

# **Executive and Legislative Bylaws of the Student Government Association.**

## **1. Purpose, Interpretation, Suspension, and Amendments**

### **1.1 Purpose and Interpretation**

These Bylaws shall provide the members of the Student Government Association with clear and uniform procedures for the conduct of business. This document shall be considered subordinate to the Student Government Association Constitution, as amended, all rules and regulations of the University as outlined in the student handbook, and all local and state laws.

All matters not covered within these bylaws shall be governed by Robert's Rules of Order, Newly Revised Interpretation of Robert's Rules of Order, Newly Revised shall be made by the Speaker of the Senate while the Senate is in session, the Chief Justice of Judicial Council, during meetings of the Judicial Council, the chair(s) of the standing and/or special committees while they are in session, and the President between meetings of the Senate.

### **1.2 Suspension of Bylaws**

The bylaws may be suspended by a two-thirds (2/3) affirmative vote of Senators, present and voting, in order to vote on an issue before the Senate, excepting any clauses that provide for their own suspension requirements.

### **1.3 Amendments**

These bylaws may be amended by two-thirds (2/3) affirmative vote of the Senate, present and voting, provided that it has gone up for first reading at the previous meeting of the Senate.

## **2. Attendance Policy, Resignation, Censure, and Judicial Review**

### **2.1 Attendance Required**

Attendance and active involvement within the Student Government Association meetings shall be considered an expectation of all elected and appointed members.

### **2.2 Excused Absences for Senate Members**

Members of the Senate shall be allowed no more than three (3) unexcused Senate absences per semester, unless excused by the Judicial Council. If 3 unexcused absences are reached, the Speaker of the Senate shall send the Member to the Judicial Council for possible removal from the organization.

### **2.3 Resignation**

Any member of the Senate who resigns their seat shall notify the Speaker of the Senate as soon as possible. This shall also apply to the Chair(s) of the standing and special committees, who shall also notify the President and the Chief Justice of the Judicial Council.

2.3.1 The resignation of any Senate member shall be reported to the Senate at the next regularly scheduled meeting. This shall also be posted in said meeting's minutes by the Secretary of the Senate.

## 2.4 Accountability

Any and all votes taken in SGA meetings of any branch shall be taken by roll call or electronic voting and recorded as such in the minutes from that meeting. These minutes must be posted by the Director of Information Technology, Secretary of the Senate, or a designated representative, within one week.

## 2.5 Senate Orientation:

Before the first regularly scheduled meeting of SGA Senate, the Speaker of the Senate shall organize and host a Senate Orientation Workshop where copies of the Student Government Association Governing Documents will be distributed by the Speaker of the Senate or Secretary of the Senate. At this orientation, the Speaker shall go over and explain the nature of the position of Senator, as well as any other necessary information about SGA

2.5.1 It shall be the job of the Speaker of the Senate to orient new Senators as they are elected or appointed to SGA.

# 3. Meeting Procedure

## 3.1 Student Senate Time and Location

The Senate shall meet at 5:00 pm every Tuesday in the academic year in the Senate Chambers, unless otherwise agreed to by a majority vote of the Senate.

3.1.1. Pursuant to Section 11.2.2 of the SGA Constitution, the Speaker may opt to hold Senate meetings on an online and/or hybrid platform in the event of extenuating circumstances.

## 3.2 Executive Cabinet

The Executive Cabinet shall meet once a week at a time and location agreed to by its members.

## 3.3 Open Meetings

All meetings of all branches of Student Government Association shall be in full compliance with the Kentucky Open Meetings Law, KRS 61.805 and shall be scheduled and conducted in such a manner that all interested persons of the student body shall be given an opportunity to attend and have their views recognized at the discretion of the chair or code of conduct governing the body and given full and due considerations as specified in Article 1 of the Constitution under special orders.

3.3.1. Should the Speaker opt to move the Senate online and/or a hybrid format, all Senators must have their cameras on in order to comply with KRS 61.805.

## 3.4 Agenda

There shall be a posted agenda containing all pending matters before all branches of SGA, and the agenda shall also be made available to the media and other interested persons.

## **4. Order of Business**

### **4.1 Format**

The following shall be the order of business at each weekly meeting of the Senate:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Guest and Student Speakers. Any student of the University who has a matter to bring before the Senate shall be allowed to speak at this time for no longer than ten minutes.
5. Officer Reports. Executive Cabinet shall render reports at this time followed by the reports of the Speaker of the Senate and the Secretary of the Senate.
6. Committee Reports. Reports shall be given by the chair(s) of all standing and special committees concerning committee business. The report shall include committee recommendations on pending legislation and any other business taken by the committee.
7. Faculty Senate Reports. The three (3) student representatives of the Faculty Senate shall report at this time.
8. Special Orders. Special Orders shall include the election and swearing-in of new members and the election of Senator/Committee Member of the Month. Members of the Senate or any chair(s) of any standing or special committee shall speak on topics not pending before the Senate for no longer than ten minutes.
9. Unfinished Business. Items considered at this time shall include items which have received first reading at the previous meeting.
10. New Business. Items considered at this time shall include any new business to come before the Senate including first readings of bills and resolutions.
11. Announcements. All announcements for upcoming activities shall be made at this time.
12. Adjournment.

### **4.2 Quorum**

A simple majority of members of the Senate minus the number of vacancies in the Senate shall constitute a quorum for the consideration of business.

## **5. Legislative Procedure**

### **5.1 Definitions.**

"Resolution " is any act of the Senate which recommends changes in University policy or which expresses the sentiments of the Senate.

"Bill" is any act of the Senate which shall make changes that are under the direct jurisdiction of the Senate.

"Purpose Clause, " which shall be included in all proposed items of legislation, shall contain a statement of the concern the author of said legislation is addressing.

"Whereas Clause(s) " is/are statement(s) as to why the policy needs to be changed, and end with a "...and," except for the last clause, and be capitalized.

"Resolution Clause(s) " is/are statement describing the type of end result the author of said legislation is seeking shall begin with a "Therefore" and end with a period.

"Author " is any member of the Senate or WKU student who has written the item of legislation to be acted on by the Senate.

"Sponsor" shall be any standing or special committee of SGA that all legislation shall originate/derive from.

"Censure " is an act taken by the Judicial Council expressing disapproval of the action taken by an officer of the SGA.

## 5.2 Format for Proposed Legislation

All proposed legislation shall adhere to the following format:

1. Purpose Clause
2. Whereas Clause(s)
3. Resolution Clause

## 5.3 Stages of Proposed Legislation

1. All proposed Legislation shall be sponsored by standing/special committees and shall be referred to the LRC after the first reading before the Senate with the author, or a designated representative in attendance, pursuant to Section 3.8.2.2 of the SGA Constitution, as amended, and the person(s) so designated shall be well-versed on the legislation that is up for review.
2. Authors of legislation must send their bill or resolution to LRC for consideration.
3. Any member of the Committee from which the legislation originated that does not agree with the item may send LRC a minority report.
4. All legislation shall go through two readings; on the second reading, the author, or his designated representative, may speak in support of the legislation.
5. Once it has been approved by a majority vote of the Senate, the Executive Cabinet shall vote to either ratify or reject the legislation within 14 days of the legislation's approval by the Senate. If it fails to act within that time, the legislation shall be considered approved.
6. If the Executive Cabinet approves legislation, the Administrative Vice President shall send the item for review, approval, and/or implementation to:
  - a. The office that will be responsible for enacting the approved legislation

- b. The Vice President of the particular University department
- c. The Vice President for Student Affairs
- d. The Dean of Student Affairs
- e. The Director of Student Activities
- f. The University President

7. If the Executive Cabinet vetoes any legislation passed by the Senate, the President shall report to the author of said legislation within forty-eight (48) hours of its meeting and to the Senate at its next regular meeting. Two thirds (2/3) vote of the Senate, present and voting, can override vetoes of the Executive Cabinet, pursuant to Section 3.1.9 of the SGA Constitution.

## **6. Procedure for Committee Chair Removals, Expulsion from the Senate, and Votes of No Confidence/Impeachment Trials**

6.1. The Speaker of the Senate, Secretary of the Senate, Parliamentarian, Committee Heads, and Senators may be removed from office for failure to uphold any provision of the SGA Constitution, SGA Bylaws, or for any just cause.

6.1.1. Removal of Committee Chairs shall follow the Committee Chair Removal Process as spelled out in SGA Bylaws Section 6.2.

6.1.2. Expulsion of Senators shall follow the Expulsion from the Senate Process as spelled out in SGA Bylaws Section 6.3.

6.1.3. Removal of the Speaker of the Senate shall follow the same protocol as Votes of No Confidence/Senate Impeachment proceedings as spelled out in SGA Bylaws Section 6.4.

6.1.4. Removal of the Secretary of the Senate and the Parliamentarian shall follow the same protocol as Votes of No Confidence/Senate Impeachment proceedings as spelled out in SGA Bylaws Section 6.4.

6.1.5. Procedure for an Executive or Judicial impeachment brought before the Senate shall follow the same protocol as spelled out in SGA Bylaws Section 6.4.

6.2. The Committee Chair Removal Process is as follows:

6.2.1. Any Committee Chair may be removed from their position for failure to uphold any provision of the Constitution, the Bylaws, or for any just cause.

6.2.2. For the Committee Chair Removal Process to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

6.2.2.1. Of the twenty percent (20%) of Senate endorsers, a simple majority of the respective committee members must have signed the endorsement.

6.2.3. The Committee Chair Removal Trial shall be in a special session of the Senate and be presided over by the Chief Justice of the Judicial Council.

6.2.4. A final vote in a special session of the Senate may not be called until at least fourteen (14) days after proceedings are initiated. The Committee Chair Removal procedure shall be by a two-thirds (2/3) vote of the Senate at quorum acting as a judicial body.

6.2.5. The Committee Chair Removal Trial shall adhere to the following agenda:

6.2.5.1. The Speaker of the Senate shall call the special session of the Senate to order.

6.2.5.2. Upon the call to order and any preliminary announcements, the Speaker of the Senate shall relinquish control of the Chair to the Chief Justice of the Judicial Council.

6.2.5.3. The Chief Justice shall report the official petition with twenty percent (20%) Senate membership endorsement and call upon the Petitioners (those who signed and filed the endorsement) to make their case for the Committee Chair's removal

6.2.5.3.1. The Petitioners must pick one representative to make their case to the Senate. The representative must be of the twenty percent (20%) of Senate membership who endorsed the Trial.

6.2.5.4. Upon the Petitioner's conclusion, the Chief Justice shall call upon the Defendant (the Committee Chair) to make their case.

6.2.5.5. Upon the Defendant's conclusion, the Chief Justice shall open up the floor for questioning of the Defendant.

6.2.5.6. Upon the conclusion of the questioning of the Defendant, the Chief Justice shall entertain debate amongst the present Senate.

6.2.5.6.1. At this time, pursuant with Robert's Rules of Order, Senators may ask to yield the floor for questioning the Petitioner.

6.2.5.7. Upon the conclusion of debate, the Chief Justice shall allow the representative of the Petitioners to make a closing argument.

6.2.5.8. Upon the conclusion of the Petitioner's closing argument, the Chief Justice shall allow the Defendant to make a closing argument.

6.2.5.9. Upon the conclusion of the Defendant's argument, the Chief Justice shall open the floor for voting.

6.2.5.9.1. The vote will be to either "Remove" or "Not Remove." It shall be a roll call vote.

6.2.5.10. The Chief Justice Shall report the results of the vote. If there is a  $\frac{2}{3}$  vote for "Remove," the Committee Chair has been removed, effective immediately. If there is not a  $\frac{2}{3}$  vote for "Remove," the Committee Chair has not been removed.

6.2.5.11. The Chief Justice shall relinquish the floor back to the Speaker of the Senate

6.2.5.12. Upon any closing announcements, the Speaker of the Senate shall open the floor for a motion to adjourn the special session of the Senate.

6.3. The Expulsion from the Senate Process is as follows:

6.3.1. Any Senator may be removed from their position for failure to uphold any provision of the Constitution, the Bylaws, or for any just cause.

6.3.2. For the Expulsion from the Senate Process to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

6.3.3. The Expulsion from the Senate Trial shall be in a special session of the Senate and be presided over by the Chief Justice of the Judicial Council.

6.3.4. A final vote in a special session of the Senate may not be called until at least fourteen (14) days after proceedings are initiated. The Expulsion from the Senate procedure shall be by a two-thirds (2/3) vote of the Senate at quorum acting as a judicial body.

6.3.5. The Expulsion from the Senate Trial shall adhere to the following agenda:

6.3.5.1. The Speaker of the Senate shall call the special session of the Senate to order.

6.3.5.2. Upon the call to order and any preliminary announcements, the Speaker of the Senate shall relinquish control of the Chair to the Chief Justice of the Judicial Council.

6.3.5.3. The Chief Justice shall report the official petition with twenty percent (20%) Senate membership endorsement and call upon the Petitioners (those who signed and filed the endorsement) to make their case for the Senator's removal

6.3.5.3.1. The Petitioners must pick one representative to make their case to the Senate. The representative must be of the twenty percent (20%) of Senate membership who endorsed the Trial.

6.3.5.4. Upon the Petitioner's conclusion, the Chief Justice shall call upon the Defendant (the Senator) to make their case.

6.3.5.5. Upon the Defendant's conclusion, the Chief Justice shall open up the floor for questioning of the Defendant.

6.3.5.6. Upon the conclusion of the questioning of the Defendant, the Chief Justice shall entertain debate amongst the present Senate.

6.3.5.6.1. At this time, pursuant with Robert's Rules of Order, Senators may ask to yield the floor for questioning the Petitioner.

6.3.5.7. Upon the conclusion of debate, the Chief Justice shall allow the representative of the Petitioners to make a closing argument.

6.3.5.8. Upon the conclusion of the Petitioner's closing argument, the Chief Justice shall allow the Defendant to make a closing argument.

6.3.5.9. Upon the conclusion of the Defendant's argument, the Chief Justice shall open the floor for voting.

6.3.5.9.1. The vote will be to either "Expel" or "Not Expel." It shall be a roll call vote.

6.3.5.10. The Chief Justice Shall report the results of the vote. If there is a  $\frac{2}{3}$  vote for “Expel,” the Senator has been removed, effective immediately. If there is not a  $\frac{2}{3}$  vote for “Expel,” the Senator has not been removed.

6.3.5.11. The Chief Justice shall relinquish the floor back to the Speaker of the Senate

6.3.5.12. Upon any closing announcements, the Speaker of the Senate shall open the floor for a motion to adjourn the special session of the Senate

6.4. Votes of No Confidence/Impeachment Trials shall operate as follows:

6.4.1. The Speaker of the Senate, Secretary of the Senate, or Parliamentarian may face a vote of no confidence and may be removed from their position for failure to uphold any provision of the Constitution, the Bylaws, or any just cause Any member of the Executive Cabinet or Judicial Council may be impeached from office pursuant to SGA Constitution may be removed from their position for failure to uphold any provision of the Constitution, the Bylaws, or any just cause.

6.4.2. For the Vote of No Confidence/Impeachment Trial to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

6.4.3. The Vote of No Confidence/Impeachment Trial shall be in a special session of the Senate and be presided over by the Chief Justice of the Judicial Council.

6.4.4. A final vote in a special session of the Senate may not be called until at least fourteen (14) days after proceedings are initiated. The Vote of No Confidence/Impeachment shall be by a two-thirds ( $\frac{2}{3}$ ) vote of the Senate at quorum acting as a judicial body.

6.4.5. A Vote of No Confidence/Impeachment Trial shall adhere to the following agenda:

6.4.5.1. The Speaker of the Senate shall call the special session of the Senate to order.

6.4.5.2. Upon the call to order and any preliminary announcements, the Speaker of the Senate shall relinquish control of the Chair to the Chief Justice of the Judicial Council.

6.4.5.3. The Chief Justice shall report the official petition with twenty percent (20%) Senate membership endorsement and call upon the Petitioners (those who signed and filed the endorsement) to make their case for the Speaker of the Senate’s, Secretary of the Senate’s, Parliamentarian’s, Executive Cabinet member’s, or Judicial Council member’s removal.

6.4.5.3.1. The Petitioners must pick one representative to make their case to the Senate. The representative must be of the twenty percent (20%) of Senate membership who endorsed the Trial.

6.4.5.4. Upon the Petitioner’s conclusion, the Chief Justice shall call upon the Defendant (the Speaker of the Senate, Secretary of the Senate, Parliamentarian, Executive Cabinet member, or Judicial Council member) to make their case.

6.4.5.5. Upon the Defendant’s conclusion, the Chief Justice shall open up the floor for questioning of the Defendant.

6.4.5.6. Upon the conclusion of the questioning of the Defendant, the Chief Justice shall entertain debate amongst the present Senate.

6.4.5.6.1. At this time, pursuant with Robert's Rules of Order, Senators may ask to yield the floor for questioning the Petitioner.

6.4.5.7. Upon the conclusion of debate, the Chief Justice shall allow the representative of the Petitioners to make a closing argument.

6.4.5.8. Upon the conclusion of the Petitioner's closing argument, the Chief Justice shall allow the Defendant to make a closing argument.

6.4.5.9. Upon the conclusion of the Defendant's argument, the Chief Justice shall open the floor for voting.

6.4.5.9.1. If the Speaker of the Senate, Secretary of the Senate, or Parliamentarian is on trial for a vote of no confidence, the vote will be "Not Confident" or "Confident." It shall be a roll call vote.

6.4.5.9.2. If a member of the Executive Cabinet or Judicial Council is facing an impeachment trial, the vote will be "Impeach and Remove" or "Acquit and Remain." It shall be a roll call vote.

6.4.5.10. The Chief Justice Shall report the results of the vote. If there is a  $\frac{2}{3}$  vote for "Not Confident" or "Impeach and Remove," the SGA officer on trial has been removed, effective immediately. If there is not a  $\frac{2}{3}$  vote for "Not Confident" or "Impeach and Remove," the SGA officer on trial has not been removed.

6.4.5.11. The Chief Justice shall relinquish the floor back to the Speaker of the Senate

6.4.5.12. Upon any closing announcements, the Speaker of the Senate shall open the floor for a motion to adjourn the special session of the Senate.

## **7. Fiscal Policy**

### **7.1 Funding Restrictions**

The Student Government Association may allocate funds solely to areas which benefits student learning. All students may be required to finance a portion of these expenses by supplementary income.

### **7.2 100% Rule**

7.2.1. If one hundred percent (100%) of an event's budget is financed by SGA, then all advertising and printed materials for that event must include the following words:

- i. "Funded by your Student Government" or
- ii. "Supported by your Student Government" or
- iii. Include the SGA Logo.

7.2.2. If less than one hundred percent (100%) of an event's budget is financed by SGA, then all advertising and printed material for that event must include the following words:

- i. "Funded in part by your Student Government" or
- ii. "Supported in part by your Student Government" or
- iii. Include the SGA Logo.

### 7.3 Non-Discrimination Clause

Events and/or organizations which discriminate against any group of students shall not be funded by SGA.

## **8. Committees**

### 8.1 Committee Officers

Each standing or special committee shall have a chair who shall be appointed by the President and approved by the Senate. The election of a Vice-Chair, who shall be nominated by majority vote of the standing or special committee, and approved by the Senate, and a Secretary, who shall be approved by majority vote of the committee, shall be left to the discretion of the standing or special committee.

### 8.2 Duties of Committee Chair:

8.2.1. Preside over all Committee meetings.

8.2.2. Be responsible for all Committee activities.

8.2.3. Meet with the Speaker of the Senate at least twice a month, pursuant to Section 3.3.2.1, of the SGA Constitution.

8.2.4 Meet with the other Committee Chair(s) on a regular basis.

8.2.5 Report to the Senate on a weekly basis on its legislation and activities.

8.2.6. Perform such other duties as directed by the Speaker of the Senate or the Senate.

### 8.3 Duties of the Committee Vice-Chair

Committee vice-chairs shall perform the duties of the Chair in their absence and perform other duties as designated by the Committee, or the Chair, between meetings of the Committee.

### 8.4 Duties of the Committee Secretary

The committee secretary shall regularly inform all members of all Committee meetings and shall keep a record of all business transacted at each Committee meeting.

### 8.5 Committee Recommendation on Legislation

After the Committee has debated and discussed the merits of legislation, the Committee shall vote to send the legislation to the Senate.

### 8.6 Service Requirement on Committees

Each member of the Senate shall at all times serve on at least one committee, standing or special, with the exception of the Speaker of the Senate and the University Senate Representatives.

### 8.7 Attendance Policy for Committees

Each standing and special committee may adopt an attendance policy, introduced by the chair and approved by the majority of the committee.

### 8.8 Quorum for Committee Business

Each standing and special committee shall determine what constitutes a quorum to conduct committee business.

## **9. Oath of Office**

### 9.1. Eligibility

All duly elected and appointed members of all branches of Student Government shall be considered a member with all rights and privileges of the office in which they are about to enter upon taking the Student Government Association Oath of Office.

### 9.2. Administration of Oath

The Oath shall be administered by the Judicial Council Chief Justice, or by the President in their absence, and is as follows:

"I, state your name, do hereby affirm that I will faithfully execute the duties of the office of state your position, and I also affirm to uphold and defend the Constitution and Bylaws of the Student Government Association of Western Kentucky University and to perform the duties of the office in which I am about to enter to the best of my ability.

## **10. Constitutional Amendment Elections**

10.1 Constitutional Amendment elections shall be held at the end of Fall and Spring semesters, where the majority of the student body must vote to approve the change to the Constitution.

10.2 All approved amendments to the Constitution of the Student Government Association shall be added to the Constitution by the end of the current semester.

## **11. Student Government Awards**

Each year the Student Government Association shall bestow the following awards:

Dero Downing Award The Dero Downing Award, based on outstanding contribution to the university, is open to all students. Nominations are made by the Senate and voting is limited to Senators only.

Outstanding Senator This award is available only to Senators and is based on outstanding contribution to the organization. Nominations are made by fellow Senators and voting is restricted to Senators only.

Outstanding Committee Member This award is available only to committee members of Senate Committees and is based on outstanding contribution through work in a committee. Nominations are made by Senators and voting is restricted to Senators only.

Charles A. Keown Award This award was established in 1985 in honor of Dean of Student Affairs, Charles A. Keown, leader of the movement to establish student government at Western Kentucky University. This award is intended to be the greatest honor given by student government to the member of the Senate, Executive Cabinet or Judicial Council who has devoted the highest level of dedication to the organization. Candidates for this award are nominated and voted on by Senators only.

Kerrie Faye Steward Memorial Award This award was established in 1984 in memory of Kerrie Faye Stewart, who served as Public Relations Vice-President. This award is based on campus involvement, academic achievement, enthusiasm, and dedication. The characteristics describing the person for whom the award is named. Nominations of freshman and sophomores are made by Senators. The recipient is chosen by a selection committee made up of one administrator; one faculty member, and one Executive Cabinet member appointed by the Student Affairs Committee.

Mary Angela Norcia Award This award was established in 1988 in memory of Mary Angela Norcia, who served in various capacities on campus involvement. Similar to her characteristics this award is based on campus leadership, academics, charismatic personality, and having the "spirit that makes the master." Nominations of junior and senior Senators, Executive Cabinet members and Judicial Council members are made by the Senate. The recipient is chosen by a selection committee made up of one administrator, one faculty member, and one Executive Cabinet member appointed by the Student Affairs Committee.

The Citizens Award The Citizens Award is for a person within the community that has displayed leadership and has been a big supporter of Western Kentucky University. Nominations will be made by Senators. A Student Government Association selection committee will choose the recipient.