

**CONSTITUTION OF THE
STUDENT GOVERNMENT ASSOCIATION OF
WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY
Fall 2012**

Preamble

We, the students of West Virginia University Institute of Technology, in order to develop a spirit of cooperation and leadership in the activities of the college; to encourage student initiative; and to create an intermediary between the administration and the students in matters of general welfare, do hereby adopt the following document.

Article I: Name and Objective

Section 1. The name of the organization shall be the Student Government Association of West Virginia University Institute of Technology.

Section 2. The objective of the Student Government Association shall be to use rights and capabilities of the students to govern themselves within the reasonable and proper limits established by the administration of the College and government bodies of the institution, and:

- (a) To be a representative of the students in decision-making processes directly affecting the students and West Virginia University Institute of Technology;
- (b) To serve as a channel for the expression of students' opinions to the administration of the University;
- (c) To help promote the personal and academic development of the students through their participation in student activities;
- (d) To promote a feeling of unity among the entire academic community of the college;
- (e) To maintain an active relationship with the West Virginia University Institute of Technology Alumni Association and the Tech Foundation;
- (f) To uphold and protect the Student Bill of Rights as established in Article II of the Student Government Association Constitution all within the realm of uniform institutional guidelines.

Article II: Student Bill of Rights

Section 1. The student has the right to be considered for membership in any student organization or group regardless of race, color, sex, nationality, religion, political belief, or sexual preference.

Section 2. The student has the right to judicial due process, including a fair hearing, confrontation of plaintiff and witnesses, counsel, presumption of innocence, protection from cruel and harsh punishment, and appeal.

Section 3. The student has the right to petition the Student Government Association for consideration of policies.

Section 4. The student has the right to petition the Student Government Association for any right or violation of right guaranteed by the Student Bill of Rights.

Section 5. The student has the right not to be put in double jeopardy for the same offense.

Section 6. The student has the right to establish and publish free from censorship or other official action, and to edit policy or content by any person.

Section 7. The student has the right to form, join, and/or participate in any group for legal purpose; to the use of campus facilities in accordance with uniform regulations; all within the realm of uniform institutional guidelines.

Section 8. The student has the right of security for his possessions against invasion of privacy and unreasonable search without due process.

Section 9. No student shall be deprived of liberty, property, or the right to continue his education without due process.

Section 10. Academic, personal, and disciplinary records should be kept separately and given out only by consent of that individual in writing to the appropriate official.

Section 11. The student has the right to appear before the Senate regarding any matter under consideration by the Senate, subject to Senate rules.

Article III: Membership

Section 1. All duly enrolled students of West Virginia University Institute of Technology who pay the Student Activity Fee shall be members of this organization; only those duly elected as Senators in this body will have a voting seat.

Article IV: Legislative Branch

Section 1. The Legislative Branch, hereinafter is referred to as the Senate, shall consist of three districts: Commuter, Resident, and Montgomery Area. Each district shall have 1/3 of the representation of the Senate.

(a) Senators shall be elected from three districts as defined below:

(i) Commuter – Students whose residence is not college-owned and is outside the Montgomery City limits are qualified to represent this district.

(ii) Residence Halls – Students residing in college-owned housing such as dormitories are qualified to represent this district.

(iii) Montgomery Area – Students whose residence is not college-owned but within the Montgomery City limits are qualified to represent this district.

(b) The Senate shall not be comprised of more than three Senators per 200 students.

(c) Each student shall vote for the appropriate number of Senators designated to represent his/her district.

Section 2. Senators

(a) Senators shall be responsible for establishing student legislation, coordinating activities or policies relating to student life, and representing all students at West Virginia University Institute of Technology.

(b) Senators must maintain a minimum 2.00 semester and cumulative grade point average at the time of assumption of duties as a Senator, as well as being a student in good standing with the College.

(c) Senators shall be elected in the regular election during the spring semester of each school year and on the third Wednesday and Thursday of September. See Article VII.

(d) Senators may be elected for successive terms.

Section 3. Officers of the Senate.

(a) The Vice President of the Student Government Association shall serve as the President of the Senate, but shall have no vote unless the Senate is equally divided. The Vice President shall preside at all meetings of the Senate. With approval of the Senate, the Vice President shall fill Senate vacancies with any qualified student from any district after a strong, sincere effort is made to find a representative from the appropriate district.

(b) The Senate shall elect a Recording Secretary from its membership. It shall be the duty of the Recording Secretary to keep a faithful record of all the proceedings of each session of the Senate and to provide copies of the minutes of the previous meetings. It shall also be the duty of the Recording Secretary to call roll at the opening of each meeting and to keep attendance records.

(c) The Senate shall elect from its membership a President Pro Tempore who shall reside in the absence of the Vice President and also serve as Parliamentarian.

(d) The Senate shall elect from its membership a Sergeant-At-Arms who shall assist the Recording Secretary in the distribution of all material relevant to the Senate meeting, to assist the Chair in preserving order at the Senate meeting, and to be responsible for the arrangement of the meeting room.

(e) The Senate shall elect such other officers, as it deems necessary.

Section 4. Powers and Duties of the Senate

(a) The Senate shall have the power to pass legislation and make provisions for student goals within the limits of this Constitution.

(b) The Senate shall approve by majority vote the Student Activity Fee Budget as presented by the Treasurer and Budget Committee. The Senate, upon concurrence of two thirds of the Senators, may make amendments to the budget.

(c) The Senate shall approve major expenditures, \$500 or over, from Student Government Association funds as determined by the Budget Committee and as written in the budget.

(d) The Senate shall approve, by majority, Presidential appointments to Student-Faculty Committees.

(e) The Senate shall approve, by two thirds vote of the entire Senate, Presidential appointments to the Cabinet.

(f) The Senate shall approve, by majority vote, all Vice Presidential appointments to fill Senate vacancies.

(g) The Senate shall have the power, upon the concurrence of a majority of the Senators present at a regular meeting, to request a report from any member of the Executive Branch of the Student Government Association concerning any matter for which said person is responsible.

(h) The Senate shall have the power to remove from office the President and Vice President of the Student Government Association, as well as all appointed officers previously approved by the Senate or a Senator of the Student Government Association. Officers and Senators shall be removed upon concurrence of three fourths of the entire Senate.

(i) The Senate shall have the power to override a veto by the President of the Student Government Association of legislation passed by the Senate with a concurrence of two thirds of the total membership of the Senate.

Section 5. Senate Committees

(a) Standing and special committees will be specified as outlined in the By-Laws of the Student Government Association.

Article V: The Executive Branch

Section 1. The Executive Branch shall consist of the President, Vice President, and Cabinet members of the Student Government Association.

Section 2. The President

(a) The President shall be the chief executive officer of the Student Government Association and shall be elected for a term of one year. The President may have successive terms and must remain a full-time student during the entire term of office.

(b) Qualification for Office – The President must be a full-time student and at time of filing for election must have successfully completed at the 30 hours of student at West Virginia University Institute of Technology. The President must have a cumulative grade point average of at least 2.30 under the 4.00 system as well as at least one semester's (15 weeks) experience as a Senator for the Student Government Association.

(c) Powers and Duties of the President

(i) The President shall have the power to review legislation by the Senate. The President shall either sign the legislation and enforce it or veto the legislation and return it to the Senate for review.

(ii) The President shall enforce all legislation passed by the Senate which has overridden a presidential veto.

(iii) The President shall appoint cabinet members and student members of Student-Faculty committees, and special committees subject to Senate approval. See Article IV Section 4(d) and Section 4(e).

(iiii) The President shall have the power to call meetings of the Cabinet.

(d) When vacancies occur in the office of the President, the Vice President shall assume the office of President, and the President Pro Tempore of the Senate shall assume the office of Vice President. The incoming Vice President shall appoint the replacement to the Senate, and the Senate shall elect a new President Pro Tempore as prescribed in Article IV Section 3(c) and Section 3(e).

(e) The President shall receive a yearly stipend of \$1000 for all duties associated with the office. The funds shall be allocated yearly from the Student Government Association Budget.

(f) In the event that no member of the Senate or no person previously holding a Senate position decides to run for President, the Office of President will be open to the student population at large.

Section 3. The Vice President

(a) The Vice President shall serve as the president of the Senate and shall be elected for a term of one year. The Vice President may have successive terms and must remain a full-time student

during the entire term of office. The Vice President shall preside at all Senate meetings, but shall have no vote unless the Senate is equally divided. The Vice President shall fill Senate vacancies with approval of the Senate subject to Article IV Section 4(f) and shall fulfill other duties as prescribed in Article IV Section 3(a).

(b) Qualifications for Office – The Vice President must be a full-time student and at time of filing for election must have successfully completed at the 30 hours of student at West Virginia University Institute of Technology. The Vice President must have a cumulative grade point average of at least 2.30 under the 4.00 system as well as at least one semester's (15 weeks) experience as a Senator for the Student Government Association.

(c) The President shall receive a yearly stipend of \$1000 for all duties associated with the office. The funds shall be allocated yearly from the Student Government Association Budget.

(d) When a vacancy occurs in the office of the Vice President, the President Pro Tempore shall assume the office of Vice President. In the event the office of President Pro Tempore is vacant, the Senate shall, through nominations from the floor, elect a Vice President whose qualifications are the same as a candidate who files for election.

Section 4. The Cabinet

(a) The Cabinet shall consist of the President who shall serve as chair, Vice President, Treasurer, Secretary, and all other offices as outlined in the By-Laws of the Student Government Association.

(b) The duties of the Cabinet shall be specified as outlined in the By-Laws of the Student Government Association.

Article VI: Student Activity Fee Budget

Section 1. The Treasurer and Budget Committee shall annually determine a budget for the Student Activity Fee. All organizations, departments, and other groups requesting funds from the Student Activity Fee shall submit detailed budgets to the Budget Committee prior to the formation of the Student Activity Fee Budget.

Section 2. The Budget Committee shall give all organizations, departments, and other groups at least six weeks notice before beginning to prepare the Student Activity Fee Budget.

Section 3. The budget must be approved by the Senate, as provided in Article IV Section 4(b).

Article VII: Elections

Section 1. Elections shall be held at the following times:

(a) The President, Vice President, and Senators of the Student Government Association shall be elected in the regular election during the second semester of each school year as specified in the By-Laws of the SGA, to be held prior to the third week of April. Officers and Senators will take office beginning the first day of May.

(b) An election will be held the third Wednesday and Thursday of September for three Senators representing the freshman class. All vacant senatorial positions will be open for election at this time. The freshman senators will include one Residence Hall representative, one Montgomery Area representative, and one Commuter representative.

(c) The Vice President may not make appointments to fill Senate vacancies prior to the fall election.

Section 2. Election Rules

(a) The rules and specific dates for each election within the limits of Article V, Section 1 shall be determined by the Elections Committee and shall be approved by the Senate.

(b) The number of Senators elected in each election shall be determined by the number of students as defined below:

1-299 Students = 3 Senators

300-599 Students = 6 Senators

600-899 Students = 9 Senators

and so in similar progression, subject to Article IV, Section 1(b).

Section 3. Special Elections

(a) Special elections may be held by submitting a written request to the President of the Senate from any of the following:

(i) The President of the Student Government Association with approval of two thirds of the Senate.

(ii) Any Senator from the floor of the Senate with approval of two thirds of the Senate.

(iii) A petition of one third of the number of the student body represented by a Senator.

(b) The special election shall be held not less than three weeks or more than five weeks following the receipt of the request by the Senate.

(c) The Senate Elections Committee shall determine, with Senate approval, the rules and specific dates for the special election at least two weeks prior to the election.

Article VIII: Amendments

Amendments to the Constitution may be proposed by the Senate body, the faculty, or the Student Government Association. Amendments must be ratified by two thirds of the Senate and a majority of the voting student body.