

## **Preamble**

We, the students of Charleston Southern University, in order to form a more effective self-government, to ensure a continuous exchange of ideas and opinions between the students and administration, to promote a wide spread interest in student affairs, to further the activities of student life, to develop a greater spirit of progressive citizenship, to assume the fullest responsibilities and powers of the self-government consistent with the policies of the administration of Charleston Southern University, and to promote the general welfare and to protect the herein enumerated rights of the students, do hereby establish the constitution for the Student Government of Charleston Southern University.

## **Article I- Name**

The name of the organization shall be known as the Student Government Association (SGA) at Charleston Southern University.

## **Article II- Membership**

Each student of Charleston Southern University can be a member of the Student Government Association. All students shall be under the jurisdiction of the Association.

## **Article III- Organization**

**Section I-** The Student Government Association shall be organized into three branches: Executive, Legislative and Judicial.

**Section II-** The House Council shall constitute an independent executive department that shall govern only and exclusively on matters pertaining to the resident students or violators of nonresident students which occur in the residence halls.

**Section III-** The Dean of Students shall be the adviser for all three branches of the SGA. The Dean of Students shall be assisted by the Director of Student Activities, who will act as co-adviser of the Legislative branch of the SGA.

## **Article IV- Executive Branch**

**Section I-** All executive powers granted herein shall be vested in the President of the SGA, who shall be elected by the student body in accordance with the provisions of this Constitution. The President shall be assisted by the Vice President and Secretary/Treasurer, chosen in the same manner. These three officers shall constitute the Executive Committee of the SGA.

## **Section II- Executive Committee**

- A. Duties of the Executive Committee shall be:
  - 1. To carry out all legislative action of the Student Senate.
  - 2. To advise the President.
  - 3. To perform such other duties as the Student Senate may direct.
  - 4. To attend the Board of Trustees meeting when invited.
  - 5. To meet at least once a week, or at other times as the President deems necessary.
  
- B. Stipulations of the Executive Committee shall be:
  - 1. A majority of the members of the Executive Committee shall constitute a quorum of the Executive Committee.
  - 2. Any deviation from these and other said duties will be taken down as dereliction of duty of said officer and shall be brought before the Senate.
  - 3. A SGA officer may work 15 hours per week on campus, or have a part-time job off campus, provided the office of the Dean of Students approves this. A student may continue to work provided that the job does not interfere with his performance of the duties of the SGA.
  - 4. No student shall serve as a SGA officer while serving as President of another organization, nor hold several offices within other organizations. A student may hold office in other organizations as long as it does not interfere with his performance as a SGA officer.

## **Section III- President of the SGA**

- A. Qualifications of the President shall be:
  - 1. He must have 61 or more hours of credit by the end of Maymester. He must have a cumulative GPA of 2.7 prior to the executive election and during his term in office. He must have been at Charleston Southern for one academic year. He may be re-elected and/or be elected to other SGA posts.
  - 2. He must be in good standing with the University and must represent the ideals and principles upon which Charleston Southern University stands.
  - 3. He must agree to serve the complete term in office.
  - 4. No disciplinary offense may have been committed at Charleston Southern University by a candidate for SGA office. If an offense has been committed at any time while attending CSU, the student must appeal to the Dean of Students prior to the executive election in order to determine eligibility for candidacy.
  - 5. He must not have been removed from any SGA office (e.g. Senator, Chairman, or Executive Officer).
  - 6. He must have served two consecutive semesters in the position of Senator.

- B. Duties of the President shall be:
1. To make sure all provisions of this Constitution and the laws of SGA are faithfully executed in an efficient manner. To execute the laws enacted by the Student Senate.
  2. To preside over all student body meetings, executive committee meetings, and over Chapel services.
  3. To appoint all necessary committees not provided for in the Constitution.
  4. To represent the student body when necessary.
  5. To appoint such officials, with the approval of the Senate, as shall be necessary for the proper functioning of all three branches of the SGA, with the exception of those appointments reserved for other officials of the SGA.
  6. To make recommendations to the Senate when necessary in representing the student body.
  7. To veto acts of the Senate, but such veto may be overridden by a three-fourths vote of the Senate.
  8. To be an ex-officio member of the Student Government Senate and to be in close association with and have thorough knowledge of the Judicial Branch.
  9. To be responsible for the efficient functioning of all executive officers.
  10. To act as the head of SGA activities and, in cooperation with the Senate, act in such a manner as to ensure the best interests of the students.
  11. To act upon Senate bills, amendments, and resolutions, either approving or vetoing the act within two weeks of Senate approval. If no action is taken within two weeks, the measure is considered approved and it is sent to the Dean of Students for his approval as necessary.
  12. To make the Cabinet fully aware of their duties.
  13. In cooperation with the Vice President of the SGA, to inform all SGA officers of the South Carolina Student Legislature. He must follow the guidelines previously established by the Senate.
  14. To select, in cooperation with the Vice President of the SGA and the Dean of Students, the delegation chair for the South Carolina Student Legislature. He must follow the guidelines previously established by the Senate.
  15. To issue a written statement of responsibility to each appointee and have the appointees sign the statement to acknowledge his understanding and the acceptance of this responsibility.
  16. To make a full report of his actions and the actions of his Cabinet and Executive Committee meetings to the Senior Officers and the board of Trustees each semester.

17. The President of the Student Government shall serve on the Service Project Committee in cooperation with the other Executive Officers.

#### **Section IV- Vice President of the SGA**

- A. Qualifications of the Vice President shall be:
  1. He must have 61 or more hours of credit by the end of Maymester. He must have a cumulative GPA of 2.7 prior to the executive election and during his term in office. He must have been at Charleston Southern for one academic year. He may be re-elected and/or be elected to other SGA posts.
  2. He must be in good standing with the University and must represent the ideals and principles upon which Charleston Southern stands.
  3. He must agree to serve the complete term in office.
  4. No disciplinary offense may have been committed at Charleston Southern University by a candidate for SGA office. If an offense has been committed at any time while attending CSU, the student must appeal to the Dean of Students prior to the executive election in order to determine eligibility for candidacy.
  5. He must not have been removed from any SGA office (e.g. Senator, Chairman, or Executive Officer).
  6. He must have served two consecutive semesters in the position of Senator.
- B. Duties of the Vice President shall be:
  1. To preside over all meetings of the SGA.
  2. To assume the office of President in the event of resignation or removal of the President; the President Pro-Tempore of the Senate shall become Vice President of the SGA.
  3. To represent the student body in the absence of the President.
  4. Perform all duties the President may assign.
  5. To appoint all members of all standing committees of the Senate and serve as an ex-officio member of all standing committees.
  6. To be a member of the President's Cabinet.
  7. In cooperation with the President of the SGA, to inform all the SGA officers of the South Carolina Student Legislature. He must follow the guidelines previously established by the Senate.
  8. To select, in cooperation with the President of the SGA and the Dean of Students, the delegation chair for the South Carolina Student Legislature. He must follow the guidelines previously established by the Senate.
  9. To vote only in cases where his vote would affect the outcome.

10. To serve as chairman of the Executive committee of the Senate in the absence of the President.

### **Section V- Secretary/Treasurer of the SGA**

#### A. Qualifications of the Secretary/Treasurer shall be:

1. He must have 31 or more hours of credit by the end of Maymester. He must have a cumulative GPA of 2.7 prior to the executive election and during his term in office. He must have been at Charleston Southern for one academic year. He may be re-elected and/or be elected to other SGA posts.
2. He must be in good standing with the University and must represent the ideals and principles upon which Charleston Southern University stands.
3. He must agree to serve the complete term in office.
4. No disciplinary offense may have been committed at Charleston Southern University by a candidate for SGA office. If an offense has been committed at any time while attending CSU, the student must appeal to the Dean of Students prior to the executive election in order to determine eligibility for candidacy.
5. He must not have been removed from any SGA office (e.g. Senator, Chairman, or Executive Officer).
6. He must have served at least two consecutive semesters in the position of Senator.

#### B. Duties of the Secretary/Treasurer shall be:

1. To serve as recording secretary of the Executive Committee and of the President's Cabinet.
2. To serve as recording secretary for the Student Senate.
3. To be responsible for the filing and maintaining of all SGA records including, but not limited to the Senate, the Judicial Branch, the Executive Council, and the President's Cabinet.
4. To keep a permanent file of the Constitution and the Senate Bylaws and Statutes of all SGA branches and committees.
5. To have bills, passed by the Senate and approved by administration, published in whatever media deemed necessary. The effective dates will accompany publication.
6. To send to the office of the President of the SGA all laws passed by the Senate and to return to the Senate all legislation signed or vetoed by the President.
7. To carry on the correspondence of the SGA.
8. To conduct and tally roll call votes.

9. To be responsible for keeping all financial records of the SGA funds.

C. Vacancies

1. The Vacancy shall be filled upon selection by the President of the SGA. It shall first be filled by the person receiving the highest number of votes not elected. If no student is eligible in this manner, the President of the SGA shall select someone at his discretion and upon two-thirds vote of approval by the Senate.

**Section VI- President's Cabinet**

A. The Cabinet shall be composed of male and female students, appointed by the President of the SGA and approved by the Senate.

B. The purpose of the Cabinet shall be to assist the President in the formulation and execution of his duties pertaining to students and administration.

C. New Cabinet posts shall be established upon the recommendation of the Executive officers.

D. Each Cabinet member shall be responsible to the SGA President for the execution of his duties and may be removed from office at any time by the SGA President.

E. The duties of the Cabinet shall be:

1. To assume the office at the start of a new semester by the date of the first Senate meeting or a date deemed necessary by the President of the SGA.
2. To have the power to call special committee meetings.
3. To appoint as many assistants as necessary for the proper function of the SGA. These assistants shall be appointed by the President of the SGA.
4. To meet at least once a month at a time established by the Cabinet at the beginning of the term in office.

F. The following shall be members of the President's Cabinet:

1. The three Executive officers
2. Committee Chairmen as appointed by the Vice President
3. Attorney General

G. Attorney General

1. The Attorney General shall be recommended by the President of SGA with the approval of the Dean of Students.

2. Qualifications of the Attorney General shall be:

- a. He must have an overall GPA of 2.5 prior to his appointment and maintain it during the term in which the office is held.

- b. He must be in good standing with the University and must represent the ideals and principles upon which Charleston Southern University stands.
- c. He must agree to serve the complete term in office.
- d. He must not have been removed from any SGA office (e.g. Senator, Chairman, or Executive Officer).
- e. The Attorney General appointee must appear before the Senate to be confirmed by a two-thirds majority vote.

H. Duties of the Attorney General shall be:

- 1. To meet with the students accused of breaking the Student code of Conduct and review the charges with the accused student. The Attorney General shall inform the accused student of his rights and explain how the judicial hearings are held. If the student so requests, the Attorney General shall provide counsel at formal hearings. The Attorney General's ability to provide counsel shall be within guidelines set by the Judicial Branch.
- 2. To meet with the Chairman of the Judiciary Committee and aid in the duties of that committee.

I. All SGA Officers shall be held to the Breach of Confidence Clause.

- 1. Breach of Confidence shall be divulging the action, the reaction, and any information from a closed Senate meeting not meant for public record, personal quote, and/or personal opinion.
- 2. Any information from a disciplinary hearing is private and any violation of the confidence of that hearing shall be treated as a secondary offense.
- 3. Proof of violation must be first hand. The Judiciary Committee will decide if someone has made a breach of confidence if the information is reliable. If it is found reasonable and the evidence points to a violation, the Judiciary Committee will turn the matter over to the Senate for action.
- 4. The Penalties are:
  - a. Verbal reprimand and/or loss of Senatorial privilege
  - b. Resignation-no punitive action
  - c. Expulsion
- 5. Appeals may be made to the Judiciary Committee if new evidence exists.
- 6. Second offenses will result in expulsion with no appeal.

## Article V- Legislative Branch

**Section I-** All legislative powers granted herein shall be vested in the Senate, whose membership shall be selected and voted upon by each class of the University.

### **Section II- Membership**

- A. Membership shall be ten members from each class.
- B. Qualifications for Senate membership shall be:
  1. Have an overall GPA of 2.5 prior to Senate elections and maintain it during the term in which the office is held.
  2. Must be in good standing with the University and must represent the ideals and principles upon which Charleston Southern University stands.
  3. Must agree to serve the complete term in office.
  4. He must not have been removed from any SGA office (e.g. Senator, Chairman, or Executive Officer).
  5. A Senior Senator must have no less than 91 credit hours by the end of the summer session prior to taking office. At least two weeks prior to Senate elections, he must also complete a petition signed by fifty members of his graduation class.
  6. A Junior Senator must have no less than 61 credit hours by the end of the summer session prior to taking office. At least two weeks prior to Senate elections, he must also complete a petition signed by fifty members of his graduation class.
  7. A Sophomore Senator must have no less than 31 credit hours by the end of the summer session prior to taking office. At least two weeks prior to Senate elections, he must also complete a petition signed by fifty members of his graduation class.
  8. A Freshman Senator must have the will and desire to represent his class. At least two weeks prior to Senate elections, he must also complete a petition signed by fifty members of his graduation class.
  9. The tenure of office shall be two consecutive semesters and all senators seeking a consecutive term shall be required to complete a petition signed by fifty members of their graduation class. The petitions shall be due no later than two weeks prior to the Fall or Spring Election. If a Senate member that sought an executive position wishes to retain a senate seat, provided they did not attain the executive position, they may do so if they have completed the petition required of them for an executive position also provided there is a Senate seat vacant in the appropriate class.
  10. All Senators shall take an oath of office at the beginning of their term.
  11. The Official oath taken shall go as follows: *“On this (state the date and year), I (state full name) pledge my loyalty to the Charleston Southern*



*University student body. Before this gathered assembly of witnesses, I promise to abide by the Senate Constitution and Bylaws in their entirety. Furthermore, I agree to assist the University in its vision of 'Integrating Faith in Learning, Leading, and Serving.' And to further maintain the caliber of this University and its students, I will conduct myself honorably and wisely, on and off campus."*

### **Section III- Powers and Duties**

- A. To place before the Senate and consider for legislation all matters in the best interest of their class and the student body.
- B. To amend the Constitution and Bylaws.
- C. To override the veto of the President of the SGA by a majority vote of three-fourths of the membership of the Senate.
- D. To hold impeachment proceedings for neglect, dereliction of duty, or the unsatisfactory performance of any elected official under this Constitution. The vote for impeachment must pass by a four-fifths vote of the total membership of the Senate.
- E. To act as jurors for impeachment trial's.
- F. To maintain all records of statutes and laws of the student body.
- G. To comply fully with all duties and powers established for the student body in this Constitution.
- H. To amend the rules and regulations of the student body.

### **Section IV- Bill Passing**

- A. All Constitutional Amendments to the rules and regulations of the student body shall be signed by the Dean of Students to become law.
- B. Amendments to the Senate Bylaws do not require the signature of the Dean of Students to become law.

### **Section V- Procedure**

- A. Two-thirds of the full membership of the Senate shall constitute a quorum to do business, but a smaller number may be authorized to represent the Senate as an appointed committee.
- B. All Constitutional enactments shall require the signature of the Dean of Students to become law.
- C. All enactments of the Senate shall be passed with a majority vote unless otherwise specified in this Constitution.
- D. The Senate shall determine and publish the rules of its proceedings.

## **Section VI- Staff Adviser**

- A. The Staff Adviser for the Senate shall be an ex-officio member of the Senate (ex-officio meaning without the power to vote, but still be entitled to recognition on the floor).
- B. The Staff Adviser shall be entitled to recognition on the floor of the Senate just as any other member.

## **Section VII- Publication of Minutes, Bills, and Resolutions**

- A. Any organization on campus may receive a copy of any Senate bill, resolution, or the minutes of any particular Senate meeting upon the submission of a written request to the Secretary/Treasurer of the Senate. The organization, at its discretion, may appoint someone to act as a liaison with the Senate.
- B. All meeting minutes shall be published and made public by the Secretary/Treasurer no later than five days after the Senate meeting occurred. All meeting minutes shall be approved by the Senate at the following meeting.

## **Article VI- Referendum**

- A. Any exercise of the forgoing powers, or any action of the Senate, may be reviewed, altered, or rescinded by a majority vote of the students in a campus election.
- B. Upon receipt of a petition signed by 100 students of the Charleston Southern University, which contains a statement of such exercise of power or action to be voted upon by the students, the President of the Senate, with the approval of the SGA President, shall direct that an election be held.
- C. If 25% of the students enrolled at Charleston Southern University cast votes in the election, the outcome will be final.

## **Article VII- Judicial Branch**

In accordance with the principles of self-government and students rights, the student body of Charleston Southern University has been granted, and has accepted the responsibility of supporting the import part of the SGA. Ideally, the honor system is not enforced by the courts alone. The entire student body enforces the honor system and the courts simply represent the student body in dealing with violations. The Charleston Southern University Honor Pledge is as follows:

*“I do hereby pledge to uphold the honor of Charleston Southern University by refraining from giving or receiving academic material in a manner not authorized by the instructor, from illegal appropriation of the property of others, and from the deliberate falsifications*

*of facts. I shall do all in my power at all times to create a spirit of honesty and honor for its own sake, both upholding the honor system and by helping others to do so. I understand the honor system and realize that a plea of ignorance will not be accepted.”*

- A. The judicial powers of the SGA are vested in the Student Government Judicial Branch. The Judicial Branch has jurisdiction over the student body in those cases involving violation of any student regulation as determined by the office of the Dean of Students. The student has the right under due process to have his case heard by the appropriate disciplinary body.
- B. The Judicial Branch consists of the following courts:
  - 1. House Council: has jurisdiction over all cases involving violations of residence hall regulations. Any student who violates a residence hall regulation is subject to action from the House Council.
  - 2. The Committee for Discipline: the powers of the Committee for Discipline are listed in Article VII of this Constitution.
  - 3. Minor violations of the Student Code of Conduct that could be handled through consolation between the Dean of Students and the Director of Housing.
- C. The degree of penalties in descending order of severity is as follows:
  - 1. Official Warning Fines
  - 2. Disciplinary Probation Suspension
  - 3. Indefinite Suspension/Expulsion

## **Section II- Committee for Discipline**

- A. Shall be composed of four (4) students appointed by the Executive Committee and five (5) administrative staff members appointed by the Vice President for Academic Affairs. At least two (2) students and three (3) faculty members shall be present at the hearing for the Committee of Discipline to be in session. The Dean of Students or the appointee shall be present at the proceedings, but shall be without power to vote.
- B. The officers at the Committee for Discipline shall consist of a Chairperson, Vice Chairperson, a Secretary, and other officers as deemed necessary. A faculty member shall serve as chairperson. These officers shall be elected by the Committee for Discipline at the meeting in September.
  - 1. The duties of the Chairperson are:
    - 1. To preside over all hearings
    - 2. To vote only in the event of a tie
    - 3. To receive evidence
    - 4. To set the date for the trial and notify the student
  - 2. The duties of the Vice Chairperson are:

1. To preside in the absence of the Chairperson
2. To keep a permanent file of Judicial proceedings
3. To carry on correspondence with this Committee

3. The duties of the recording Secretary are:

1. To serve as recording secretary for the Committee for Discipline
2. To keep a permanent file of judicial proceedings
3. To carry on correspondence of this committee

- C. The session for the Committee for Discipline shall be seven days after the last day for registration in the fall semester and be considered to end on the last day of classes before spring exams. During the month of May, the newly elected Committee for Discipline will sit in on all hearings as observers for the purpose of learning.
- D. The Dean of Students may excuse any member from participating in a hearing if the person would be prejudice towards a case.
- E. In the event that the Committee for Discipline does not have enough members to meet due to prejudice towards a case, the Dean of Students and the SGA President shall appoint the appropriate number for a quorum.
- F. The Committee for Discipline shall have the sole power to interpret the constitution when a question of constitutionality is brought before the committee by a member of the student body.

### **Section III- Judicial Procedures and Appeals**

- A. The Judicial Procedures and appeals process is outlined in the Student Handbook under the Code of Conduct.

### **Section IV- Student Rights:**

- A. The student shall be afforded a fair hearing the right to appeal.
- B. A student is presumed innocent until found guilty.
- C. A student has the right to obtain counsel from within the student body (Attorney General).
- D. A student may present witness and evidence.
- E. A student may cross-examine.
- F. The student has the right to face their accuser.

## **Article IX- Election Codes**

### **Section I- Elections**

- A. Spring Elections shall be held on the first Tuesday in April. Fall Elections shall be held on the first Tuesday in September. If circumstances are such that the election cannot be held during this time, a new date may be set with the approval of the Student Government Officers.
- B. All elections sponsored by the SGA shall be held by secret ballot. The time, place, and date of elections shall be publicly announced two weeks prior to the election. No less than two people must supervise the designated area for elections. Respective class members may only elect candidates for Senate. All Students shall be given the opportunity to vote once.
- C. All petitions for candidates must be turned in at least two weeks prior to elections. All petitions must be turned in to the office of the Vice President of the Student Government, the Director of Student Activities, or the Dean of Students.

### **Section II- Campaigning**

- A. All conditions for campaigning shall be issued by the Chairman of the Judiciary Committee as specified by the University policies at that time.
- B. Speeches for candidates for Executive Officer elections shall take place on the last Chapel before elections. Speeches will be given in the Chapel.

### **Section III- Election Results**

- A. In all elections, candidates must receive a simple majority of votes cast to be elected. If no majority is received on an initial ballot, a runoff election between the two candidates receiving the most votes shall be held within one week after the initial election.
- B. The ballots must be officially counted and signed by the Student Activities Director, the President Pro-Tempore of the Senate, and the Chairman of the Judiciary Committee. After the ballots have been officially counted, the Student Activities Director shall be in charge of the ballots for a period of five school days; after which time, the ballots shall be destroyed.
- C. If an election is contested, notice must be filed with the President of the Student Government and the Chairman of the Judiciary Committee within three school days after the election. The committee shall submit its findings to the Senate. The Senate shall order a new election if it deems necessary and they shall set a date of the new election. If the Vice President is a candidate in the contested election, the President Pro-Tempore shall preside over the Senate proceedings.

#### **Section IV- Ballots and Voting Areas**

- A. All specifications for the ballots shall be reviewed jointly with all of the candidates; all Ballot Areas are to be free from campaigning. Any Senator caught campaigning at the polls shall be removed from the Student Government and reported to the Dean of Students office with the recommendation of Probation.

#### **Article X- Impeachment**

- A. The Senate shall have the sole power to impeach. Impeachment shall be a four-fifths vote of the full Senate. The Senate shall outline the Impeachment procedures in the Senate Bylaws.

#### **Article XI- SGA Grievance Policy**

- A. In order to promote a more representative student government of the student body of Charleston Southern University, the following policy shall be in effect: *All students who have a grievance may submit said grievance in writing to their respective Senator for the earliest consideration.*