



**SENATE RESOLUTION 2223 – 014
RESOLUTION TO AMEND THE SGA CONSTITUTION
WEDNESDAY, SEPTEMBER 21, 2022**

Whereas the Student Government Association Constitution has traditionally had omnibus changes implemented at the start of each year, and

Whereas these changes are grouped together due to them being minor fixes, codification of existing or needed processes, and grammatical or formatting corrections, and

Whereas these changes are essential to the smooth functioning of the Student Government Association this coming year, let it be

Resolved that the Student Senate approves the attached amendments to the Student Government Association Constitution (Appendix A), effective upon passage of Senate Resolution 2223-015.

Primary Sponsor:

Alex Stencil, Class of 2023 Senator

Secondary Sponsor:

AJ Boes, Class of 2024 Senator



Vote:

In Favor: 19

Opposed: 0

Abstained: 0

Signatures:

A handwritten signature in black ink, reading "Reagan Markland". The signature is written in a cursive style and is positioned above a horizontal line.

Reagan Markland, Speaker of the Student Senate

A handwritten signature in black ink, reading "Cade Chezem". The signature is written in a cursive style and is positioned above a horizontal line.

Cade Chezem, Student Body President



Appendix A: Proposed Constitution Amendments

Formatting and page breaks may appear different in actual document

The Constitution of the Butler University Student Government Association

Ratified: February 24, 2021

Effective: February 24, 2021

Last Amended: _____, 2022

Preamble

We, the students of Butler University, in order to advocate on behalf of the Butler students to University executives, provide a channel for the expression of the student body's ideas, opinions, and concerns, promote campus unity and cooperation, embrace diversity, address important campus issues, promote and sponsor student services, empower student organizations, and build greater community relationships, hereby do ordain and establish this Constitution for the Student Government Association of Butler University.

Article I: Standing

Section 1: Origin of Authority

The Student Government Association was most recently re-chartered in 2022. The Student Government Association is the recognized government of the Butler University student body in the internal and external community and acts as the instrument through which students are able to provide input into the internal policies of Butler University. The Student Government Association has the authority to represent the students of Butler University, through the election of Student Senators and Officers, and derives authority from Butler University's Division of Student Affairs.

Section 2: Shared Governance

The Butler University Student Government Association shall be composed of three branches: Executive, Legislative and Judicial. Each branch operates independently yet collaboratively to serve the student body. The Student Government Association seeks to model and uphold a level of respect for others through ensuring that communication and participation within the separate branches are performed in a timely manner and with adequate preparation and follow-up. Students serving in this capacity acknowledge that appropriate confidences should be strictly maintained. Furthermore, no branch shall unduly infringe on the operations or authority of the other respective branches.

Article II: Constitutional Adoption, Supremacy, and Amendment

Section 1: Precedence

The rules and regulations of Butler University shall take precedence over this constitution.

Section 2: Constitutional Supremacy

This Constitution will be the supreme authority for the governance of the Student Government Association. No bylaw or resolution may be in conflict with this constitution, the University's regulations, or local, state and federal laws.



Section 3: Ratification of this Constitution

This constitution will be considered ratified once the Student Government Association Senate votes to adopt it by a two-thirds vote **of the full body**.

Section 4: Amendments to this Constitution

The **Chief Justice**, the Speaker of the Senate, and the President must be notified of any Amendments to this Constitution **a minimum** of two weeks prior to them being discussed on the Senate floor and confirmed by a two-thirds vote of the **full** Student Senate, **then approved by the President**.

Article III: Membership

Section 1. University Non-Discrimination Policy Compliance

The Student Government Association is committed in principle and practice to creating a campus environment that values mutual respect and human dignity. The Student Government Association prohibits discrimination and harassment of individuals or groups based on race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, military or veteran status, sexual orientation, gender identity and expression, genetic information, and any other protected status or personal attributes. The Student Government Association does not intend to discourage the expression of controversial or potentially offensive ideas protected under the University's policy on Campus Demonstrations and Free Speech and by the First Amendment of the Constitution of the United States. Speech or other expression constitutes discrimination if it:

- I. Deliberately insults, stigmatizes, threatens, or intimidates an individual or small group of specific individuals based on race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, veteran status, sexual orientation, gender identity and expression, genetic information, and any other protected status or other personal attributes; and
- II. Pertains to the specific individual or individuals whom it insults, stigmatizes, threatens, or intimidates.
- III. Places individuals and groups in danger.

Section 2. University Hazing & Pre-Initiation Activities Policy Compliance

The Student Government Association will not tolerate any form of hazing or pre-initiation activities. These are defined as any action taken or situation created intentionally that places an expectation on a person joining or maintaining full status in a group that is not consistent with requirements for membership, team rules, organization regulations and policies. Conduct that may be considered hazing if it:

- I. Has the potential to produce emotional, psychological or physical discomfort, embarrassment, harassment or ridicule.
- II. Can occur on or off campus.
- III. Can occur regardless of the person's willingness to participate.
- IV. Is prohibited by the criminal code of the State of Indiana.

Section 3. Plural Representation

Student Government Association Representatives may not hold more than one position within the Student Government **Association**.

Section 4. University Status

All members must be enrolled, full-time undergraduate students of Butler University. Members who have senior class standing and less than 12 credit hours remaining in their degree requirements will be exempt from the full-time status requirement. Members must remain in good academic and conduct standing, as defined by the University, and maintain a minimum 2.5 GPA. Failure to maintain good university standing is grounds for removal from the Student Government Association.



Article IV: Executive Branch

Section 1: Executive Branch Composition

The President, Vice President, Chief of Staff, and Directors will comprise the Executive Branch of the Student Government Association. **Members of the boards overseen by a director or any other auxiliary staff deemed necessary shall also be considered members of the Executive Branch.** Members of the Executive Cabinet Advisory Board will be considered non-voting, ex-officio members.

Section 2: Executive Branch Purview

The Executive Branch will have the reasonable powers necessary to properly fulfill their duties and complete the mandates of the Student Senate and Student Body.

Section 3: Executive Branch Appointments

The Chief of Staff will be appointed by the President-elect. Directors will be nominated by the President-elect and require an affirmative majority vote of the **full** Student Senate to assume office. The officers herein will serve terms of one year ending in line with the inauguration of the new President. Executive officers shall hold no other position within the Student Government Association. Officers must be appointed without delay to the positions of Director of Diversity, Equity, and Student Belonging and Director of Public Relations. The President, or President-elect, reserves the right to create other director-level positions.

Section 4: Presidential Duties

The President of the Student Government Association will act as chief executive officer of the Student Government Association **and shall convene** the Executive Cabinet and the Executive Cabinet Advisory Board. The President of the Student Government Association serves as the primary spokesperson for the Student Body. The President shall deliver a semesterly State of the Student Government address **during a meeting of the Student Senate.**

Section 5: Vice Presidential Duties

The Vice President of Student Government Association will act as the President's deputy, chair the audit board, ensure that accounts are properly kept, bills promptly paid, and revenues fully received, and create, with advice from the President, the annual operating budget.

Section 6: Chief of Staff Duties

The Chief of Staff will be tasked with managing Directors and working to implement the vision set by the President and Vice President. The Chief of Staff serves at the pleasure of the President and is tasked with supporting the President and all executives.

Section 7: Director of Diversity, Equity, and Student Belonging Duties

The Diversity, Equity, and Student Belonging Director will convene the Diversity, Equity, and Student Belonging Affairs **Board**, advise the President on matters of Diversity, Equity, and Student Belonging, create and manage the intentionality of equity within the Student Government Association as a whole, maintain communication with campus stakeholders, collaborate with the Student Government Association Senate Diversity, Equity, and Student Belonging Committee Chair, and coordinate diversity, equity, and student belonging trainings and education for all members of the Student Government Association.



Section 8: Director of Public Relations Duties

The Director of Public Relations will manage the Student Government Association's image and communication with internal and external entities. Further, the Director of Public Relations will fulfill other communication and service duties as outlined by the Executive Branch.

Section 9: Executive Legislation Review Process

The Legislative Branch will transmit legislation adopted by the Student Senate to the Executive Branch within five school days of the legislation's adoption. Within five school days of the President's receipt of the legislation, the President may enact the legislation by signing it or veto the legislation by informing the Speaker in writing. If the President vetoes the legislation, then the Student Senate may override the veto by a two-thirds vote of present members. If the President has not signed or vetoed the legislation within five school days of receiving it, the legislation will take effect as if the President has signed it.

Section 10: Executive Orders

The President of the Student Government Association shall hold the power to issue Executive Orders to forward the goals of the organization as a whole and of the presidential administration. Such orders are subject to Judicial Review and may be nullified by the Student Senate with a two-thirds majority of present members. Executive Orders shall expire at the end of the academic year in which they were made, but may be codified by the Student Senate with a simple majority of voting members.

Section 11: Judicial Notification

The Executive Branch must send any legislation not vetoed to the Student Government Association Supreme Court for the process of Judicial Review within five school days of that legislation taking effect. The Executive Branch must also send any Executive Orders signed into effect to the Supreme Court for Judicial Review within five school days of that order taking effect.

Section 12: Executive Cabinet Advisory Board

The Executive Cabinet will assemble an Executive Cabinet Advisory Board consisting of representatives from across various aspects of university life to inform them on matters of importance to students. The mission and composition of the Executive Cabinet Advisory Board shall be outlined by the Executive Branch.

Section 13: Impeachment and Removal of an Executive Officer or Director

The President and the Vice President may be impeached for gross neglect of duty by a two-thirds majority vote of the full Student Government Association Supreme Court and vacate office upon the conviction of impeachment by an affirmative two-thirds vote of the full Student Senate. All appointed positions not confirmed by the Student Senate serve at the pleasure of the President. An Executive Officer is ineligible to hold a future leadership position if impeached and convicted.

Section 13: Executive Branch Succession

If a Vice Presidential Office is vacated prematurely, the President will nominate a replacement to serve the unexpired balance of the term with the two-thirds confirmation of the full Student Senate. If the office of President becomes vacant, the Vice President will become President. In the event that the Presidency and Vice Presidency are both vacated, the Speaker of the Senate will assume the Presidency.

Article V: Legislative Branch



Section 1: Legislative Branch Composition

The Student Senate will consist of twenty undergraduate Senators, with two Senators representing each class (First-Year, Sophomore, Junior, and Senior), and twelve Senators representing the colleges (Jordan College of the Arts, College of Education, Lacy School of Business, College of Pharmacy and Health Sciences, College of Liberal Arts and Sciences, and College of Communication). Each college will be allocated one Senator, with the remaining six Senators being allocated to the colleges based on proportional representation, using the student enrollment of each college from the most recently reported Student Census prior to the spring election. All seats other than the two first-year positions should be elected in the spring semester for the coming year, **but any seats left vacant following the spring election shall be elected in the following fall election.** **The Student Senate shall be led by a Speaker assisted by the Student Senate Secretary.**

Section 2: Legislative Authority

Members of the Student Senate will be elected annually as determined by the Election Oversight Commission, and approved by the Student Senate with an affirmative majority **of voting members**, to serve terms of one year ending in line with the inauguration of the new President. Members of the Student Senate must be constituents in the area they represent. No member may hold more than one seat in the Student Senate. The Student Senate may adopt other rules governing its members' qualifications.

Section 3: Legislative Branch Purview

The Student Senate holds the voices of the Student Body and represents all students. Therefore, their purview includes any concerns or issues in conjunction with their constituencies, in addition to chartering student organizations, allocating **finances** to student organizations, ratifying the annual Student Government Association operating budget, and **servicing** as final policymaking authority through the use of Resolutions. There shall be two legislative sessions: one during the fall academic semester and a second during the spring academic semester.

Section 4: Speaker of the Senate Duties

At the Senate meeting just prior to the spring election, the Student Senate will elect from its own number a Speaker to preside over all legislative meetings, schedule legislative meetings, oversee Student Senate committees, appoint and manage other Student Senate officers, and fulfill other duties as the Student Senate may require during the following two legislative sessions. The newly selected Speaker of the Senate will take office at the end of the spring legislative session. The Speaker shall vote only to break ties. The Speaker of the Senate holds the authority to call the Student Senate into emergency session when necessary. **The Speaker of the Senate shall hold the power to run for reelection, if all qualifications, except being of the number of the Student Senate, are met.**

Section 5: Student Senate Committees

The Student Senate will establish a system of standing committees, each charged with a specific area of legislation and student advocacy. The Speaker will appoint Senators to each committee from the membership of the Student Senate such that each Senator serves on at least one committee. The following committees must be in place: University Life, Academic Affairs, Appropriations, and Diversity, Equity and Student Belonging. **The Speaker of the Senate may create other committees to address campus concerns on a temporary or permanent basis as they see fit.** Senators will be selected by the Speaker of the Senate to serve as Chairs for each of the standing committees. Chairs will preside over and schedule committee meetings and serve as liaisons between their respective committee and the Speaker, **as well as keep accurate records of attendance at their respective meetings.** Chairs will continue to serve as Senators with the same rights and responsibilities.

Section 7: Senate Secretary

The Senate Secretary shall provide guidance and assistance to members of the Student Senate and the Speaker. The Senate Secretary is responsible for documenting important Student Senate records including, but not limited to,



minutes, attendance rolls, and voting records. In addition, the Senate Secretary shall maintain, organize, and review relevant Student Senate references, such as governing documents and parliamentary references, and shall perform any other task the Speaker or Student Senate as a whole may request of them. This role will be appointed by the Speaker of the Senate and shall serve at their pleasure. The Senate Secretary shall not be a sitting Senator nor shall they have voting privileges.

Section 8: Impeachment and Removal

Members of the Student Senate may be impeached for gross neglect of duty by a two-thirds majority vote of the **full** Student Government Association Supreme Court and vacate office upon the conviction of impeachment by an affirmative two-thirds vote of the **full** Student Senate. A member of the Student Senate is ineligible to hold a future leadership position if impeached and convicted.

Section 9: Legislative Branch Succession

If any Senate seat in a constituency becomes vacant, the Speaker of the Senate will nominate a member of the constituency and the Senate will confirm the nominee for the unexpired balance of the term, **with the signature of the President**. If the office of Speaker becomes vacant, then the Student Senate will hold an emergency meeting to appoint a new Speaker and the Vice President will preside until a Speaker is confirmed.

Section 10: Vacancies and Replacement of a Committee Chair

If any Chair position becomes vacant, the Speaker of the Senate will appoint a new Chair to serve the unexpired balance of the term. The Speaker will select a sitting member of the committee to serve as the temporary Chair until the seat has been permanently filled.

Article VI: Judicial Branch

Section 1: Judicial Branch Composition

The Judicial Branch of the Student Government Association is comprised of a Chief Justice and six Justices. Each Justice will be appointed by the President and confirmed by the Student Senate with an affirmative simple majority vote **of the full body** to a term of two years concluding at the end of the respective spring semester. Justices may not hold any other office in the Student Government Association. The Judicial Branch shall also form the Election Oversight Commission, who is responsible for planning and running the Senatorial and Presidential elections of the Student Government Association. Presidents inaugurated in odd numbered years will nominate three justices to full two-year terms, while presidents inaugurated in even numbered years will nominate four justices to full two-year terms.

Section 2: Authority

The **Supreme Court** of the Student Government Association shall retain the authority to rule on all matters, issues, and controversies relevant to the Student Government Association and its various subordinate or associated organizations, constituting the branch's powers of Judicial Review and adjudication of appeals. This constitution, clarifying bylaws of the Student Government Association, and the policies of the University shall serve as the foundation for all rulings and decisions originating from the Judicial Branch. The Judicial Branch of the Student Government Association, in exercising its duties of adjudication and review, shall not infringe on the oversight authority of the Senate or Executive Branches unless to rule on an issue of constitutionality or abuse of power of one of those bodies. The Judicial Branch shall have special responsibility for the oversight of Student Government Association elections, the adjudication of election disputes, and the certification of election results.



Section 3: Duties of Judicial Officers

The Chief Justice will preside over meetings of the Student Government Association Judicial Branch, **oversee the administration of** the Oath of Office to Student Government Association officers, and coordinate the internal business of the judiciary. The Chief Justice for the next academic year shall be selected internally by the current Justices through a majority vote **of all Justices**. The newly-elected Chief Justice must be serving at least their second year as a Justice to be eligible. The one-year term of Chief Justice does not include the two-year term served as a Justice. The Chief Justice will also appoint members of the judiciary to serve on judicial boards and commissions and appoint a Clerk of the Court and such similar officers that the Court determines necessary. If the Chief Justice is not present, the Justices will vote on a temporary presiding officer. Justices will faithfully execute the duties inherent in their office. The Judicial Branch shall oversee the organizational onboarding process, **and may utilize reasonable resources, personnel, and expertise from other areas of the Student Government Association to this end.**

Section 4: Impeachment and Removal from Office

Members of the judiciary may be impeached and convicted for just cause. Members of the judiciary may be impeached for gross neglect of duty by a two-thirds vote of **all** the elected or confirmed members currently occupying the **elected or confirmed offices** of the Student Government Association Executive Branch and convicted and removed from office by an affirmative two-thirds vote of the **full** Student Government Association Student Senate. A Justice is ineligible to hold a future leadership position if impeached and convicted.

Section 5: Judicial Branch Succession

If any Justice position becomes vacant, the President will nominate a member of the student body and the Senate will confirm the nominee for the unexpired balance of the term. If the office of Chief Justice becomes vacant, then the Judicial Branch will hold an emergency meeting to **elect** a new Chief Justice.

Section 6: Double Jeopardy

The Supreme Court, and any other part of the Student Government Association endowed with powers to investigate, call to hearing, or enforce punishment, shall not punish, sanction, investigate, or otherwise interfere with an organization member twice for the same infraction of the governing documents, excepting when new substantive evidence or information has been presented. Any member or organization against whom a petition is filed, is placed under investigation, or called to a hearing must be notified as such and shall be given the information sought or charges pressed in a timely manner. No member brought before the Supreme Court, or any other body conducting an investigation or hearing, may be unduly compelled to testify against themselves.

Article VII: Bylaws

Section 1: Bylaw Adoption and Amendment

Each branch of the Student Government Association shall have the power to adopt formal rules and procedures for the governance and facilitation of internal affairs by a simple majority vote of the **present members of the** respective branch, so long as those rules or procedures do not conflict with the Constitution or General Bylaws passed by the Senate. The Student Senate retains the power to enact General Bylaws, applying to all branches of the Student Government Association, with a simple majority vote **of the full Student Senate, so long as these bylaws do not conflict with the Constitution, and may amend such bylaws with a two-thirds vote of the full Student Senate and approval from the President.**

Section 2: Elections

The Student Government Association Student Senate will affirm **guidelines** governing Student Government Association elections with a simple majority vote **of present members** per the recommendation of the Judicial Branch's Election Oversight Commission. **Guidelines** governing the elections must be ratified **a minimum of** two



weeks in advance of the election date. **The Election Guidelines shall be added as an appendix to the Student Government Association General Bylaws.**