

# Constitution of the Student Government Association of Western Kentucky University

*As Amended in March 2021*

## *Preamble*

*We, the students of Western Kentucky University, in order to form a legitimate body of students to address student needs, interests, and opinions toward all aspects of university life, promote student well-being and involvement encourage diversity and tolerance between all groups and individuals, and to create proper channels through which student opinions, recommendations, and requests may be expressed to university administrators, do hereby ordain and establish this Constitution of the Student Government Association of Western Kentucky University.*

## **1. THE STUDENT GOVERNMENT ASSOCIATION**

- 1.1. All enrolled students of Western Kentucky University are considered members of the Student Government Association consequently possessing the right to vote in all elections of the Student Government Association.
- 1.2. The Student Government Association shall consist of three branches: the executive branch, the legislative branch, and the judicial branch.
- 1.3. The right for any student to be present at any meeting of any branch of student government shall not be restricted.
- 1.4. The right to view all records of any branch of student government shall not be restricted.
  - 1.4.1. The right to view the voting records of senators shall not be restricted.
- 1.5. The Student Government Association shall abide by Western Kentucky University's Non-Discrimination Clause:
  - 1.5.1. "Western Kentucky University (WKU) is committed to a policy and practice of providing equal educational and employment opportunities to all individuals. In accordance with Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Revised 1992, and the Americans with Disabilities Act of 1990, no form of discrimination or harassment will be tolerated at WKU on the basis of race, color, ethnicity, national origin, creed, religion, political belief, sex, sexual orientation, gender

identity/expression, marital status, age, uniformed services, veteran status, genetic information, pregnancy, childbirth or related medical conditions, or physical or mental disability in admission to career and technical education programs and/or activities, or employment practices.

The University is also required to investigate complaints of sex and gender-based discrimination. All sex and gender-based discrimination and harassment allegations can be reported to Ms. Deborah Wilkins (Title IX Coordinator and Senior Advisor to the President), via email at [deborah.wilkins@wku.edu](mailto:deborah.wilkins@wku.edu) or by phone at (270) 745-5396. Allegations regarding student-to-student misconduct can be reported to Mr. Michael Crowe (Office of Student Conduct Director and Title IX Investigator), via email at [michael.crowe@wku.edu](mailto:michael.crowe@wku.edu) or by phone at (270) 745-5429. Allegations regarding employee-related misconduct can be reported to Mr. Joshua Hayes (Equal Employment Opportunity/Affirmative Action/University ADA Services Director and Title IX Investigator), via email at [joshua.hayes@wku.edu](mailto:joshua.hayes@wku.edu) or by phone at (270) 745-5121. Additional information regarding Title IX is accessible via WKU's <https://www.wku.edu/titleix/> website.

Information concerning educational programs offered by WKU are provided at: <http://www.wku.edu/atwku/academics.php>.

- 1.6. This document shall function as the ultimate source of legitimacy and authority for the Student Government Association of Western Kentucky University in all its business, action, and function.

## **2. THE EXECUTIVE BRANCH**

- 2.1. There shall be a President, Executive Vice President, and Administrative Vice President, and an Executive Staff consisting of a Chief of Staff, Director of Public Relations, Director of Information Technology, and Director of Enrollment and Student Experience

- 2.2. **Qualifications.**

To qualify for and hold an executive office, a person must meet the following requirements:

- 2.2.1. Have a grade point average of no less than 2.0 cumulative.

- 2.2.2. The President, Executive Vice President, and Administrative Vice President must have individually accumulated a minimum of thirty (30) credit

hours at Western Kentucky University at the time of candidacy and must be a full-time student at the time of candidacy.

2.2.3. Be in good standing with the University.

2.2.4. Be enrolled as a full-time student during the term of office and shall not be a member of the faculty.

2.2.5. The President, Executive Vice President, and Administrative Vice President shall have completed one year of membership as an elected or appointed officer in the Student Government Association or may be granted an exemption by the Judicial Council upon a unanimous decision.

2.2.6. Not be a member of any other branch of the Student Government Association during the term of office.

### 2.3. **Duties of the President.**

The President shall:

2.3.1. Take office at least two (2) weeks prior to the end of the academic year and assume all duties for the office of President.

2.3.2. Take over the position of Student Regent on June 30.

2.3.3. Serve as the chief executive of the Student Government Association.

2.3.4. Be the official representative of the student body.

2.3.5. Enforce the provisions of this Constitution, the Bylaws, and any enactments of the Student Government Association.

2.3.6. Report to the Senate weekly.

2.3.7. Establish special committees within the Senate as needed with the approval of a majority of the Senate.

2.3.8. Make Judicial Council appointments with the approval of two-thirds (2/3) majority of the Senate.

2.3.9. Submit appointees to University committees where student representation is requested by the University with approval by a majority vote at the next Senate meeting.

2.3.10. Administer the oath of office to the officers and members of the Senate in the absence of a Justice of the Judicial Council.

2.3.11. Make executive decisions deemed necessary when the Senate is not in session.

2.3.11.1. This clause only applies for the summer and winter terms and in cases of emergency.

2.3.12. Establish and post set office hours of a minimum of twelve (12) per week during regular business hours.

2.3.12.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

2.3.13. Serve as chair of the Executive Cabinet.

2.3.14. Be a voting member of the Executive Cabinet.

**2.4. The Duties of the Executive Vice President.**

The Executive Vice President shall:

2.4.1. Assume all duties of the President in the absence of the President, except those of Student Regent.

2.4.2. Serve as the Student Body Vice President.

2.4.3. Be the student member of the Student Life Foundation.

2.4.4. Maintain and coordinate regular contact with student organizations, Regional Ambassadors, and the student body.

2.4.5. Report to the Senate weekly.

2.4.6. Serve as an ex-officio, non-voting member of all Senate committees except for the Committee of Enrollment and Student Experience (CESE) and the Outreach and Student Experience (OSE) committee.

2.4.7. Establish and post set office hours of a minimum of ten (10) per week during regular business hours.

2.4.7.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

2.4.8. Serve as Vice-Chair of the Executive Cabinet.

2.4.9. Be a voting member of the Executive Cabinet.

2.4.10. Make University Senate appointments with the approval of two-thirds (2/3) majority of the Senate.

**2.5. The Duties of the Administrative Vice President.**

The Administrative Vice President shall:

- 2.5.1. Supervise and be responsible for the financial affairs of the Student Government Association.
- 2.5.2. Make complete and detailed financial reports to the Senate and executive officers at the first Senate meeting of every month, as well as weekly reports of the financial status of the Student Government Association and biweekly reports of Executive discretionary spending.
- 2.5.3. Expend funds as authorized by the Senate.
- 2.5.4. Keep a complete record of all financial transactions.
- 2.5.5. Work with the President and Executive Vice President in establishing and presenting a full, detailed budget to the Senate by the first meeting. The budget shall be in the hands of the Senate for at least seven (7) days before it is voted upon.
- 2.5.6. Submit financial records for an official audit.
- 2.5.7. Report to the Senate weekly.
- 2.5.8. Perform other duties as designated by the Senate in the area of financial affairs.
- 2.5.9. Establish and post set office hours of a minimum ten (10) per week during regular business hours.
  - 2.5.9.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.
- 2.5.10. Maintain appropriate files of all Student Government Association business; maintain records of all past and current legislation recording passage or failure; and make such business available to the University archives.
- 2.5.11. Serve as the chairperson of the Organizational Aid Board.
- 2.5.12. Be a voting member of the Executive Cabinet.

**2.6. Duties of the Chief of Staff.**

The Chief of Staff shall:

- 2.6.1. Be appointed by the President and approved by a two-thirds (2/3) majority of the Senate.

- 2.6.2. Serve directly under the supervision of the President.
- 2.6.3. Coordinate the actions of the Executive Staff.
- 2.6.4. Record minutes of the Student Government Association Executive Cabinet meetings.
- 2.6.5. Supervise the office assistants.
- 2.6.6. Advise and assist the elected Executive Cabinet members.
- 2.6.7. Report to the Senate weekly.
- 2.6.8. Establish and post set office hours of a minimum of ten (10) per week during regular business hours.
  - 2.6.8.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.
- 2.6.9. Be a voting member of the Executive Cabinet.

**2.7. Duties of the Director of Public Relations.**

The Director of Public Relations shall:

- 2.7.1. Be appointed by a consensus of the President, Executive Vice President, and Administrative Vice President and approved by the Senate.
- 2.7.2. Serve directly under the Chief of Staff as a member of the Executive Staff.
- 2.7.3. Provide publicity for Student Government Association meetings, activities and programs.
- 2.7.4. Advertise to the entire student body filing dates, campaign requirements, and election procedures at least two (2) weeks before filing dates.
- 2.7.5. Assist all committees of the Student Government Association concerning public relations.
- 2.7.6. Be an ex-officio, non-voting member of the Outreach and Student Experience committee.
- 2.7.7. Coordinate campus activities relating to the Student Government Association.
- 2.7.8. Report to the Senate weekly.
- 2.7.9. Establish and post set office hours of a minimum of five (5) per week during regular business hours.

2.7.9.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

2.7.10. Be a voting member of the Executive Cabinet.

2.8. **Duties of the Director of Information Technology.**

The Director of Information Technology shall:

2.8.1. Be appointed by a consensus of the President, Executive Vice President, and Administrative Vice President and approved by the Senate.

2.8.2. Serve directly under the Chief of Staff as a member of the Executive Staff.

2.8.3. Be responsible for the creation and/or maintenance of the Student Government Association website.

2.8.3.1. Post the voting records of senators on the SGA website.

2.8.3.2. Must update voted-on legislation before the next Senate meeting.

2.8.4. Be responsible for all information technology tasks.

2.8.5. Report to the Senate weekly.

2.8.6. Establish and post available hours of a minimum of five (5) per week during regular business hours.

2.8.6.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

2.8.7. Be a voting member of the Executive Cabinet.

2.9. **Duties of the Director of Enrollment and Student Experience.**

The Director of Enrollment and Student Experience shall:

2.9.1. Be appointed by a consensus of the President, Executive Vice President, and Administrative Vice President and approved by the Senate.

2.9.2. Serve directly under the Chief of Staff as a member of the Executive Staff.

2.9.3. Be concerned and focused upon issues regarding enrollment and student experience.

2.9.4. Coordinate Student Government Association special events.

2.9.5. Be concerned with various aspects of university policy and facilitate communication with the Student Government Association when appropriate.

2.9.6. Serve as an ex-officio non-voting member of the Committee of Enrollment and Student Experience

2.9.7. Report to the Senate weekly.

2.9.8. Establish and post office hours of a minimum of five (5) per week during regular office hours.

2.9.8.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

2.9.9. Be a voting member of the Executive Cabinet.

## 2.10. **Executive Cabinet**

2.10.1. There shall be an Executive Cabinet which shall consist of the President, Executive Vice President, Administrative Vice President and the Executive Staff. The Executive Cabinet shall:

2.10.1.1. Carry out the policies and directives established by the Senate in accordance with this Constitution.

2.10.1.2. Make proposals on matters of policy and recommend plans of action for consideration by the Senate.

2.10.1.3. Perform any other duties that may be designated by the Senate.

2.10.1.4. Only the President, Executive Vice President, and Administrative Vice President shall have veto power over all legislation passed by the Senate with each officer having one vote. A successful veto requires a majority vote of the Executive Cabinet. The sponsoring committee of the vetoed legislation must be given a written explanation within forty-eight (48) hours as to why the legislation was vetoed. The President shall present reasons for the veto at the next regular meeting of the Senate. If the legislation is not vetoed, the Senate Secretary will stamp it approved.

## 2.11. **Vacancies**

2.11.1. In the event that the President is unable to fulfill the term of office due to illness, withdrawal, or failure to maintain the requirements of office, the office of the President, with the exception of the position of Student Regent, shall be fulfilled by the Executive Vice President. If the Executive Vice President is also



unable to fulfill the term of office due to the reasons listed above, the office of the President shall be fulfilled by the Administrative Vice President.

2.11.2. In the event that the President is unable to fulfill the term of office due to illness, withdrawal, or failure to maintain the requirements of office, the position of Student Regent, shall be fulfilled by a constitutionally-qualified person elected by the student body in a special election (as mandated by KRS 164.321).

2.11.3. Judicial Council shall have discretion over the timeline, applications, and campaigning for the special election.

2.11.4. In the event that any executive officer other than the President is unable to fulfill the term of office, due to illness, withdrawal, or failure to maintain the requirements of office, the position shall be fulfilled for the remainder of the term by a constitutionally-qualified person appointed by the President with the approval of a two-thirds (2/3) vote of the Senate.

2.11.5. In the event that both the President, Executive Vice President, and Administrative Vice President cannot fulfill their terms, due to illness, withdrawal, or failure to maintain the requirements of office, all positions shall be fulfilled by constitutionally-qualified persons elected by the student body in a special election.

## **2.12. Impeachment**

2.12.1. Any executive officer may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

2.12.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

2.12.3. Impeachment proceedings shall be in a special session of the Senate and be presided over by the Chief Justice of the Judicial Council.

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

## **3. THE LEGISLATIVE BRANCH**

3.1. The name of the Legislative Branch shall be the Student Senate, referred to as the Senate. The Senate shall:

3.1.1. Be the official voice of the student body of Western Kentucky University.

- 3.1.2. Establish policies and programs necessary for the proper functioning of the Student Government Association in compliance with the principles and provisions embodied in this Constitution.
- 3.1.3. Approve the budget with recommendation for final approval by the University administration.
- 3.1.4. Function as a judicial body during impeachment proceedings.
- 3.1.5. Approve Constitutional appointments with the appropriate vote.
- 3.1.6. Establish special committees within the Senate as need determines with approval of a majority vote.
- 3.1.7. Have the authority to propose modifications of University policies affecting the activities and welfare of the student body.
- 3.1.8. Have the authority to establish Bylaws.
- 3.1.9. Have the power to override any veto imposed by the Executive Cabinet by a two-thirds (2/3) vote.

3.2. **Qualifications for Senate Officer.**

To qualify and hold the position of Senate officer, a person must meet the following requirements:

- 3.2.1. Have a grade point average no less than 2.0 cumulative.
- 3.2.2. Be in good standing with the University.
- 3.2.3. Be enrolled as a student during the term of office and shall not be a member of the faculty.
- 3.2.4. The Speaker of the Senate shall be elected from the Senate serving during the Spring Semester for the next academic year.

3.3. **Duties of the Speaker of the Senate.**

The Speaker of the Senate shall:

- 3.3.1. Preside over all Senate meetings or
  - 3.3.1.1. Should the Speaker of the Senate be absent, the Secretary of the Senate shall preside over the Senate meeting
- 3.3.2. Serve as the Coordinator of Committees. The Coordinator of Committees shall:
  - 3.3.2.1. Meet regularly with the chairs of all standing and ad hoc committees to regularly examine their progress.

3.3.2.2. Work to prevent duplication of committee activities and legislation and direct legislative ideas to the proper committee.

3.3.2.3. Coordinate with the Executive Cabinet in all lobbying efforts of passed legislation.

3.3.3. Call special meetings of the Senate provided twenty-four (24) hours notification is given.

3.3.4. Establish special committees within the Senate as needed with the approval of a majority vote of the Senate.

3.3.5. Preside over all impeachment proceedings for members of the Judicial Council.

3.3.6. Establish and post set office hours of a minimum of six (6) per week during regular business hours.

3.3.6.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

3.3.7. Attend regular Executive Cabinet meetings serving as an ex-officio, non-voting member.

3.3.8. Upon assumption of office, the Speaker of the Senate shall be at least a sophomore in good standing with the University and have served at least one academic year as a Senator.

**3.4. Duties of the Secretary of the Senate.**

The Secretary of the Senate shall:

3.4.1. Be appointed by the Speaker of the Senate and approved by the Senate.

3.4.2. Record minutes and take roll of the Senate meetings.

3.4.3. Shall keep an accurate record of all Senators' qualifications.

3.4.4. Distribute the Constitution and Bylaws at the first meeting of the Senate.

3.4.5. Maintain appropriate files of all Student Government Association business; maintain records of all past and current legislation recording passage or failure; and make such files and records available to University archives.

3.4.6. Supervise and manage Senate committee secretaries.

3.4.7. Forward appropriate legislation to the faculty, staff and administrators of Western Kentucky University.

3.4.8. Notify the Judicial Council and Speaker of the Senate of excessive absences on the part of Senate and/or committee members and be responsible for notifying members in question of the pending judicial review within the time frame of three (3) Senate meetings.

3.4.9. Establish and post set office hours of a minimum of two (2) per week during regular business hours.

3.4.9.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

**3.5. Duties of the Parliamentarian.**

The Parliamentarian shall:

3.5.1. Ensure that Senate meetings abide by Robert's Rules of Order.

**3.6. Qualifications for Senator.**

To qualify for and hold a Senate seat, a candidate must meet the following requirements:

3.6.1. Have a grade point average of no less than 2.0 cumulative.

3.6.2. Be in good standing with the University.

3.6.3. Be enrolled as a student during the term of office and shall not be a member of the faculty.

3.6.4. Be able to complete a minimum of four (4) office hours by the last day of each month.

3.6.4.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, time spent in University Committees, work done outside of regularly-scheduled committee meeting times, or time in the SGA office.

**3.7. The Senate shall be composed of the following:**

3.7.1. Three (3) senior class senators.

3.7.2. Three (3) junior class senators.

3.7.3. Three (3) sophomore class senators.

3.7.4. Three (3) freshman class senators.

3.7.5. One (1) graduate student senators.

- 3.7.6. One (1) International student senator.
- 3.7.7. One (1) Gatton Academy student senator.
- 3.7.8. One (1) senator from each academic college elected by students within the respective college for a total of five (5) senators.
- 3.7.9. Fourteen (14) at-large senators.
- 3.7.10. One (1) transfer/non-traditional student senator.
- 3.7.11. One (1) International Student Engagement Center student senator.
- 3.7.12. One (1) First-Generation student senator.

**3.8. Constitutional Committees**

3.8.1. Standing committees, and ad-hoc committees if created by the Senate, are the legislative vehicles for the Senate, and are thus to be considered part of the legislative branch.

3.8.1.1. All committees, standing and ad hoc, shall be headed by a committee chairperson.

3.8.1.2. Committee heads shall be appointed by the President and approved by two-thirds (2/3) of the Senate.

3.8.1.3. To qualify and hold the position of committee head, an individual must be an elected or appointed member of the Legislative Branch.

3.8.2. The **Legislative Operations Committee (LOC)** shall:

3.8.2.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.2.2. Collect and review all proposed legislation prior to the first reading before the Senate.

3.8.2.3. Ensure that all proposed legislation has been properly researched by the author and require the mandatory presence of at least one author at Legislative Operations Committee meetings.

3.8.2.4. Determine the constitutionality of all proposed legislation and decide whether or not any conflict exists with a previous piece of legislation.

3.8.2.5. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

3.8.2.6. Find and appoint a Parliamentarian for the Senate.

3.8.2.6.1. The Parliamentarian may be a member of the Judicial Council if it can be proved they are qualified.

3.8.2.7. Serve as a dormant Bylaws Review Committee.

3.8.2.8. Appoint legislative representatives to the committee formulating amendments to the Constitution according to the SGA Constitution Section 4.6.11.

3.8.3. The **Committee of Enrollment and Student Experience (CESE)** shall:

3.8.3.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.3.2. Serve the student body on all academic and non-academic affairs on campus.

3.8.3.3. Perform duties as delegated by the Senate and/or the consensus of the Executive Cabinet.

3.8.4. The **Committee of Outreach and Student Experience** shall:

3.8.4.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.4.2. Provide publicity for all Student Government Association meetings, activities, and programs.

3.8.4.3. Assist all Student Government Association committees concerning public relations.

3.8.4.4. Assist the Director of Public Relations.

3.8.4.5. Perform duties as delegated by the Senate and/or the consensus of the Executive Cabinet.

3.8.4.6. Serve as a liaison between SGA and other organizations and students.

3.8.4.7. Provide office hour opportunities to members of the Senate.

3.8.4.8. Coordinate events that collaborate with other campus organizations.

3.8.4.9. Provide and outline office hour opportunities at the first Senate meeting post-Committee formation.

3.8.5. The **Campus Improvements and Sustainability Committee** shall:

3.8.5.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.5.2. Serve the student body by addressing matters of sustainability and continued physical development of Western Kentucky University.

3.8.5.3. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

3.8.5.4. Serve as a liaison to South Campus to represent students at South Campus and identify areas in need of improvement.

3.8.5.5. The Committee Chair or a delegate must meet with the Office of Sustainability at least once each semester.

3.8.6. The **Committee for Diversity, Equity, and Inclusion** shall:

3.8.6.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.6.2. Serve the student body by addressing matters of diversity, equity, and inclusion at Western Kentucky University.

3.8.6.3. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

3.8.6.4. Have the Committee Chair or a delegate with the Chief Officer of Enrollment and Student Experience (ESE) and the Dean of Students.

3.8.7. The **Student Mental Health and Wellbeing Committee** shall:

3.8.7.1. Be composed of a number of Senate members as assigned by the Speaker.

3.8.7.2. Serve the student body by addressing matters of mental health and sexual assault awareness at Western Kentucky University.

3.8.7.3. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

3.8.7.4. Have the Committee Chair or a delegate meet with the Director of the Counseling Center and the Title IX Coordinator.

3.9. **The election procedures of the Senate shall be:**

3.9.1. All but the three (3) freshman senators, one (1) graduate senator, one (1) International senator, and one (1) Gatton Academy student senator shall be elected in the spring election.

3.9.2. If the freshman, graduate, International or Gatton Academy senator position(s) will not be filled in the fall election, they shall change to at-large positions in the same fall election.

**3.10. Vacancies:**

3.10.1. Vacancies in the Senate after the fall elections shall be filled by an appointment from the President and approval by the majority of the Senate.

**3.11. Impeachment:**

3.11.1. Any member of the Senate may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

3.11.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate's membership is required.

3.11.3. Impeachment proceedings shall be in a special session of the Senate and shall be presided over by the Chief Justice of the Judicial Council.

3.11.4. 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 impeachment procedure shall be by two-thirds (2/3) vote of a simple majority of the Senate acting as a judicial body.

**3.12. Committee Head Removal.**

3.12.1. Any Committee Head may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

3.12.2. Committee Head removal shall follow the same protocol as Senate Impeachment proceedings.

3.12.3. If the Committee Head of any committee is removed, the Vice-Chair of said committee shall be the acting Committee Head until a new Committee Head can be appointed in accordance with this Constitution.

**3.13. Vote of No Confidence:**

3.13.1. The Speaker of the Senate may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

3.13.2. Removal of the Speaker of the Senate shall follow the same protocol as Senate Impeachment proceedings.

3.13.3. If the Speaker is absent or removed, the Secretary of the Senate shall be the interim Speaker until a new Speaker can be elected in accordance with this Constitution.



3.13.4. The new Speaker shall be elected within two (2) Senate meetings of the removal of the previous Speaker.

#### **4. THE JUDICIAL BRANCH**

4.1. The judicial authority of the Student Government Association shall be vested in the Judicial Council.

4.2. **Qualifications.**

To qualify for and remain as a member of the Judicial Council, a person must meet the following requirements:

4.2.1. Be in good standing with the University.

4.2.2. Be a student during the entire term of office and not be a member of the faculty.

4.2.3. Have a minimum grade point average of 2.0 cumulative.

4.2.4. Not be a member of any other branch of the Student Government Association during the term of office.

4.3. **Organization and Terms of Office.**

4.3.1. The Judicial Council shall be composed of seven (7) Justices appointed by the President with the approval of a two-thirds (2/3) vote of the Senate.

4.3.2. The members of the Judicial Council shall be appointed to take office no later than two (2) weeks after the first Senate meeting. Any vacancies shall be filled within two (2) weeks of the resignation.

4.3.3. The Chief Justice of the Judicial Council shall be appointed by a majority vote of the Judicial Council serving with approval of a majority vote of the Senate.

4.3.4. The Associate Chief Justice shall be appointed by the Chief Justice and approved by a majority vote of the Senate.

4.3.5. Each member of the Judicial Council shall serve for the duration of their academic career provided they maintain requirements of the office.

4.4. **Duties of the Chief Justice.**

The Chief Justice of the Judicial Council shall:

4.4.1. Be the presiding officer of the Judicial Council.

4.4.2. Have completed one year of membership as an Associate Justice of the Judicial Council or may be granted an exemption by the Senate.

4.4.3. Schedule meetings of the Judicial Council.

4.4.4. Administer the oath of office to the officers of the Student Government Association. In the absence of the Chief Justice, an Associate Justice or the President may administer the oath of office.

4.4.5. Preside over all impeachment proceedings for members of the executive and legislative branches.

4.4.6. Call special meetings of the Judicial Council provided twenty-four (24) hours' notice is given to all parties involved in the special meeting.

4.4.6.1. In the case of an emergency, the time clause shall be null.

4.4.7. Report to the Senate at least twice a month.

4.4.8. Establish and post set office hours of a minimum of one (1) per week during regular business hours.

4.4.8.1. An office hour may consist of tabling for SGA, meetings with faculty and staff on issues pertaining to SGA, or time in the SGA office.

4.4.9. Update the Constitution with amendments approved in student body referendums.

#### 4.5. **Duties of the Associate Chief Justice**

The Associate Chief Justice of the Judicial Council shall:

4.5.1. Serve directly under the supervision of the Chief Justice

4.5.2. Chair meetings of the Judicial Council in the absence of the Chief Justice.

4.5.3. Serve as Acting Chief Justice, upon the resignation or impeachment of the Chief Justice, until a new Chief Justice is elected by the Judicial Council and approved by the Senate.

4.5.4. Record all minutes of the Judicial Council.

4.5.5. Perform other duties as designated by the Chief Justice.

#### 4.6. **Duties of the Judicial Council**

The Judicial Council shall:

4.6.1. Interpret the Constitution and Bylaws of the Student Government Association upon request.

4.6.2. Have the power of judicial review over actions of the Executive Cabinet and the Senate upon request by any duly registered student of Western Kentucky University not in the Judicial Council. The Judicial Appeal Process used by the Judicial Council for Judicial Review is as follows:

4.6.2.1. Any duly registered student of Western Kentucky University may file an appeal of a previous Judicial Council ruling when at least one (1) of following three (3) criteria are met: ONE (1) New facts are presented from the prior ruling; TWO (2) Procedural issues are presented from the prior ruling, or; THREE (3) A petition to hear the appeal is signed by no less than ten (10) students.

4.6.2.2. This appeal shall be submitted through the online 'Request for a Judicial Council Meeting' web page or through a written request submitted to the Student Government Association office addressed to the Chief Justice within 30 days of the original ruling date.

4.6.2.3. The Judicial Council will hold a formal vote to determine if the appeal will be presented. The Judicial Council will consider whether or not one or more of the three criteria established in Section 4.6.2.1 has been successfully met. With a majority vote to hear the appeal, the Judicial Council will hold an emergency meeting at a place and time established by the Chief Justice, where the Judicial Council is required to formally invite, and make this meeting accessible for, the appellant, giving the appellant an established opportunity to justify their claim in person.

4.6.2.3.1. Such a meeting must be scheduled within five (5) class days of receipt of an appeal. All meetings will be scheduled to allow at least 48 hours notice to all parties. If there are no objections from all parties involved, the Judicial Council may schedule a hearing prior to the 48 hour window. Because of time constraints and/or a dire need for timely rulings, the Judicial Council reserves the right to schedule hearings with only 12 hours notice when the appeals and complaints pertain to violations of the current Student Government Association election rules and procedures.

4.6.2.4. The Judicial Council will during the appeal meeting first discuss the appeal filed, then listen to evidence brought by the appellant. During the presentation of evidence, each appellant will be given the opportunity to give at least a two minute oral testimony and up to three written testimonials can be brought by others who are not appellants in the case in question. The Judicial Council must then revote on the issue in question, considering all new evidence brought forth in the appeal, and decide whether to uphold or reverse their previous ruling

4.6.2.5. Judicial Council is only required to revisit and/or revote on one appeal per case. After the appeals meeting, the decision is final.

4.6.3. Head and adjudicate all cases of appeal concerning elections and qualifications for candidacy.

4.6.4. Establish general procedural rules and ethical considerations for the Judicial Council.

4.6.5. Enact and review Election Codes subject to the approval of a majority vote of the Senate.

4.6.6. Establish such committees as deemed necessary for elections.

4.6.7. Take appropriate action, in accordance with the attendance policy, against those who have been brought up for review.

4.6.8. Meet no less than twice a month.

4.6.9. Review any enactments of regional affiliates at the request of any student to determine if the enactment is in conflict with the resolutions, enactments, constitution, and bylaws of the Student Government Association of Western Kentucky University. Any enactment deemed in conflict shall be considered void.

4.6.10. Review the impeachment proceedings by regional affiliates to consider the case and make the final determination.

4.6.11. Establish a temporary committee consisting of the Judicial Council and members of the Senate and Executive bodies for formulating Constitutional amendments.

#### 4.7. **Impeachment**

4.7.1. Any member of the Judicial Council may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

4.7.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

4.7.3. Impeachment proceedings shall be in a special session of the Senate and shall be presided over by the Speaker of the Senate.

4.7.4. A final vote may not be called until at least fourteen (14) days after proceedings are initiated. The impeachment procedure shall be by a two thirds (2/3) vote of the full membership of the Senate acting as a judicial body.

## **5. REGIONAL AMBASSADORS**

- 5.1. Enrolled students at any WKU regional campus have the ability to become Regional Ambassadors to represent their interests and be affiliated with the Student Government Association at Western Kentucky University.
- 5.2. Regional Ambassadors will represent students at the respective campus in manners and policy not inconsistent with the resolutions, enactments, constitution, and bylaws of the Student Government Association at Western Kentucky University.
- 5.3. Regional Ambassadors shall not be considered active until nominated by their respective Regional Chancellor, approved by two-thirds (2/3) vote of the Student Senate, and majority vote (4/7) of the Executive Council.
- 5.4. The Regional Ambassador will be considered the official voice of their respective regional campus and make legislative, policy, and other recommendations to members of the Student Senate or Executive Council.
- 5.5. A Regional Ambassador may be removed per the recommendation of their Regional Chancellor, two-thirds (2/3) vote of the Student Senate, and majority (4/7) vote of the Executive Council.
- 5.6. Regional campuses reserve the right to establish councils of students to discuss student needs at their respective regional campus, but the Regional Chancellor may only nominate one student to be the official Regional Ambassador.
- 5.7. A WKU student will also be selected by the President of the Student Government Association at Western Kentucky University.

## **6. ORGANIZATIONAL AID BOARD**

- 6.1. The Organizational Aid Board shall:
  - 6.1.1. Be composed of at least six (6) members appointed by the Administrative Vice President and approved by the Executive Cabinet and by the majority of the Senate.
  - 6.1.2. Dispense aid to registered student organizations.
  - 6.1.3. Be chaired by the Administrative Vice President.
  - 6.1.4. Submit its recommendations for organizational aid to the Senate.

## **7. ADVISOR**

- 7.1. The advisor of the Student Government Association shall be the Vice President of Student Affairs or a delegated representative.

## **8. FINANCES**

- 8.1. The Student Government Association shall be financed in accordance with the policies and procedures specified by the chief fiscal officer of the University, and in accordance with Kentucky state law.

## **9. TERM OF OFFICE**

- 9.1. All executive officers shall assume office or receive their appointments at least two (2) weeks prior to the end of the academic school year and shall serve for one (1) academic year.
- 9.2. All Senate members elected in the spring shall assume office no later than two (2) weeks after the beginning of the fall term and shall serve for one (1) academic year.
- 9.3. All Senate members elected in the fall shall assume office no later than two (2) weeks after the fall elections and shall serve for one (1) academic year.
- 9.4. All Judicial Council Justices shall assume office no later than two (2) weeks after the beginning of the fall term and shall serve for the duration of their academic career, provided they maintain the requirements of the office.

## **10. AMENDMENTS**

- 10.1. This Constitution may be amended by a two-thirds (2/3) vote of the full membership of the Senate and subsequent referendum by a majority of the student body voting.
- 10.2. Constitutional Amendment Elections
  - 10.2.1. 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.
  - 10.2.2. 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. EMERGENCY**

- 11.1 In the event of university closure prior to fall or spring elections taking place, the Senate, with a two-thirds (2/3) majority vote, along with the Executive Cabinet majority vote, and Judicial Council majority vote, may initiate emergency clauses.
- 11.2 **These clauses will allow:**

11.2.1 All executive officers and senators, provided they maintain requirements for the office in which they are serving, may extend their terms until a new election can be held.

11.2.2 Zoom meetings or the use of another virtual meeting platform in place of in person Senate meetings is allowed during the event university closure.

11.2.3 The rescheduled elections must be held within four (4) weeks of the new semester.

11.2.4 The President, as Student Regent, so long as they maintain requirements of office, may extend their position of Student Regent until the next election cycle in the beginning of the new semester.

11.2.5 In the event that the President no longer meets the requirements of their office, a special election must take place to determine an interim Student Regent as mandated by KRS 164.321 until a new election can take place.

11.2.6 In the event of such a special election for an interim, the election must take place two (2) weeks before the semester ends.

11.2.7 Judicial Council shall have discretion over applications and campaigning for the special election.