

THE CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF APPALACHIAN STATE UNIVERSITY

Previous Date of Ratification: *The Nineteenth Day of November, Year Two Thousand and Eighteen*

Historical records maintained and transitioned from the Clayton Lee Administration (51st Session) to the Milbourne Kelly Administration (52nd Session) by Connor L. Hughes (52nd Session Director of Legislative Operations) in accordance with the provisions set forth in Article V, Section 5, Subsection B, number 4 of the Constitution of the Student Government Association of Appalachian State University.

THE CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF APPALACHIAN STATE UNIVERSITY

Date of Ratification: The Thirty-First day of August, Year Two Thousand and Eighteen

PREAMBLE

We, the undergraduate students of Appalachian State University, affirm the fundamental right of all students to fair and equal representation through Student Government. Thus, the chief purposes of the Student Government Association of Appalachian State University shall be to communicate the concerns of students to the university administration and to promote the universal well-being of the undergraduate student body and community. The Student Government Association shall additionally ensure and protect the rights of individual students and student organizations to openly voice their opinions and, furthermore, shall ensure the integrity of the Student Bill of Rights cited herein. To these terms, we do hereby ordain and establish this Constitution of the Student Government Association of Appalachian State University.

ARTICLE I – NAME AND MEMBERSHIP

Section 1. The name of the organization shall be the “Student Government Association of Appalachian State University,” hereafter referred to as “ASU-SGA.”

Section 2. Every undergraduate student registered at Appalachian State University shall be a member of this organization.

Section 3. No student will be excluded from membership or participation in ASU-SGA on the basis of their race, color, religious status or historic religious affiliation, sex, national origin, age, political affiliation, veteran status, disability, sexual orientation, gender identity and expression, or gender unless exempt under Title IX of the Education Amendments Acts of 1972.

ARTICLE II – AUTHORITY

Section 1. The ASU-SGA shall be empowered to govern those individuals, groups, and organizations it represents.

Section 2. Nothing in this Constitution shall preclude the right of the University or other University groups or organizations to organize representative bodies, establish committees, develop rules and or procedures, or make policies, provided that such actions pertain solely to matters within said agencies, bodies, or committees. Such actions that conflict with the policies of, or actions taken by, the ASU-SGA or that enter the sphere of jurisdiction or authority of said Association, as outlined in Article II, Section 1 of this Constitution, shall be subject to review by the Student Senate.

Section 3. This Constitution shall be the supreme governing document of the Appalachian State University Student Government Association.

Section 4. The Appalachian State University Student Government Association agrees to follow all Appalachian State University policies, laws of the State of North Carolina, and federal laws.

ARTICLE III - THE ESTABLISHMENT OF GOVERNING POWERS AND THE SEPARATION OF SAID POWERS

Section 1. The Student Body of Appalachian State University shall be governed by two distinct branches: the executive branch and the legislative branch.

Section 2. No one shall hold office in more than one branch of the ASU-SGA concurrently.

ARTICLE IV – THE EXECUTIVE BRANCH

Section 1. The Executive Branch shall consist of the President and any of their appointees considered necessary to properly carry out the duties of the Presidency, including the Treasurer, Director of Elections, the Chief of Staff, up to four (4) additional Executive Directors, and any Task-Forces that may exist.

Section 2. The President

- A. The President shall be at least a junior in standing as of the date they are inaugurated or assumes office. In addition, they shall be required to have attended Appalachian State University in the previous fall and spring semesters prior to the first day of classes of the fall semester following the inauguration of the candidate in question.
- B. Any candidate for the Office of the President of the ASU-SGA must have a cumulative GPA of 2.5 as of the date they file an intent to run in order to qualify and they must maintain a current GPA of 2.5 throughout their term.
- C. The President shall have the power and duty to:
 1. Sign or veto legislation, provided that they exercise such power within ten (10) academic calendar days after its passage by the ASU-SGA Senate. If the President does not exercise their power to veto such legislation within the aforementioned period of time, the legislation shall automatically take effect without their signature at the conclusion of the tenth day. All legislation not passed by the conclusion of the legislative term is deemed dead. Once the President signs a bill it will be the responsibility of the President, Chief of Staff, and Introducers to ensure implementation with the appropriate parties.
 2. Forward all legislation to the appropriate administrator.
 3. Make any recommendations to the Student Senate that they may deem necessary.
 4. Represent the Student Body of Appalachian State University in all dealings with faculty, staff, or administration.
 5. Appoint the officers referred to in Article IV, Section 1, which they consider necessary to properly carry out the duties of their office, with the consent of the Student Senate.
 6. Dismiss for sufficient reasons any executive appointees from office.
 7. Give a “State of Affairs” address to the Student Senate once each semester.
 8. Call for additional sessions of the Student Senate when they deem necessary.

9. Serve as a member of the Appalachian State University Board of Trustees, pursuant to North Carolina General Statute 116-31.
 10. Appoint and/or remove students to University Committees.
 11. Have the option to pursue successive or additional terms if eligible by the standards established in Article IV, Section 2, Subsection B.
 12. Take the following oath of affirmation before assuming the Office of the President, which is to be administered by the Chancellor of the University: "I do solemnly swear (or affirm) that I will faithfully execute the office of the President of the Student Government Association of Appalachian State University and will, to the best of my ability, preserve, protect, and defend the Constitution of the Student Government Association of Appalachian State University."
- D. In the event the Office of the President is vacated for any reason: through removal, resignation, declaration of academic ineligibility, or death; the Vice President shall be sworn in immediately and assume the duties of the Office.

Section 3. The Treasurer

- A. The Treasurer shall be appointed by the President of the ASU-SGA for a term of one year, with the approval of the Student Senate. The President may consult with the Vice President in the appointment of this position. The Treasurer must have and maintain a 2.25 GPA.
- B. The Treasurer shall have the power and duty to:
 1. Receive and disburse all ASU-SGA funds, maintain control over said funds, and ensure that no accounts are overdrawn. The Treasurer shall additionally have the responsibility of assuring that no ASU-SGA funds are misappropriated or otherwise misused.
 2. Maintain permanent records of all financial transactions of the ASU-SGA.
 3. Keep all records and files in working order so that they may be presented for audit upon request by authorized individuals.
 4. Create and oversee a Budget and Finance to create the budget for the Student Government Association.
 - a. The Treasurer may develop bylaws and procedures to govern the Budget and Finance Committee with the consent of the ASU-SGA Senate.
 5. Act as Co-Chairperson of the Student Development Budget Council.
 6. Be responsible to the Student Senate for all financial transactions and additionally be required to report to the Senate at the beginning of the academic year with the proposed budget, at least once in the second semester, and at any other time when requested by the presiding officer of the Senate.

Section 4. The Chief of Staff

- A. The Chief of Staff shall be appointed by the President of the ASU-SGA for a term of one year, with the approval of the Student Senate. The President may consult with the Vice President in the appointment of this position. The Secretary must have and maintain a 2.25 GPA.
- B. The Chief of Staff shall have the power and duty to:
 1. Manage all operations of the executive branch.
 2. Directly assist and advice the President and Vice President.
 3. Keep complete and accurate notes and minutes of executive meetings and arrange a permanent compilation of all said materials.
 4. Maintain official records of the Constitution, all ASU-SGA Bylaws, and other rules or regulations pertaining to said association.

5. Be responsible for carrying out all clerical duties deemed necessary by the President or the Vice President.

Section 5. The Director of Elections

- A. The Director of Elections shall have participated in an ASU-SGA election in an official capacity, must be at least a sophomore in standing as of the date they assume office, and shall be appointed by the President and Vice President of the ASU-SGA for a term of one year, with the consent of the Student Senate.
- B. The Director of Elections shall have the power and duty to:
 1. Oversee all administrative aspects of ASU-SGA elections, including the presidential/vice presidential election, homecoming election, and any senatorial elections.
 2. Keep complete and accurate records of all elections which they administer.
 3. Work with relevant individuals to promote elections.
 4. Adhere to any and all additional responsibilities and requirements included in the elections bylaws.
- C. Any individual who holds the position of Director of Elections is specifically disallowed from running for the office of President or Vice President until the conclusion of the academic semester following the last Presidential and Vice-Presidential election in which they supervised.

Section 6. The Director of External Affairs

- A. The Director of External Affairs must be at least a sophomore in standing as of the date they assume office and shall be appointed by the President and Vice President of the ASU-SGA for a term of one year, with the consent of the Student Senate. The Director of External Affairs must have and maintain a 2.25 GPA.
- B. The Director of External Affairs shall have the power and duty to:
 1. Keep abreast of issues and concerns of interest to students at the local, state, and national levels of government, as well as upholding and enhancing the relationship between the Student Government Association and other clubs, organizations, and the Town of Boone.
 2. Responsible for coordinating SGA's involvement in organizing the annual Housing Fair and other special projects.
 3. Serve as ASU-SGA's liaison to the Chamber of Commerce, Alumni Association, Parents Association, and other businesses if need be.
 4. Attend meetings of the Boone Town Council.
 5. Plan events and receive input from students on all issues relating to local, state, and national government.
 6. Serve as the senior advisor to the Student Body President on all governmental and external issues.

Section 7. Executive Cabinet

- A. The President shall nominate up to four (4) additional Directors to serve on the Executive Cabinet.
 1. The title and purpose of an Executive Director position shall be established by the President.
 2. An unpaid Deputy Director may be appointed to assist an Executive Director if permitted by the President.

- B. The Vice President shall nominate the Director of Academic Affairs, Student Affairs, Legislative Operations, External Affairs, and any other Director who will serve as a liaison to a Senate Committee.
- C. An Executive Director may serve as a liaison to a Senate Committee with the approval of the Vice President.
 - 1. All Executive Directors who serve as liaisons to a committee have the right to attend meetings of a corresponding Senate Committee as ex-officio members.
 - 2. All Executive Directors shall answer directly to the President of the ASU-SGA.
 - 3. All Executive Directors must maintain a 2.25 cumulative GPA to hold office in the Executive Cabinet.
- D. When an Executive Cabinet position becomes vacant, the President must accept applications again before filling the aforementioned position.
- E. All Executive Cabinet Members shall be nominated by the President and confirmed by the ASU-SGA Senate during the Spring Semester prior to the new administration by which they have been appointed.
 - 1. In the event that a cabinet position cannot be appointed or approved by the ASU-SGA Senate in the prior spring semester, then the position must be approved before the third official Student Senate meeting in the following fall semester.
- F. All Executive Cabinet Members, including the President and Vice President, may form Task-Forces composed of members of the student body if approved by the President.
 - 1. The title and purpose of the Task-Force shall be established by the President.
 - 2. Task-Forces can have the purpose of working an event, advising cabinet members, forming policy proposals, etc.
 - a. Records of Task-Force name(s), purpose(s), and membership must be maintained by the Chief of Staff.

ARTICLE V – THE LEGISLATIVE BRANCH

Section 1. The legislative branch shall consist of the Vice President, The Senate Leadership, the Chairs of the Student Senate Committees, and the Student Senate.

Section 2. All legislative power of the ASU-SGA shall be vested in the Student Senate.

Section 3. The Vice President

- A. The Vice President shall be at least a junior in standing as of the date they are inaugurated or assume office and have at least two consecutive semesters of ASU-SGA Senate experience and shall be required to have attended Appalachian State University the previous fall and spring semesters prior before the first day of classes of the fall semester following the inauguration of the candidate in question.
- B. Any candidate for the Office of the Vice President of the ASU-SGA must have a cumulative GPA of 2.5 as of the date they file an intent to run in order to qualify and must maintain a current GPA of 2.5 throughout their term.
- C. The Vice President shall have the power and duty to:
 - 1. Serve as the President and Chairperson of the ASU-SGA Student Senate.
 - a. The Vice President shall be a non-voting member of the Student Senate; however, the Vice President shall retain the right to vote on motions presented on the floor of the Student Senate only in the event of a tie vote. In such a case, their vote will be decisive.

- b. The Vice President shall retain the right to debate pending motions providing they turn the chairpersonship of the Senate over to the Senate President Pro-Tempore.
 2. Call meetings of the Student Senate.
 3. Temporarily assume the duties of President in the event of their absence.
 4. Forward all legislation to the President within three (3) academic calendar days after its passage.
 5. Present a progress report to the Student Senate on each piece of legislation enacted by the said body within five (5) regular ASU-SGA Senate meetings of the date the particular piece of legislation is passed.
 6. Establish any select committees deemed necessary.
 7. Have the option to pursue and serve additional terms if eligible by the standards established in Article V, Section 3.
 8. Take the following oath of affirmation before assuming the Office of the Vice President, which is to be administered by The Chancellor of the University: "I do solemnly swear (or affirm) that I will faithfully execute the Office of Vice President of the Student Government Association of Appalachian State University and will, to the best of my ability, preserve, protect, and defend the Constitution of the Student Government Association of Appalachian State University.
- D. In the event the Office of the Vice President is vacated for any reason through removal, resignation, declaration of academic ineligibility, succession to the Presidential position, or death, the President Pro-Tempore will assume the duties of the Vice President immediately and will remain acting Vice President until the President of the Student Government Association appoints a Vice President that has been confirmed by the Student Senate by a two-thirds (2/3) majority vote of those Senators present. Should the President Pro-Tempore be unable to assume the duties as Presiding Officer of the Senate, they shall appoint a senator to assume that role.

Section 4. The Student Senate

- A. The Student Senate shall be composed of senate seats that are categorized into one of three categories: Fixed Representative Seats, Statistically Representative Seats, and Ex-Officio Seats.
1. Fixed Representative Seats – These seats are seats that are not statistically representative of group populations and remain fixed through fluctuations in population size. Example: There are 8 sophomore class seats; however, the population of this group varies from year to year and the number of seats does not fluctuate based on this variance. The following are the seats that fall under this category:
 - a. Thirty-two (32) seats will be elected by members of each undergraduate academic class with eight (8) per class (*freshman, sophomore, junior, senior*).
 - b. Fourteen (14) seats will be elected by undergraduates affiliated with the following academic colleges with 2 seats per college:
 - i. College of Arts and Sciences
 - ii. Walker College of Business
 - iii. Reich College of Education
 - iv. College of Fine and Applied Arts
 - v. College of Health Sciences
 - vi. Hayes School of Music
 - vii. University College
 - c. Nine (9) seats will be reserved for the organizations that ASU-SGA maintains consistent working relationships. These seats are appointed by individual groups and are not a part of the election process:
 - i. Lesbian Gay Bisexual Transgender Plus (LGBT+) Center

- ii. Renewable Energy Initiative (REI)
 - iii. Women's Center
 - iv. Residence Hall Association (RHA)
 - v. Club Council (CC)
 - vi. Appalachian and the Community Together (ACT)
 - vii. Appalachian Popular Programming Society (APPS)
 - viii. The Multicultural Center (MCC)
 - ix. The Student Veteran Resource Center (SVRC)
 - d. Three (3) seats will be reserved for members of Greek Life organizations. The following three (3) council seats will be voted upon only by the organizations that constitute each council. Students must be registered by January 1st under the Student Development Records to be able to run. The following councils are:
 - i. Interfraternity Council (IFC) – IFC Fraternities
 - ii. PanHellenic Council (PHC) – PHC Fraternity/Sororities
 - iii. National Pan-Hellenic Council (NPHC) – NPHC Fraternity/Sororities
 - e. Two (2) Transfer seats will be elected by undergraduate students who have transferred to Appalachian State University. The students who run for these seats must be transfer students. Only transfer students will be eligible to vote for the seats under this category.
2. Statistically Representative Seats – These seats are statistically representative of group populations and fluctuate based on a group's size. For example, there are twenty (20) seats that represent 20,000 people. The students registered with service initiatives increased from 2,000 to 3,000 in one year. The Senate seats that represent service initiatives will increase from two (2) to three (3) seats. The following are the seats that fall under this category:
- a. Twenty (20) seats will be divided amongst the total amount of undergraduates affiliated with the clubs and organizations that fall under the following communities. Students must be registered by January 1st under the Student Development Records to be able to run. After the total amount of students are configured, each community will be divided by 20 and the resulting number shall be how much that community receives for that election period. The following communities are:
 - i. Honors/Academics
 - ii. Multicultural Affairs
 - iii. Sports
 - iv. Special Interest Groups and Service Initiatives
 - b. Communities listed under Article V, Section 4, Subsection A, Number 2, Letter a, Numbers 1 through 4 shall not hold fewer than two (2) seats and more than ten (10) at a given time.
 - c. Statistically Representative Seats that remain vacant for fifteen (15) days following an election will automatically become "General Senator Seats."
 - i. General Senator Seats are open to eligible undergraduate students through the petition process.
 - ii. General Senators' constituencies comprise of the undergraduate student body population.
3. Ex-Officio Seats – These seats shall be made available to a specified constituency via a simple majority vote of Senators present. All Ex-Officio seats shall retain all powers given to Senators except for the power to vote.
- a. All created Ex-Officio seats will stand for the remainder of the session in which they were created.
- B. Senators must take the following oath of affirmation before assuming the office of Senator to be administered by The President of the Student Senate: "I do solemnly swear (or affirm) that I

will faithfully execute the office of a Student Senator of the Student Government Association of Appalachian State University and will, to the best of my ability, preserve, protect, and defend the Constitution of the Student Government Association of Appalachian State University."

- C. The Student Senate shall have the power to draft its own constitutionally acceptable bylaws, with the approval of a two-thirds ($2/3$) majority vote of the members present, in order to govern Senate procedure(s) and ensure the orderly conduct of business.
- D. The Student Senate shall have the power and duty to:
 1. Approve by a two-thirds ($2/3$) vote of members present all appointments by the President or Vice President of the ASU-SGA.
 2. Override a presidential veto with a two-thirds ($2/3$) majority vote of those Senators present.
 3. Take final action prior to the proposed budget being sent to Student Budget Council.
 - a. The Fiscal Year Budget
 - i. The Fiscal Year Budget shall be proposed to the ASU-SGA Senate no later than its third meeting.
 - ii. The said Budget shall be in effect from the day passed to the last of the Fiscal Year.
 - iii. The said Budget must be approved by a two-thirds ($2/3$) majority vote of those members present.
 4. Recommend and pass legislation deemed necessary and proper to carry on business and promote the universal well-being of the Student Body.
 5. Review the appointments of students to University Committees and require reports from said students upon request.
 6. Require reports from any members of the Executive Branch on request.
 7. Initiative the Impeachment Process and refer allegations to the Senate Rules Committee for investigation (Refer to Article VI):
 - a. The power of impeachment shall rest solely with the Senate, but two-thirds ($2/3$) of the Senators present at the Senate meeting in which the motion of removal is presented must agree for a successful removal from office.
 - b. The Senate also reserves the right for a motion to censure any public official within the ASU-SGA.
 8. Recall a Senate Leadership Position
 - a. If a senator motions for a recall of a Senate Leadership Position, the Senate may activate a recall election by a two-thirds ($2/3$) vote of Senators' present, a senator must be nominated to challenge the current holder of the Senate Leadership Position, and then must be elected by a two-thirds ($2/3$) vote.
 - b. The Senate President shall officiate the recall.
 - i. If the Senate President is being recalled, the next senator in the line of succession shall officiate the recall.
 - c. Only one position may be recalled at a time.
 - d. The new senator elected to a position in a recall shall assume the position immediately after they are elected.
 9. Establish a Senate Attendance Policy.
 - a. The Senate may establish and enforce their own attendance policy.
- E. When any Senate seat, with the exception of the reserved organization seats, becomes vacant during the course of an academic term, the Director of Elections will allow any eligible undergraduate student to petition into a seat for any constituency with which they are represented. All petitions must be signed and verified by the Director of Elections and include twenty-five (25) signatures of undergraduate students in the constituency for which the petitioner is seeking to represent. General Senator Seats and Academic Class Seats (Article V, Section 4, Subsection A, Number 1, Letter a) shall require fifty (50) signatures to be deemed admissible.

Section 5. The Student Senate Leadership Officers

- A. The Leadership Officers of the Senate shall be comprised of the Senate President Pro-Tempore, Parliamentarian, Sergeant at Arms, Clerk, and any other Student Senate President appointed positions.
- B. Senate Leadership Officers shall be nominated and elected by members of the Senate during the final meeting of the session preceding their term or when a new committee is established. Senate Leadership Officers shall be at least a sophomore in standing and have at least two semester of consecutive ASU-SGA Senate experience by the date they are elected. Senate Leadership Officers shall maintain a 2.5 GPA throughout their term.
- C. Senate Leadership nominations and elections: in the case a leadership becomes vacant, the Senate President shall entertain nominations and hold elections to fill the vacancy.
- D. The Senate President Pro-Tempore shall have the power and duty to:
 - 1. Temporarily assume the duties of the Student Senate President in their absence.
 - 2. Assist in preparing and organizing for Senate meetings.
 - 3. Assist with keeping Senators informed and guiding them with regards to the goals and purpose of ASU-SGA.
 - 4. Carry out any other assignments given by the Student Senate President.
 - 5. Retain full membership status on the Senate Rules Committee.
 - 6. Assign and remove Senators to and from Student Senate Committees as necessary.
 - 7. Nominate the Student Senate Committee chairs pending approval from the Student Senate.
 - 8. Dismiss committee chairs with sufficient reason and due process.
 - 9. Serve as the Association of Student Governments Delegate.
- E. The specific duties of the Parliamentarian include:
 - 1. Assume the role of Senate President Pro-Tempore in their absence.
 - 2. Ensure the Senate properly complies with Robert's Rules of Order Newly Revised Edition.
 - 3. Provide parliamentary assistance at the request of the Senate President.
 - 4. Retain full membership status on the Senate Rules Committee.
- F. The specific duties of the Sergeant at Arms include:
 - 1. Assume the role of the Senate Parliamentarian in their absence.
 - 2. Assist with preparing and scheduling all meetings for individuals before the start of the meetings.
 - 3. At the request of the Senate President, remove any guest(s) or member(s) deemed disruptive to the normal business proceedings of the Student Senate.
 - 4. Secure and transport the National Colors to and from the chambers if requested by the Senate President.
 - 5. Maintain order and decorum at the request of the Senate President.
 - 6. Retain full membership status on the Rules Committee.
- G. The specific duties of the Clerk include:
 - 1. Assist the Senate President and full membership in all reasonable requests.
 - 2. Record the Roll Call attendance for the Student Senate meetings.
 - 3. Record the minutes of the proceedings of the Student Senate.
 - 4. Maintain all official copies and records involving legislation.
 - 5. Assist with preparing and scheduling all meetings for individuals before the start of the meetings.
 - 6. Retain full membership status on the Senate Rules Committee.

Section 6. Senate Committees

- A. The Senate shall be comprised of Committees that assist Senators in drafting and pursuing legislation.

- B. Standing Committees
 - 1. There shall be four standing committees: the Student Affairs Committee, the Academic Affairs Committee, the External Affairs Committee, and the Senate Rules Committee.
- C. Select Committees
 - 1. Additional Committees may be established by the Vice-President.
 - 2. Additional Committees may also be established by the proposal of a Senator with a confirmation by a two-thirds ($2/3$) vote of Senators present when the proposal is made.
- D. The Student Senate may abolish select committees as deemed necessary and proper by a 50% plus 1 vote.
- E. Senate Committee Chairpersons shall be nominated by the Senate President Pro-Tempore and elected by members of the Senate during the final meeting of each session or when a committee is established. Senate Committee Chairpersons shall be at least sophomores in standing and have at least two semesters of consecutive ASU-SGA Senate experience by the date they are elected. Senate Committee Chairpersons shall maintain a 2.5 GPA throughout their term. Senate Committee Chairpersons shall not concurrently serve in a formal Senate Leadership role.
 - 1. In the event that a Chairperson cannot be appointed and/or approved by the Student Senate in the previous spring semester, then the positions must be approved before the third official Student Senate meeting in the following fall semester.
 - 2. When a Committee Chairperson position becomes vacant, the Student Senate President Pro-Tempore shall immediately entertain nominations and the Senate President shall hold a Senate election to fill the vacant position.
 - 3. The specific powers and duties of the Senate Committee Chairpersons include:
 - a. Answer directly to the Student Senate President of the ASU-SGA.
 - b. Set their respective committee's agenda.
 - c. Remove committee members with due process.
 - d. Ensure legislative productivity.
 - e. Pursue relevant initiatives.
 - f. Appoint an unpaid Vice-Chair to assist in their duties.
 - g. Create Committee leadership positions.
- F. The Senate Committees shall have the power to draft their own constitutionally acceptable bylaws with a two-thirds ($2/3$) majority vote of the members present in order to govern Senate Committee procedure(s) and ensure the orderly conduct of business.
- G. When a committee is established, it shall exist until it is abolished, unless it is a committee established by the Vice-President, in which case it must be re-established by the Vice-President at the start of the session.
- H. The Senate Rules Committee
 - 1. The Chair of the Senate Rules Committee must be at least a sophomore in standing as of the date they assume office and have at least twelve (12) consecutive weeks of ASU-SGA Senate experience. The Chair of the Senate Rules Committee must have completed and passed a bill with an accompanying signed Legislative Research Form.
 - a. All provisions relevant to Committee Chairpersons apply to the Senate Rules Committee Chairperson.
 - b. The duties of the Chair of the Senate Rules Committee include:
 - i. Facilitating the legislative process of the Student Government Association.
 - ii. Adhering to the Senate Rules Committee Bylaws.
 - iii. Ensuring the constitutionality of items within the Student Government Association through the Senate Rules Committee.
 - iv. Overseeing record and historical documentation of Student Government Association-related documents (Bills, Governing Documents, and Precedents) in coordination with the Clerk of the Student Senate.

- v. Carrying out other tasks as deemed necessary by the Student Senate President of the Student Government Association.
- c. Rules Committee Membership
 - i. The Rules Committee shall be composed of the Rules Committee Chairperson, Senate President Pro-Tempore, Senate Parliamentarian, Senate Sergeant at Arms, and ten (10) additional senators.
- d. The Senate Rules Committee shall not have the power to bar items from reaching the Student Senate floor.

Section 7. The parliamentary authority shall be Robert's Rules of Order Newly Revised Edition and any other parliamentary authority specified in the Student Senate Bylaws that may aid the Student Senate.

ARTICLE VI – THE IMPEACHMENT AND REMOVAL PROCESS

Section 1. The Student Senate shall have the power to consider motions of impeachment or censure of any ASU-SGA officer or elected or appointed officials.

Section 2. A resolution of impeachment must be approved by a two-thirds ($\frac{2}{3}$) vote of the Senators present at the Senate meeting at which the motion of impeachment is voted upon.

Section 3. Grounds for impeachment or censure of any person include, but are not limited to, violations of the Student Code of Conduct, failure to execute responsibilities, unethical conduct, and/or malfeasance in office.

Section 4. Upon introduction of a motion for impeachment, said resolution will be reviewed by the Senate Rules Committee to investigate the complaint. Hearing evidence by all parties, the Senate Rules Committee will make a determination as to the validity of the complaint and send their recommendation to the Senate. Shall a member of the Senate Rule Committee be investigated, they are required to temporarily step down from their position until said proceedings are completed.

Section 5. No motion for impeachment may be voted upon at the Senate meeting during which it is introduced without review of the Senate Rules Committee and no less than seven (7) days after it is introduced.

Section 6. The Student Senate then reserves the power to remove the said official by a vote of no less than two-thirds ($\frac{2}{3}$) of the Senators present. The general policies for conducting the Student Senate shall still apply in the case of an impeachment process. Any accused person(s) for impeachment shall have the right to speak on their own behalf during the impeachment hearing.

Section 7. In the case that the Vice President is the accused, the Senate President Pro-Tempore shall assume the duties of Presiding Officer of the Student Senate.

ARTICLE VII – ELECTORAL PROCEDURES AND TERMS AND QUALIFICATIONS FOR OFFICE

Section 1. The Student Senate shall have the power to establish constitutionally acceptable bylaws that further pertain to electoral rules, regulations, and procedures not herein.

Section 2. Electoral Procedures

- A. Presidential and Vice-Presidential Elections
 - 1. The Presidential and Vice-Presidential candidates shall run together as one (1) ticket and shall be elected at large from the Student Body.
 - 2. In order for winners to be declared in a Presidential and Vice-Presidential election, a ticket must receive fifty percent plus one of the total votes counted. In the case no one ticket can obtain the required number of votes, a runoff election between the top to finishing tickets in the General Election must be held within ten (10) academic calendar days after the General Election if requested by the second-place ticket. If the second-place ticket chooses not to request a runoff, the first-place ticket in the first election will be declared the winner. The ticket that receives the highest number of votes in the runoff election will be declared the winner.
 - 3. If a second-place ticket fails to request a runoff election within three (3) academic calendar days of the announcement of the winner, then the first-place ticket will be declared the winner.
- B. Senatorial Elections and Representation
 - 1. Senatorial Elections will take place concurrently with the President/Vice Presidential election, with the exception of seats designation for freshman and University College.
 - 2. Candidates for President and Vice President may run in the concurrent Senatorial Elections. In the event that an individual wins both elections, they are required to resign the Senate seat within five academic calendar days of the certification of election results.
 - 3. Elections for freshman and University College Senators, as well as any other seat left vacant by the first day of class of the fall semester, will take place within twenty (20) academic calendar days of the first day of class of the fall semester.
 - 4. Determination of electoral victory for Senate seats shall be outlined in the ASU-SGA Elections Bylaws.
 - 5. A person running for a Senate seat in a General Election must receive a minimum of twenty-five (25) votes before they can be declared an elected Senator.
 - 6. A person elected to a Senate seat will represent the constituency from which they were originally elected for the duration of their term, regardless of any change in their academic class or college, unless they resign and are removed from office.

Section 3. Qualifications and Terms for Office

- A. No student with a GPA below 2.25 or carrying less than twelve (12) credit hours of academic credit shall be allowed to run or hold an office in the ASU-SGA. All existing ASU-SGA executive and legislative officials, whether elected or appointed, placed on academic probation shall forfeit their ASU-SGA positions.
- B. Undergraduate students who plan to graduate before the completion of a potential term in office shall be barred from running for or holding the Presidential, Vice Presidential, or any executive or legislative offices.
- C. All ASU-SGA executive and legislative officers shall assume their duties on reading day of the spring semester preceding their term and shall serve a term of one year.
- D. Unless otherwise stated, all ASU-SGA executive and legislative officials shall have until the first day of classes of the fall semester to meet all the academic requirements of their respective offices.

ARTICLE VIII – INITIATIVE AND REFERENDUM

Section 1. Initiative

- A. The Student Body reserves the power by means of petition to propose legislation and amendments to this Constitution. The Student Body additionally retains the right to petition the ASU-SGA to submit for the Student Body's approval on any or all existing pieces of legislation. All petitions shall consist of the names and corresponding student identification numbers of five percent (5%) of the full-time, undergraduate students enrolled at Appalachian State University.
- B. Upon verification that a petition proposing legislation has met all the specifications outlined in the Senate Bylaws, the proposed legislation shall be delivered to the Office of the Chairman of the Student Senate Rules Committee for documentation and subsequent screening by the aforementioned committee. The general assembly of the Student Senate shall then have the power to act on such legislation in the manner it deems appropriate as outlined in Article V, Section 4, Letter D, Number 4 of this Constitution.

Section 2. Referendum

- A. Upon verification of a petition asking for the remand of an existing piece of ASU-SGA legislation before the Student Body in the form of a referendum, the proposed referendum shall forthwith be scheduled no less than twenty-one (21) academic calendar days after the receipt of the petition.
- B. Upon the verification that a petition proposing amendments to the Constitution has met all the specifications outlined in Article VIII, Section 1, Letters A and B of this Constitution, a referendum shall be scheduled no less than twenty-one (21) academic calendar days after the receipt of the petition so that the proposals may be voted on by the entire undergraduate Student Body.
- C. The Student Senate, through appropriate legislation approved by a two-thirds (2/3) majority of those Senators present, shall have the power to call for a referendum on any proposal. The introducer of the referendum need not be a member of the Student Senate. In the case of a referendum, the introducer shall be the "Student Body of the Appalachian State University." Any such referendum shall be held no less than twenty-one (21) academic calendar days from the date on which the Student Senate sanctioned the referendum.

ARTICLE IX – CONSTITUTIONAL AMENDMENT PROCEDURES

Section 1. Initiative

- A. The specifications for Student Body-initiated proposals to amend the Constitution are as outlined in Article VIII, Section 1 of this Constitution.
- B. Amendments to the Constitution that are proposed in the Student Senate shall be screened in the Senate Rules Committee and approved for the referendum process by the general assembly of the Student Senate by a two-thirds (2/3) majority vote of those Senators present.
 - 1. All Constitutions must contain the date of the previous ratification to be deemed valid.

Section 2. An amendment shall become effective upon the:

- A. Ratification by a simple majority of fifty percent plus one (50% +1) of voting students.
- B. Approval by the Board of Trustees or by the Chancellor acting on behalf of the Board of Trustees.
- C. Constitutional Review Committee:
 - 1. Effective as of spring 2014, ever three years, the sitting Vice-President will form a Constitutional Review Committee in conjunction with the Director of Legislative Operations.

2. This committee is required to include at least three (3) senators, one (1) cabinet member that has been a member of Student Government Association for two full semesters prior to the time the committee is formed.
3. The Constitutional Review Committee will consist of no more than ten (10) members, with no less than six (6) members.
4. The Constitutional Review Committee will be tasked with reassessing the Constitution as a whole and proposing any necessary or desirable amendments, subject to the ratification process.
5. Historical Record of Committee Meeting Dates (signed by the Director of Legislative Operations):
 - a. Spring 2017, *Walt J. Grayson*

ARTICLE X – CONSTITUTIONAL VALIDATION

Section 1. This Constitution shall go into effect upon ratification of the Student Body, provided that it has met the requirements for amendments outlined in Article IX, Section 2 of this Constitution.

Section 2. Be it resolved that all previous Constitutions of the ASU-SGA are hereby declared null and void.