



**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.*

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. Students' needs, rather than institutional preference, determine 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. Student Government exists as a representative body that promotes the highest ideals of service to the University and student body.

Section 2: Purpose

The purpose of this organization shall be:

- (a) 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.
- (b) The evaluation and establishment of student programs,
- (c) To protect the rights of the full student autonomy including student life, services and interest,

- (d) To work on the expansion of student influence in all aspects of student and university governance,
- (e) 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 Dean of Students Office, followed by;
 - (b) A review by the Office of the Vice President for Student Affairs;
 - (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 as a full-time or part-time student 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 6: 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 law, 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 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 Rules Committee.

- (3) No person may hold more than one exclusionary office. Being elected or 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.

Section 7: Discrimination Prohibited

Student Government shall not discriminate on the basis of race, ethnicity, creed, sex, sexual orientation, national origin, age, religion, disability, veteran status, or any other classification as provided by law.

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 law.
- (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. [Transferring from a college shall constitute an automatic resignation]
- (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.

Section 3: Powers and Duties of the Student Senate

The Student Senate shall have the power to:

- (a) Determine its rules of procedure;
- (b) Censure or remove a member as provided by law;
- (c) Determine the time and place of its meetings, provided that it meets once every two weeks in which classes are in session.
- (d) Meet during the summer semester with the same authority as the fall and spring semesters;
- (e) Provide for the elections of the Student Government;
- (f) Decide all tie elections at its first meeting following validation;
- (g) Approve appointments and recommendations of the Student Body President to Student Government administrative agencies and internal committees;
- (h) Provide for the control and disbursement of Student Body funds;
- (i) Require information and appearance from any Student Government official or officer of any organization receiving Student Body funds;
- (j) Provide for the filling of vacant Senate seats;

- (k) Approve, by resolution, affiliations between Student Government and any university, regional, or national organization;
- (l) Enact all laws necessary and proper for the general well-being of the Student Body; and
- (m) Exercise any other power or duty provided for in the constitution or laws of the Student Body.

Section 4: Procedures

- (1) No bill shall become binding unless a Student Senator introduces the bill, the bill is read, and passes by majority vote after the bill's second reading.
- (2) No bill shall become law 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) Quorum necessary to conduct business shall be a majority of the total membership of the Student Senate.

Section 5: 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) Budget or allocation bill which shall be considered a bill of law and subject to veto;
 - (c) Authorization: a directive requiring a majority vote for enactment that advises, orders, or prescribes the method for an officer to fulfill a duty provided for in the constitution and is not subject to veto;
 - (d) Resolution: an expression of the sentiment of the Student Senate requiring a majority vote for passage and not subject to veto.

Section 6: Limits and Prohibitions

The Student Senate shall not:

- (a) Enact any law that abridges its powers delegated by the constitution;
- (b) Appropriate funds for a period of more than one year;
- (c) Infringe the secrecy of the ballot in any Student Body election;
- (d) Meet in a closed session;

- (e) Change the election laws during the five (5) weeks before the scheduled election to be effective for that election; or
- (f) Enact any law embracing more than one subject and matter properly connected to that subject.

**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 least twice a semester;
 - (h) Require 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) Appoint staff assistants or aides not provided for in this constitution or laws of the Student Body;
 - (j) 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 the conduct of the government;
 - (c) Serve as coordinator of the Executive Cabinet and University Committees on which students serve. The Vice President shall

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) Appoint staff assistants or aides not provided for in this constitution or laws of the Student Body;
 - (f) 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 Student Body funds on deposit with the University;
 - (c) Process all requisitions for the expenditure of Student Body funds;
 - (d) Give a full financial 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 the conduct of government;
 - (g) Appoint staff assistants or aides not provided for in this constitution or laws of the Student Body;
 - (h) Perform any other power or duty provided for in this constitution.

Section 4: Procedures

The Executive Branch, by a majority vote of the Executive Cabinet, shall make and publish its rules of procedure.

**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 cases and controversies, 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 by Student Government to be unconstitutional.

Section 2: Composition

The Student Body Supreme Court shall be composed of a Chief Justice and four Associate Justices. The Chief Justice and Associate Justices shall be appointed by the Student Body President and confirmed by a 2/3 vote of the Student Senate in order to take office. A justice shall serve until that justice ceases to be a student, is suspended from office, resigns or is removed from office.

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

The Student Body Supreme Court shall have the power to:

- (a) Interpret any part of the constitution or any legislation enacted by the Student Senate upon submittal of a request for interpretation;
- (b) Order any Officer of the Student Government or of any subsidiary organization, to conform to the constitution upon an order of the Supreme Court;
- (c) Resolve any election conflict or dispute upon submittal of an election grievance;
- (d) Maintain a permanent file of official election results for every General Student Body Election.

Section 4: Procedures

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

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:

- (a) Actively enrolled and degree seeking
- (b) In good academic and disciplinary standing with the university
- (c) In compliance with the Student Activities Eligibility Regulation

Section 3: Qualifications to Vote

The Student Body, as defined by Article I Section 4, shall comprise the electorate. Each member of the electorate shall be entitled to vote in Student Body elections.

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 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. The Treasurer shall be elected in the spring general election. No candidate for Treasurer shall have been convicted of a felony in this or any other state. The Treasurer shall be required to enroll as a student for all academic semesters during his or her term. If the office of President becomes vacant, such vacancy shall be filled by a succession of the Vice President and afterward succession shall be as provided by law.

Section 6: Election Conflicts

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

Section 7: Validation of Election Results

The Student Senate shall validate general election results no later than the week following Spring Break.

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 1st transition date.

REMOVAL OF OFFICERS

Section 1: Removal from Office

Any elected or appointed Student Government officer may be removed from office as provided by law. 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 conviction of a felony. Any initiative for removal must expressly indicate the grounds on which the initiative is based.

Section 2: Impeachment

The following Student Government officers may be impeached pursuant to the following requirements.

- (a) 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.
- (b) 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.
- (c) 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 elected Student Government officer may be removed from office. A verifiable petition containing the signatures equivalent to a majority 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 impeached official shall be removed from their respective office effective immediately.

Section 5: Removal from Office for Conviction of a Felony

Any elected or appointed Student Government officer is automatically removed from office upon the conviction of a felony in this state or any other state during his or her term in office. Such conviction shall constitute an automatic resignation.

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 15% 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 submittal 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 3/5 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 text of all amendments and the ballot summary on the Student Government media publication at least seven (7) days prior and on all three days of voting. Such publication shall also be made available to any and all student media groups for publication and distribution on campus at least seven (7) days prior 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 nine (9) students:
 - (a) Student Body President

- (b) One (1) Executive Cabinet member, Cabinet administration officer, or an the Executive Branch designee appointed by the Student Body President
 - (c) Student Senate President or designee
 - (d) One (1) Student Senator for the Legislative Branch, appointed by the Student Senate President
 - (e) Student Body Chief Justice
 - (f) One (1) Associate Justice for the Judicial Branch, appointed by the Student Body Chief Justice
 - (g) Three (3) students that have not held a position in Student Government during the previous one (1) year, appointed by the Dean of Students
- (3) The Constitutional Convention Committee shall be chaired by the Student Body Chief Justice, or an Associate Justice designated by the Chief Justice. The committee shall then 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 shall serve in an advisory capacity to the Constitutional Convention Committee.