the Student Judicial Board. Their responsibilities are to perform discovery and research cases, assist parties through the proceedings, and arguing cases before the Student Judicial Board.
- (E) Assist in cases pertaining to the Constitution, the functions of Student Affairs, and appeals.
- (F) Represent students on cases pertaining to violations of the current Code of Student Life, violations of the current Residence Hall Handbook, appeals of decisions made by the Inter-Fraternity Council, the Panhellenic Council, the Intramural Board, and violations of the Student Bill of Rights.
- (G) Remain up to date on Senate By-Law changes and Election Code revisions as the Student Judicial Board has the power of judicial review over these areas.
- (H) To assist in maintaining the credibility and honor of the SGA elections held during your term.
- (I) If a Judicial Advocate incurs more than four (4) unexcused absences for the fall and spring semesters combined, automatic removal will occur. If a Judicial Advocate incurs two (2) unexcused absences in a semester, he/she will be required to meet with the Chief Justice regarding those absences. Excused absences are those that are reported to the Chief Justice twenty-four (24) hours prior to the event.

ARTICLE VI

THE IMPEACHMENT PROCESS

SECTION 1. Articles of impeachment shall be presented to the members of the Student Senate when in Senate is in session and has met a quorum.

SECTION 2. Articles of Impeachment shall be signed by no less than 1/3 the membership of the Student Senate or by 1/3 of the number of the students who voted in the previous student body election.

SECTION 3. Articles of impeachment shall outline the ways in which the officer has violated a governing document. These shall be known as “the charges.”

SECTION 4. Immediately after Articles of Impeachment are presented, it shall be referred to the Internal Affairs Committee, unless the officer charged resides on said committee, in which case, it shall be referred to a Special Committee appointed by the Senate President and approved by a majority vote of the senators present.

SECTION 5. The committee shall review and investigate the charges as necessary. The committee shall deliberate and vote on each charge independently to impeach the officer. The officer shall be impeached if the committee casts a majority vote to impeach on said charge(s). The officer shall not be impeached if the committee fails to cast a majority vote regarding the charges in question. Only one charge is necessary to impeach an officer. The committee shall cast their votes to the committee chair and the votes shall be confirmed by at least two (2) members of the Student Judicial Board.

SECTION 6. The committee chair shall present the results of the committee’s investigation before Senate and announce the vote on each charge. The chair shall confirm the status of the officer.

SECTION 7. Should the committee vote to impeach the officer, said officer shall be placed on administrative suspension until such a time when the student senate shall host the officer’s trial.

SECTION 8. The designated committee shall be referred to as “the prosecution.” The impeached officer shall be designated as “the defendant.”

SECTION 9. Both parties shall receive a minimum of 7 days to investigate and gather witnesses for the trial of the impeached officer.

SECTION 10. The prosecution shall investigate and gather further evidence concerning the actions of the impeached officer and prepare witnesses to testify to the said charges or actions. Any new impeachable charges shall be designated as “new discovery.”

SECTION 11. The defendant shall investigate and gather evidence concerning their defense and prepare witnesses for their defense.

SECTION 12. The impeached officer shall have the right to appeal the decision of the committee to the Student Judicial Board. The board may only examine the validity of the signatures of the petition, the vote of the committee, and the document on which the charges are based.

SECTION 13. No later than four (4) days before the trial date, both the prosecution and the defendant shall submit all evidence and a preliminary witness list to the Student Judicial Board for review. The evidence and preliminary witness list shall also be provided to the opposing party.

SECTION 14. Each party shall have one (1) day to review the opposing evidence before submitting their final evidence packet and finalized witness list. Additions outside this submission is at the discretion of the Chief Justice and Student Judicial Board.

SECTION 15. No later than two (2) days before the trial, all evidence shall be provided in a prepared packet to the student senators.

SECTION 16. The Chief Justice shall be the presiding officer of the trial to remove the impeached officer unless they are the impeached officer or appear on the witness list of either party. If the Chief Justice may not preside, the role shall follow the normal line of succession for the Judicial Branch.

SECTION 17. The trial shall consist of the following: a three (3) minute opening statement from both prosecution and the defendant, respectively; the prosecution shall call and question their first witness; the defendant shall receive equal time to cross examine said witness; the defendant shall call and question their first witness; the prosecution shall receive equal time to cross examine said witness; the pattern of one witness from the prosecution to one witness from the defense shall continue until the witness list has expired; the presentation of any additional evidence by the prosecution; the presentation of any additional evidence by the defendant; a final statement from the defendant; and a final statement from the prosecution. The final statement given by the defendant shall signal the end of the trial period.

SECTION 18. Immediately following the trial prior, the Student Senate shall deliberate and consider all evidence and testimony in closed session with only the following members present; the Chief Justice, Chief Justice Pro-Tem, Student Government Association Advisor, and the Student Senate. The Senate members shall then vote by ballot to either remove the impeached officer or sustain their position. The votes shall be cast to the presiding officer and confirmed by at least three members of the Student Judicial Board. Student Senators not present may delegate their right to vote to any other senator.

SECTION 19. Immediately following the confirmation of ballots, the Senate shall open session again, and the results of the vote announced by the presiding officer.

SECTION 20. The Student Senate shall adopt the following standing rules for the trial:

1. The trial shall be open to the public
2. Members of the public shall not receive a right to question witnesses or make comments
3. Members of the senate shall not receive right to comment, but may submit questions to the prosecution to consider
4. The speaking members of the prosecution may consist of no more than three (3) members of the prosecuting committee

5. The speaking members of the defense may consist of no more than three (3) members of the defense
6. Speaking members of either party may object to any action taken by the opposing party
7. The presiding officer shall have the sole authority to cast judgment on any objection

SECTION 21. An impeached officer, if removed from office shall immediately remand all resources, titles, and positions related to their placement

SECTION 22. An impeached officer not removed from office by the Student Senate shall remain impeached but shall be taken off of administrative leave and reinstated to their full constitutional authority.

SECTION 23. If an officer previously impeached is found to have violated a governing document in an additional instance, the process shall be repeated, except, if an impeached officer is found guilty for a second time by the committee, they shall be automatically removed from office.

ARTICLE VII

ELECTIONS

SECTION 1. All elections will be held in compliance with the current WTAMU Student Government Association Election Code and WTAMU Code of Student life.

SECTION 2. Terms of Office.

- (A) Terms of office for the President, Vice President, Chief Justice, associate and alternate justices, and senators of Student Government Association shall be one academic year. Their terms shall begin after the last day of spring finals, after taking the following oath which is given by the Chief Justice or Senate Sergeant-at-Arms.
 - “I affirm that I will faithfully execute the duties of my office and will to the best of my ability uphold the Constitution of the West Texas A&M University Student Government Association and enforce the laws which are contained herein.”
- (B) The oath for the newly elected President and Vice President shall be given prior to the expiration of the terms for the current President and Vice President. The oath for the newly appointed chief justice for the following year shall be given at the meeting in which he/she is approved by Student Senate. Senators shall receive their oath at the first Senate meeting of the fall semester to be given by the Sergeant-at-Arms or the Chief Justice.
- (C) Students filling Senate vacancies during the academic year shall be sworn in during the Senate meetings in which they were appointed by the Sergeant-at-Arms. If the sergeant-at-arms is unable to fulfill this duty, the Chief Justice will oversee the swearing in of new senators.

SECTION 3. Freshman and graduate senators shall be elected to the Student Senate in the fall general election. Persons running for senator in the undergraduate schools shall stand for election in the spring general election. A plurality of votes is necessary to win the election.

SECTION 4. The President and Vice President of the Student Government Association shall be elected in the spring general election. A simple majority of the votes cast in each race is necessary to win the election.

SECTION 5. Candidates for any elective or appointive offices of the Student Government Association may not be on academic or disciplinary probation at the time of candidacy or term of office.

SECTION 6. No person shall hold two elective offices in the Student Government Association simultaneously. No member of the Student Judicial Board shall hold any other elective or appointive offices in the Student Government Association.

SECTION 7. In the event of the demise, resignation, or removal of the Student Body President, all of his/her appointments would continue to their normal expiration date.

ARTICLE VIII **AMENDMENTS**

SECTION 1. Amendments to the Student Government Association Constitution, statutory, initiative, or referendum may originate in one of two ways:

- (A) By a 2/3 vote of the total membership of the Student Senate; or
- (B) By a Student Body petition signed by the total membership of the Student Senate or 30% of the total number of ballots cast in the preceding spring general election. Such a petition must be presented to the election commissioner after all signatures have been verified by the Chief Justice of the Student Judicial Board as being officially registered in the University. In order to assist the Chief Justice in this verification process, every signature on their petition must also include the student's Student ID number to be counted as a valid signature.

SECTION 2. Proposed amendments to the Constitution must receive a majority of votes cast in a Student Body election. All proposed constitutional amendments shall include a separate statement on the ballot in clear language stating precisely the intent and effect of the proposed amendment. The Chief Justice and one associate justice shall make a final determination of the substance of this statement.

SECTION 3. Any additional amendments to the Constitution shall be added to the back of the Constitution titled Amendment (number of amendment), until ratified.

ARTICLE IX **CONSTITUTIONAL RIGHTS AND SUPREMACY**

SECTION 1. Any Senate action, legislative or non-legislative, or any executive or judicial duties which are not in compliance with the articles of the Constitution shall be considered invalid.

SECTION 2. All judicial, executive, and legislative officers of the Student Government Association of West Texas A&M University shall be bound by oath or affirmation to comply with and enforce all the articles of the Constitution and all laws passed on compliance thereof.

ARTICLE X **RATIFICATION**

SECTION 1. Constitutional amendments shall take effect immediately after having received a 2/3 vote of the total membership of the Student Senate and being ratified by a majority of the votes cast in a Student Body election.

SECTION 2. The Constitution ratified at the same election that the offices and Senate seats were filled, will be the valid Constitution under which the newly elected members, as well as the older members, will proceed.

Student Government Association of West Texas A&M University
Constitution, last ratified/amended September 2023
CA 21722, 21822, 22423