



**FLORIDA GULF COAST UNIVERSITY  
STUDENT GOVERNMENT**

# **CONSTITUTION**

*We, **The Students** at Florida Gulf Coast University, in order to form a Student Government that will provide effective representation in the best interest of the student body, provide a responsible and accountable distribution of Activities and Services fees, and help promote understanding and recognition of the responsibilities of students to the university, the community and humanity, do hereby establish and ordain this constitution.*

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## **Authority of Power**

### **I. Establishment of Power**

The powers and duties of the Student Government are set forth by Florida Statutes, Title XLVIII, chapter 1004.26 and 1009.24; these powers cannot be increased or decreased except by amendment to state or federal legislation.

## **ARTICLE I GENERAL PROVISIONS**

### **Section 1: Student Government Mission**

The mission of Student Government is to provide an intellectual, social, and cultural environment that maximizes student potential and enhances student success. The purpose of Student Government is to provide equal representation for all students at Florida Gulf Coast University. Student Government works in the best interest of the student body when determining priorities for academic planning, policies, and programs. Student Government will serve as an institutional resource to further the development of the student as a contributing member of the community.

Student Government will serve as a bridge between all aspects of Florida Gulf Coast University and the Student Body. In order to establish such partnerships, Student Government officials are committed to maintaining high levels of communication between the student body, faculty, staff, and the community.

### **Section 2: Purpose**

The purpose of this organization shall be:

- (1) To protect the rights of the full student autonomy including student life, services and interest,
- (2) The evaluation and establishment of student programs,
- (3) To manage all Activity and Service fees in a fiscally accountable manner, using funds to support and develop student activities, clubs, organizations, publications and services that serve the best interest of the student body.
- (4) To work on the expansion of student influence in all aspects of student and university governance,
- (5) To develop Student Government policies in a fair and open manner.

### **Section 3: Powers**

- (1) Student Government is the governing organization and representative of the Student Body; its actions supersede those of all other student organizations, but must comply with federal and state law, local and university regulations and policies.
- (2) Compliance with university regulations and policies shall be executed as such:
  - (a) A review by the Student Government Advisor and Assistant Vice President/Dean of Students, followed by;
  - (b) A review by the Office of the Vice President for Student Success and Enrollment Management;
  - (c) A review by the University Budget Office and/or the Office of the General Counsel, if necessary;
  - (d) Final transmittal to the Office of the President by the Vice President for Student Affairs for approval/acceptance.
- (3) Student Government is subject to Florida Public Records and Meetings laws, at all times. Student Government shall comply with these statutes by requiring that all Student Government meetings be open to the public, reasonable notice of all meetings be posted, and minutes at all meetings be taken, and that all records of Student Government be available for inspection.

### **Section 4: Student Body**

Each student enrolled at Florida Gulf Coast University shall be a member of the Student Body and have an equal voice and vote to that of his or her fellow students. Every student shall be subject to the constitution and laws of the Student Body.

### **Section 5: Branches of Government**

- (1) Student Government shall be divided into legislative, executive, and judicial branches. No person holding office to one branch shall hold office in another branch unless expressly provided for in this constitution.

- (2) The Student Senate may, by legislation, provide for those positions that are considered exclusionary, provided that the following positions shall always be exclusionary.
  - (a) Student Body President, Student Body Vice President, Student Body Treasurer, Cabinet Administration Officers, and Cabinet and Assistant Directors for the Executive Branch;
  - (b) Student Senator for the Legislative Branch;
  - (c) Chief Justice of the Supreme Court and Justices of the Supreme Court for the Judicial Branch, and
  - (d) Supervisor of Elections and Election Committee.
- (3) No person may hold more than one exclusionary office. Being elected or accepting an appointed to one exclusionary office constitutes an automatic resignation from the previous office.
- (4) This section shall not prohibit any person having a position within Student Government from serving in a position ex officio.
- (5) This section shall not prohibit any person having a position within Student Government from being a member of a statutory body having only advisory powers.
- (6) Ad Hoc Committee Membership can be made up of members of multiple branches.

### **Section 7: Discrimination Prohibited**

Student Government shall not discriminate on the basis of race, color, national origin, ethnicity, religion, age, disability, sex, gender identity/expression, marital status, sexual orientation, veteran status, or genetic predisposition with regard to admissions, employment, programs, or other activities operated by the University. Sexual harassment and sexual assault are forms of sex discrimination. This prohibition extends to enforcement of Title IX of the Education Amendments of 1972 and the Genetic Information Non-Discrimination Act.

## **ARTICLE II**

### **LEGISLATIVE BRANCH**

#### **Section 1: Authority of the Legislative Branch**

All Legislative powers of the Student Body shall be vested in the Student Senate.

#### **Section 2: Composition**

- (1) The Student Senate shall be composed of twenty to eighty members elected in the spring general election from the colleges recognized by the University Senate as apportioned by procedure.
- (2) Graduate Students shall be considered a separate college for the purpose of composing the Senate.
- (3) Students not enrolled in any University recognized college shall, for the sake of Senate apportionment be considered undeclared.
- (4) The Student Senate shall apportion Senate seats on the basis of enrollment in each college, provided that each college shall receive a minimum of one seat.
- (5) The Student Senate shall reapportion itself once per year during the fall academic term to be effective for the spring general election. The Student Senate shall determine the number of senators within the constitutional limits.
- (6) The Student Senate President shall be the chief administrative officer of the Legislative Branch and preside over the Student Senate. The Student Senate President Pro Tempore shall assist the Student Senate President. The Student Senate Secretary shall be responsible for keeping accurate records of attendance, voting, and minutes at all Senate Meetings.
- (7) Transferring from one college to another shall constitute an automatic resignation.

#### **Section 3: Election/Appointment of Officers**

- (1) Election
  - a. All members of the Senate Executive Committee, including Senate President, Senate Pro Tempore, Senate Secretary, and all Committee Chairs will be elected positions, as outlined in the Senate Rules and Procedures.

#### **Section 4: Powers and Duties of the Student Senate**

The Student Senate shall have the power to:

- (1) Determine its rules of procedure;
- (2) Censure or remove a member as provided by legislation;
- (3) Determine the time and place of its meetings, provided that it meets once every two weeks in which classes are in session including summer.
- (4) Decide all tie elections at its first meeting following validation;

- (5) Approve appointments and recommendations of the Student Body President to Student Government administrative agencies and internal committees;
- (6) Provide for the control and disbursement of A&S funds;
- (7) Require information and appearance from any Student Government official or officer of any organization receiving A&S funds;
- (8) Provide for the filling of vacant Senate seats;
- (9) Approve, by resolution, affiliations between Student Government and any university, regional, or national organization;
- (10) Enact all laws necessary and proper for the general well-being of the Student Body; and
- (11) Exercise any other power or duty provided for in the constitution or laws of the Student Body.

### **Section 5: Procedures**

- (1) No bill shall become binding unless a Student Senator introduces the bill, the bill is read for a first time, and passes by majority vote (half plus 1) after the bill is read a second time. The Senate may establish an expedited procedure for bills \$500.00 or less, New Registered Student Organization bills, or Special Conference and Travel bills.
- (2) All bills must be signed by the Senate President, the Student Body President and the University President (or designee).
- (3) No bill shall become legislation without the signature of the Student Body President, except when the Student Body President has not vetoed the bill within 10 days after presentment, in which case the bill shall become law.
- (4) The Student Body President may veto a proposed law. The Student Body President must notify the Senate President in writing detailing the reasons for the veto.
- (5) The Student Body President shall have the power of line item veto for budgets and allocation bills. Each line item vetoed shall be considered a separate veto for the purpose of a Senate override.
- (6) A vetoed bill may be enacted notwithstanding the veto of the Student Body President if it is read a third time in full and passed by a two-thirds vote of the members of the Student Senate present and voting at a regular meeting. The Student Senate has 10 days to consider this third reading or the veto shall stand.
- (7) No bill shall become legislation without the signature of the University President (or designee), except when the University President (or designee) has not vetoed the bill within 15 days after presentment, in which case the bill shall become law.
- (8) Quorum necessary to conduct business shall be a majority of the total membership of the Student Senate.

### **Section 6: Definition of Legislation**

- (1) Legislation of the Student Senate shall only be classified as a(n):
  - (a) Bill of law which is subject to veto;

- (b) Resolution: an expression of the sentiment of the Student Senate requiring a majority vote for passage and not subject to veto.

### **Section 7: Limits and Prohibitions**

The Student Senate shall not:

- (1) Enact any law that abridges its powers delegated by the constitution;
- (2) Appropriate funds for a period of more than one year
- (3) Infringe the secrecy of the ballot in any Student Body election;
- (4) Meet in a closed session;
- (5) Change the election laws during the five (5) weeks before the scheduled election to be effective for that election; or
- (6) Enact any law embracing more than one subject and matter properly connected to that subject.

### **Section 8: Lines of Succession**

- (1) The Senate President lines of Succession shall be as follows:
  - (a) Senate President
  - (b) Senate Pro Tempore
  - (c) Legislative Chair
  - (d) Appropriations Chair
  - (e) Relations Chair
  - (f) Outreach Chair
  - (g) Special Conference and Travel Chair
  - (h) Senate Secretary
- (2) Any vacancy other than Senate President will follow the procedure for electing Senate Officers

**ARTICLE III  
EXECUTIVE BRANCH**

**Section 1: Authority of the Executive Branch.**

All executive powers of the Student Body shall be vested in the Student Body President, assisted by a Vice President and a Treasurer.

**Section 2: Composition**

- (1) The Executive Branch shall be comprised of the President, Vice President, Treasurer, Cabinet Administration Officers, and the Executive Cabinet.
- (2) The President and Vice President shall be chosen in the spring general election.
- (3) The President shall appoint, with a majority of the Student Senate's members, the officers of the Cabinet Administration Offices and Executive Cabinet; who shall be responsible to the President for the execution of their duties and shall be subject to removal from office by the President.

**Section 3: Powers and Duties of the Executive Branch**

- (1) The President shall have the power to:
  - (a) Serve as the chief executive of the Student Body;
  - (b) Serve as a member of the University Board of Trustees;
  - (c) Ensure that all provisions of this constitution and the laws of the Student Body are faithfully executed;
  - (d) Appoint all executive committees or commissions not provided in this constitution which may be deemed necessary;
  - (e) Issue executive orders which set policies and procedures for the Executive Branch as long as these orders do not conflict with Student Body law or this constitution;
  - (f) Call Special Meetings of the Student Senate;
  - (g) Give a report to the Senate on executive activities at once a month.
  - (h) Request the written interpretation of the Student Body Supreme Court of any provision of the constitution, law of the Student Body, or Student Senate Act;
  - (i) Perform any other power or duty provided for in this constitution.
- (2) The Vice President shall have the power to:
  - (a) Exercise the powers and duties of the President in the absence of the President;
  - (b) Assist the President in conducting the business of the government;
  - (c) Serve as Chair of the Executive Cabinet and University Committees on which students serve. Regularly review the work of Cabinet Administration Officers, Cabinet Directors, and committee representatives and make recommendations to the President concerning corrective action or dismissal;
  - (d) Serve as the Student Government liaison to the Faculty Senate;

- (e) Perform any other power or duty provided for in this constitution
- (3) The Treasurer shall have the power to:
  - (a) Serve as the chief financial officer of the Student Government;
  - (b) Keep complete and accurate accounts of all A&S funds on deposit with the University;
  - (c) Approve all requisitions for the expenditure of A&S funds;
  - (d) Give a full financial report, including all transactions since the last report, to the Student Senate at least twice monthly, provided there is at least two meetings;
  - (e) Enforce compliance of line item spending in any legislation;
  - (f) Assist the President in conducting the business of the government;
  - (g) Perform any other power or duty provided for in this constitution.

#### **Section 4: Procedures**

- (1) The Executive Branch, by a majority vote of the Executive Cabinet, shall make and publish its rules and procedures.

#### **Section 5: Lines of Succession**

- (1) The Student Body President Line of Succession shall be:
  - (a) Vice President
  - (b) Treasurer
  - (c) Chief of Staff
  - (d) Senate President
  - (e) Senate Pro Tempore
  - (f) Director of Governmental Relations
  - (g) Director of University Affairs
  - (h) Director of Civic Engagement
  - (i) Director of Communication & Marketing
  - (j) Director of Sustainability
  - (k) Director of Leadership Development
- (2) Any vacancies other than President, will be appointed by President & affirmed by Senate.



**ARTICLE IV  
JUDICIAL BRANCH**

**Section 1: Authority of the Judicial Branch**

All judicial powers of the Student Body shall be vested in the Student Body Supreme Court. The Supreme Court shall have jurisdiction over all concerns, excluding those delegated to other entities by the University Board of Trustees, involving the Student Body and Student Government, and shall include the power to declare any act brought before it by Student Government to be unconstitutional.

**Section 2: Composition**

The Judicial Branch shall be composed of a Chief Justice, four Associate Justices, and the Supervisor of Elections.

- (1) The Chief Justice shall be appointed by the Student Body President and confirmed by a 2/3 vote of the Student Senate in order to take office. The Chief Justice must be appointed within 30 days of the vacancy of the position.
- (2) The Associate Justices shall be appointed by the Student Body President, in conjunction with the Chief Justice, and confirmed by a 2/3 vote of the Student Senate. A justice shall serve until that, is suspended from office, resigns or is removed from office. Associate Justices must be appointed within 60 days of the vacancy of a position.
- (3) The Supervisor of Elections shall be appointed by the Chief Justice and confirmed by a 2/3 vote of the Student Senate at least 120 days prior to the first day of voting in the spring election

**Section 3: Powers and Duties of the Student Body Supreme Court**

The Student Body Supreme Court shall have the power to:

- (1) Interpret any part of the constitution or any legislation enacted by the Student Senate upon written of a request for interpretation;
- (2) Order any Officer of the Student Government or of any subsidiary organization, to conform to the constitution upon an order of the Supreme Court;
- (3) Resolve any election conflict or dispute upon written of an election grievance;
- (4) Maintain a permanent file of official election results for every General Student Body Election for seven years
  
- (5) Meet a minimum of once a month while classes are in session.

**Section 4: Procedures**

The Student Body Supreme Court, by a majority vote of the Justices, shall make and publish its rules and procedures.

## **ARTICLE V ELECTIONS**

### **Section 1: Membership**

Each student enrolled at Florida Gulf Coast University as a full-time or part-time student is a member of the Student Body and shall have equal voice and vote to that of his or her fellow students. Every student is subject to the constitution and laws of the Student Body.

### **Section 2: Eligibility**

In order to be eligible to run for and hold any elected or appointed position in Student Government, a student must be:

- (1) Actively enrolled and degree seeking
- (2) In good academic and disciplinary standing with the university
- (3) In compliance with the Student Activities Eligibility Regulation

### **Section 4: Time of General Election**

The three days of the spring general election shall begin on the Tuesday prior to Spring Break and include the two succeeding calendar days. A plurality of the vote shall be required to win an elected office.

### **Section 5: Elections of Executive Branch**

The President and Vice President shall be elected on a joint ticket. No candidate for President and Vice President or treasurer shall have been convicted of a felony in this or any other state. The President and Vice President shall be required to enroll as students for all academic semesters during their term and must meet all eligibility requirements during their time in office.

### **Section 6: Election Conflicts**

If any hour of any day of a general or run-off election conflicts with a school holiday or closure, the Student Senate shall, by authorization, designate different days for the affected election.

### **Section 8: Time of Assuming Office**

- (1) The Student Body President, Vice President and Treasurer shall assume office at 8:00 p.m. on April 1 and shall serve one year.
- (2) Student Senators shall assume office at the first regularly scheduled Senate meeting following the April 1<sup>st</sup> transition date.

**REMOVAL OF OFFICERS**

**Section 1: Removal from Office**

Any elected or appointed Student Government officer may be impeached. The grounds for removal of a Student Government officer are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or. Any initiative for removal must expressly indicate the grounds on which the initiative is based. Any student may initiate the proceedings to remove an elected or appointed officer.

**Section 2: Impeachment**

The following Student Government officers may be removed from office pursuant to the following requirements.

- (1) Removal of the President, Vice President or Treasurer shall require a 2/3 vote of the Student Senate and a majority vote of the Student Body Supreme Court.
- (2) Removal of a Student Senator shall require a 2/3 vote of the Student Senate and the endorsement of either the Student Body President or majority vote of the Student Body Supreme Court.
- (3) Removal of a Supreme Court justice shall require a 2/3 vote of the Student Senate and the endorsement of the President.

**Section 3: Recall Election**

. Any student may initiate a recall election by submitting a verifiable petition containing the signatures equivalent to 25 % of votes cast in the previous general election shall be submitted to the Chief Justice, who shall then initiate such an election. The election must be held within 60 calendar days of the date the Chief Justice issues the order for an election.

**Section 4: Removal**

Upon fulfillment of the requirements in sections 2 or 3 of this Article, the official shall be removed from their office effective immediately.

**Section 5: Removal from Office**

Any elected or appointed Student Government officer is automatically removed from office for failure to meet eligibility requirements.

## **ARTICLE VII AMENDMENTS**

### **Section 1: Proposal by the Student Senate**

The Student Senate may propose amendments to the constitution by a 2/3 vote of those present and voting in two regular meetings. This shall occur no later than twenty-eight days before the ratification election. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.

### **Section 2: Proposal by Initiative**

A Student may propose amendments to the constitution by submitting verifiable petition containing the signatures equivalent to 25% of the votes cast in the previous general election, along with the amendment language, to the Chief Justice of the Student Body Supreme Court. This shall occur no later than twenty-eight days before the ratification election. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.

### **Section 3: Requirement for Ratification**

A 2/3 approval vote of those voting in the spring general election is necessary to ratify all constitutional amendments. Unless otherwise specified in the amendment, a ratified amendment shall be effective at 8:00 p.m. on the first day of April following the spring general election.

### **Section 4: Publication Requirement**

The Supervisor of Elections shall publicize the text of all amendments and list of all candidates on the Student Government web site at least seven (7) days prior to and on all three days of voting.

### **Section 5: The Constitutional Convention Committee**

- (1) During the fall semester of the 2010 school year and each fifth school year thereafter, or sooner by authorization of the Student Senate, there shall be established a Constitutional Convention Committee. This committee shall be established for the purpose of revising this constitution and proposing amendments to be voted upon and ratified in the next general election after the committee adjourns.
- (2) The Constitutional Convention Committee shall be composed of the following five (5) students:
  - (a) Student Body President or designee from the Executive Cabinet
  - (b) Student Senate President or designee from the Senate Executive
  - (c) Student Body Chief Justice

- (d) Two (2) students that have not held a position in Student Government during the previous one (1) year, appointed by the Dean of Students or designee
- (3) The Constitutional Convention Committee shall be chaired by the Student Body Chief Justice, The committee may elect a vice chair from amongst its members to assist the chair with the duties of the committee. The committee shall meet at the call of the chair.
- (4) The Dean of Students or designee shall serve in an advisory capacity to the Constitutional Convention Committee.
- (5) Amendments to the Constitution will be effective April 1.