

## **THE UNIVERSITY OF WEST FLORIDA STUDENT BODY CONSTITUTION**

We, the members of the Student Body of the University of West Florida, do hereby ordain and establish this constitution to provide for student governance, to establish the representative association of the Student Body, and to promote the interest and articulate the concerns of the Student Body of the University of West Florida.

### **ARTICLE I**

The governing organization of the Student Body shall be known as the Student Government Association of the University of West Florida. It shall be recognized as the representative organization of the Student Body and shall be the sole initiator of student legislation.

All students, by virtue of their registration at the University of West Florida shall be members of the Student Body, and by payment of Activity and Service Fees shall be entitled to vote in the Student Body elections, and to hold office in the Student Government Association according to law. All students shall be subject to this Constitution and its bylaws, the Student Body Statutes.

### **ARTICLE II**

The purpose of this organization shall be to:

- A. Provide an effective means of communicating student needs to the University Administration and community.
- B. Provide a Government whereby the rights of the Student Body are upheld for the betterment of student life, the University of West Florida, and the community.
- C. Coordinate and regulate activities for the benefit of the entire Student Body.
- D. Uphold academic standards, academic freedom, and academic rights of the Student Body.
- E. Allocate and distribute the Activity and Service Fee Fund.

### **ARTICLE III**

Each student shall be subject to the rules of the University, but these rules shall at no time or in any way abridge the student's rights as a citizen under the United States Constitution or the Constitution of the State of Florida and/or the laws of the State of Florida.

## **ARTICLE IV**

### **SECTION 1: LEGISLATIVE POWERS**

The legislative powers of the Student Body shall be vested in the Student Senates of the Student Government Association.

### **SECTION 2: COMPOSITION**

- A. Composition of the Pensacola Senate:
  - 1. An elected body of students who shall be known as Senators.
  - 2. The Student Body Vice President is responsible for the duties outlined in this Constitution and the Student Body Statutes.
  
- B. Composition of the Emerald Coast Senate
  - 1. An elected body known as Emerald Coast Senators
  - 2. An Emerald Coast Student Senate President who is to be elected by the Student Body
  - 3. An Emerald Coast Senator shall be appointed by the Emerald Coast Senate President to the position of Senate Pro-Tempore. This person is responsible for the duties outlined in the Statutes.

### **SECTION 3: SENATE RESPONSIBILITIES**

- A. The Pensacola Student Senate shall:
  - 1. Enact or amend, by two-thirds vote, the Student Body Statutes.
  - 2. Propose, by two-thirds vote, Constitutional amendments.
  - 3. Enact, by majority vote of the Senate, recommendations and resolutions on behalf of the Student Body.
  - 4. Confirm, by two-thirds vote, appointments to fill vacated elective offices and by requirements outlined in the Statutes for other appointments.
  - 5. Impeach, by majority vote, all elected Student Government Association members and members of the Supreme Court.

6. Convict by three-fourth vote, all elected Student Government Association members and members of the Supreme Court.
  7. Take final student action on the proposed Activity & Service Fee Budget.
  8. Be required to attend all senate meetings. A Senator who acquires three absences [either Senate meetings or Committee meetings] per semester may be removed through formal removal proceedings as outlined in the statutes. Chairpersons that acquire three absences may be removed through formal removal proceedings as outlined in the statutes. The member in question may produce defense on his/her behalf at the time of the vote, but the member in question forfeits the right to vote on this particular issue.
  9. Derive all other powers and responsibilities not specified in the Constitution from the Statutes.
  10. Remove any member who holds an appointed position of the Student Government Association with majority vote of the senate, with exception of the Judicial Branch members.
  11. Remove any senator who is in violation of the absence policy, as defined by the statutes.
- B. The Emerald Coast Student Senate shall:
1. Enact or amend, by two-thirds vote, the Student Body Statutes.
  2. Propose, by two-thirds vote, Constitutional amendments.
  3. Enact, by majority vote of the Senate, recommendations and resolutions on behalf of the Student Body.
  4. Confirm, by two-thirds vote, appointments to fill vacated elective offices and by requirements outlined in the Statutes for other appointments.
  5. Impeach, by majority vote, Emerald Student Government Association members.
  6. Convict by three-fourth vote, Emerald Coast Student Government Association members.
  7. Be required to attend all Senate Meetings. A Senator who acquires three absences [either Senate meetings or Committee meetings] per semester may be removed by a majority vote of the Senate. The member in question may produce defense on his/her behalf at the time of the vote,

but the member in question forfeits the right to vote on this particular issue.

8. Derive all other powers and responsibilities not specified in the Constitution from the Statutes.

#### **SECTION 4: LIMITATION OF POWERS**

- A. Legislation of the Student Senate shall be subject to limitations:
  1. Only by such officials authorized to do so by the Constitution of the University, by the Board of Trustees or by the President of the University.
  2. Only when it directly concerns student functions under University jurisdiction, namely: health, safety, public policy, maintenance of University property, academic policy, and public relations and in other areas specifically denoted in the University Constitution, by the Board of Trustees, or by the University President.

### **ARTICLE V**

#### **SECTION 1: EXECUTIVE POWERS**

All Executive powers of the Student Body shall be vested in the President of the Student Government Association, assisted by the Student Government Vice President and such administrative officers as the President shall appoint in accordance with this article.

#### **SECTION 2: ELECTION OF EXECUTIVE OFFICERS**

- A. The President, Vice President, Treasurer, and Emerald Coast Governor shall be elected by a majority of the votes cast for each office.
- B. All Presidential/Vice Presidential candidates are required to run on a two person ticket, with a clear distinction of which office each seeks.
- C. A vote for a Presidential/Vice-Presidential ticket will count equally for each candidate on that ticket.

#### **SECTION 3: DUTIES AND POWERS OF THE PRESIDENT**

The President shall:

- A. Administer and enforce all statutes and Senate legislation.
- B. Appoint Cabinet members as specified in the Statutes, with concurrence

of a majority of the Senate.

- C. Remove any cabinet member with the majority vote of the Senate.
- D. Have the power to veto or sign legislation and amendments to this Constitution proposed by the Senate provided that the President exercises such power within six school days of passage by the Senate or said legislation becomes law. A veto may be overridden by a two-thirds vote of The Student Senate and become law without the signature of the Student Body President after six school days.
- E. Call and preside over meetings of the Student Body.
- F. Make recommendations for legislation to the Student Senate.
- G. Address the Senate at the beginning of each quarter and at other times when deemed necessary.
- H. Set required minimum office hours for Executive Committee members.
- I. Have the power to call for a referendum with concurrence of majority of the Senate.
- J. Appoint students to University Standing Committees with majority concurrence by the Senate.
- K. Derive all other powers not specified in the Constitution from the Statutes.

#### **SECTION 4: DUTIES OF THE VICE PRESIDENT**

The Vice President shall:

- A. Assume the duties and powers of the President in his/her absence or upon his/her formal request.
- B. Call and preside over meetings of the Student Senate.
- C. Have the power to appoint standing committees of the Student Senate.
- D. Coordinate the efforts of the Executive Committee.
- E. Assist the President in handling campus, local, state, and federal issues.
- F. Derive all other powers and duties not specified in this Constitution from the Statutes.

## **SECTION 5: PRESIDENT'S CABINET**

To assist and advise the President, there shall exist a Cabinet. The membership of this Cabinet shall be determined by the Statutes.

## **SECTION 6: LIMITATION OF POWERS**

Policies adopted by officers and committees of the Executive Branch shall be subject to review by the Senate.

## **SECTION 7: EXECUTIVE COMMITTEE**

The Executive Committee shall be comprised of the President, the Vice President, the Emerald Coast Governor, the President's Cabinet, and the Chairpersons of each Pensacola Senate Committee. The Committee shall be chaired by the Vice President or their designee.

# **ARTICLE VI**

## **SECTION 1: ELECTIONS**

Elections shall be held as follows:

All elections shall take place in the spring semester.

## **SECTION 2: RESTRICTIONS ON CANDIDACY**

All candidates for office, whether elected or appointed, must be in good standing to represent the University, in accordance with the University of West Florida policy.

No student shall hold two offices in the Student Government Association concurrently, with the exception of the election commission if approved by the Supervisor of Elections and confirmed by the Pensacola Student Senate.

Election procedure not specified in the Constitution will be set forth by the Statutes.

## **SECTION 3: PROCEDURE FOR ESTABLISHING CANDIDACY**

Any qualified student may be placed on the Official Ballot by filing a statement of candidacy, and adhering to election procedures according to the Statutes.

## **SECTION 4: TERM OF OFFICE**

Elected members of the Student Government Association shall take office at the time of installation, and serve the respective term of that position as provided by the Statutes.

## **SECTION 5: VACANCIES**

Vacancies occurring in the following Student Body offices shall be filled as follows:

- A. The President shall be succeeded by the Vice President.
- B. The Vice President shall be succeeded by a member of the Senate, selected by a majority of the Senate, and shall hold office until a Student Body Election can be held.
- C. All vacancies of elected Student Government positions shall be filled by appointment, with confirmation by two-thirds vote of the Senate.

## **SECTION 6: REMOVAL FROM OFFICE**

- A. Any elected member of the Student Government Association, or any member appointed to fill the vacancy of an elected member, or any member of the Supreme Court, may be removed from office through impeachment by majority vote of the Senate and conviction by three-fourths vote of the entire voting Senate. See Statutes Chapter 101.5, 101.6, 101.7 for clarification.
- B. Any appointed member of the Student Government Association who holds the seat of an appointed position, may be removed from his/her position by a majority vote of the Senate without formal removal proceedings, with the exception of the Supreme Court.

### **ARTICLE VII**

The Student Body may demand a referendum election upon properly signed petition of at least five percent of the Student Body. Results of said elections shall serve as a mandate for the Student Government provided that ten percent of the Student Body shall have voted in said election.

### **ARTICLE VIII**

Amendments to this Constitution may be proposed by two-thirds vote of the Student Senate, or by petition of five percent of the Student Body. Amendments shall become part of this Constitution upon ratification by majority of the votes cast thereon in a Student Body Election, provided that the proposed amendments have been published in the recognized Student Body publication at least one week prior to the vote of the Student Body.

### **ARTICLE IX**

## **SECTION 1: METHOD OF RECALL**

Every elected official of the University of West Florida Student Government Association is subject, as herein provided, to recall by the legal voters of the University Student Body. The person or

persons demanding recall shall set forth in a petition the reasons for the demand of recall. If the elected official in question offers his or her resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by the Constitution. If he or she does not resign within thirty days, an election will be held to determine whether the people will recall the officer. On the sample ballot at the election shall be printed in not more than two hundred words, the reasons for demanding recall of the officer as set forth in the recall petition, and in not more than two hundred words, the officer's justification of his or her course in office. He or she shall continue to perform the duties of his or her office until the results of his or her election shall be officially declared. The recall petition shall be filed with the officer with whom the petition for nomination to such office should be filed, and the same officer shall order the special election when it is required. After one such petition and special election, no further recall petition shall be filed against the same officer for the incident in question during the term for which he or she was elected.

## **ARTICLE X**

### **SECTION 1: JUDICIAL POWERS**

The Judicial power of the Student Body shall be vested in a Supreme Court and such other courts as the Senate may form from time to time ordain and establish.

### **SECTION 2: ADMINISTRATION: PRACTICE AND PROCEDURE**

The Chief Justice of the Supreme Court as chief administrative officer of the Judicial system, shall be vested with, and shall exercise in accordance with rules adopted by the court the authority to:

- A. Assign cases and duties among the Justices of the Court.
- B. Supervise the administration of all courts.
- C. Report to the Senate weekly such defects in the laws as may have been brought to his or her attention and to suggest such amendments or additional legislation deemed necessary.
- D. Derive all other powers and duties not specified in this Constitution from the Statutes.

The Supreme Court shall adopt rules governing practice and procedure in all courts.

All courts shall conduct open hearings unless otherwise requested by the defendant.

### **SECTION 3: SUPREME COURT**

Composition: The Supreme Court shall consist of:

- A. A Chief Justice who shall be a student with a minimum classification of a junior and has taken at least twelve semester hours at the University of West Florida.
- B. Four Associate Justices shall be students in good standing with the University of West Florida.



## Procedures

- A. Concurrence of a majority of Justices shall be necessary to render effective a decision of The Supreme Court.
- B. The Chief Justice shall preside over sessions of the Supreme Court. If the Chief Justice, in his or her absence, fails to designate an Acting Chief Justice, then the Student Body President shall designate an Associate Justice to be acting Chief Justice.
- C. The Chief Justice shall keep records of the Court, shall cause all decision except privileged matter to be made available, and delivered into the hands of his or her successor all permanent records of the court.
- D. Derive all other powers and duties not specified in this Constitution from the Statutes.

The Supreme Court shall have jurisdiction:

- A. Over violations of the Student Government Constitution and Statutes.
- B. To issue advisory opinions concerning student rights under the Student Handbook upon request of the Student Body President or any Senator.

## **SECTION 4: SELECTION AND VACANCIES**

- A. All Justices shall be appointed by the Student Body President and confirmed by the Senate
- B. Confirmation shall require two-thirds vote of the Senate.
- C. Once appointed to a justice position within the Student Government Association, the justice shall serve as long as he or she is enrolled with the University of West Florida, resignation, or removal from office.