

CONSTITUTION OF THE STUDENT GOVERNMENTS ASSOCIATION OF THE VIRGINIA COMMONWEALTH UNIVERSITY

Ratified: March 19, 2021

IN THE NAME OF THE STUDENT BODY OF THE VIRGINIA COMMONWEALTH UNIVERSITY, AND
CONSCIOUS OF OUR NEIGHBORS OF RICHMOND FROM WHOM WE ARE INSEPARABLE,

INSPIRED BY OUR RIGHT TO SELF-DETERMINATION, AND DRIVEN TO PROMOTE EQUITY AND JUSTICE
IN OUR ROLE AS THE FUNDAMENTAL BLOC OF THE INSTITUTION,

WE, THE STUDENTS OF THE VIRGINIA COMMONWEALTH UNIVERSITY (VCU), EXERCISING OUR
CONSTITUENT POWER, HAVE ADOPTED THIS CONSTITUTION- HEREBY ORDAINING THE
ESTABLISHMENT OF AN ASSOCIATION OF STUDENT GOVERNMENTS, HENCEFORTH TO BE KNOWN AS
THE STUDENT GOVERNMENTS ASSOCIATION OF THE VIRGINIA COMMONWEALTH UNIVERSITY.

Article I. Authority

Section 1. Legitimacy & Membership

The Student Governments Association's powers, authorities, privileges, and
legitimacy are derived from the consent of the Student Body.

All students registered for one or more academic credits at the Virginia
Commonwealth University shall be members of the Student Body. All members
of SGA must be members of the Student Body.

No student shall be denied the right to participate within the SGA based on
ethnicity, nationality, sex, gender, sexuality, disability, religion or lack thereof,
or any other identity.

All members of SGA shall maintain a minimum cumulative GPA of 2.5 and good
academic standing.

Section 2. Definition of Terms

Quorum

Quorum shall be defined as two-thirds of all currently occupied seats of any decision-making body. Vacancies shall reduce the threshold required for quorum since they shall not be counted as part of the total number of currently occupied seats.

Simple Majority

Simple Majority shall be defined as the group comprising at least more than half the membership in attendance of that particular meeting within any decision making body. Vacancies, abstentions, and absentees shall reduce the threshold required for a simple majority as they shall not be counted as part of the total number of voting seats.

Supermajority

Supermajority shall be defined as the group comprising at least two-thirds the membership in attendance of that particular meeting within any decision making body. Vacancies, abstentions, and absentees shall reduce the threshold required for a simple majority as they shall not be counted as part of the total number of voting seats.

Unconstitutional

Unconstitutional shall be defined as any instance where a devolved or inferior governing document contradicts this iteration of the Constitution.

Devolved Government

Devolved Government shall be defined as constituent Student Governments sanctioned by and privy to regulation by this Constitution.

House

Certain legislatures, as defined by this Constitution, may be composed of houses. These legislatures may be composed of a singular or multiple different houses, each elected and apportioned to various constituencies in different manners as defined by specific bylaws.

Article II. The Undergraduate Government

Section 1. Authority

Subsection i. Legitimacy

The Undergraduate Government shall be established as a devolved government under the authority of this Constitution and shall enact their own bylaws accordingly.

In cases where the Undergraduate Bylaws conflict with the Constitution, those specific clauses within the bylaws shall be struck down as unconstitutional.

The Undergraduate Bylaws must further explain and define portions of this Constitution as well as the roles and duties of the offices within the Undergraduate Government according to the constituency's needs.

Subsection ii. Membership

All students registered for one or more academic credits at the Virginia Commonwealth University and are pursuing an Undergraduate degree shall be members of the Undergraduate Student Body. All members of the Undergraduate Government must be members of the Undergraduate Student Body.

Members of the Undergraduate Student Body shall be entitled to vote in any election held by the Undergraduate Government and shall be subject to the rules and regulations presented by the Undergraduate Government.

Section 2. The Legislature

Subsection i. Jurisdiction & Composition

The Legislature of the Undergraduate Government shall be known as the Undergraduate Parliament and should follow a typical Parliamentary structure. The Legislative power of the Undergraduate Government shall be vested in the Undergraduate Parliament.

All members of the Undergraduate Government must maintain their status as Members of Parliament. The only exception shall be for administrative offices which must clearly be defined in the Undergraduate Bylaws. Members of Parliament shall remain in office until the next Undergraduate General Election or until expulsion.

All Undergraduate Officers, without exception, serve at the leisure and confidence of Parliament. Parliament has the sole authority to instigate Motions of No Confidence in all Undergraduate Government Officers. A Motion of No

Confidence shall pass with a simple majority with a quorum present. If a Motion of No Confidence passes against any Officer, they shall be removed from their post but shall remain as Members of Parliament for the remainder of their term.

The Undergraduate Parliament may vote to expel one of its members with a supermajority of support of the remaining Members of Parliament with a quorum present.

The Undergraduate Bylaws shall define the manner of election of Members of Parliament as well as the number of houses and seats within the Parliament.

Subsection ii. Legislation

The Undergraduate Bylaws may be modified with the consent of a simple majority of Parliament with a quorum present.

A bill or resolution may be introduced by any Member of Parliament.

A bill or resolution requires the approval of a simple majority of all established houses of Parliament with a quorum present. Upon attaining this threshold, the bill or resolution is automatically enacted unless found to be unconstitutional by the Judiciary.

The voting record of Members of Parliament shall be made public with the only exception being if a house of Parliament successfully motions for a secret ballot.

Section 3. The Cabinet

The Executive power of the Undergraduate Government shall be vested in the Undergraduate Cabinet. The Cabinet shall be elected from within Parliament at the first session after the election once the newly elected Members of Parliament are seated. The election of Cabinet members shall be defined by the Undergraduate Bylaws.

Cabinet members must be Members of Parliament at the time of election and must remain Members for the duration of their tenure in office.

Cabinet members hold office until resignation, no-confidence, expulsion, or the next Undergraduate General Election.

The Undergraduate Bylaws must specify the procedure for the election of Cabinet officers and the presiding officer who shall oversee the said elections.

Article III. The Graduate & Professional Government

Section 1. Authority

Subsection i. Legitimacy

The Graduate & Professional Government shall be established as a devolved government under the authority of this Constitution and shall enact their own bylaws accordingly.

In cases where the Graduate & Professional Bylaws conflict with the Constitution, those specific clauses within the bylaws shall be struck down as unconstitutional.

The Graduate & Professional Bylaws must further explain and define portions of this Constitution as well as the roles and duties of the offices within the Graduate & Professional Government according to the constituency's needs.

Subsection ii. Membership

All students registered for one or more academic credits at the Virginia Commonwealth University and are pursuing a Graduate or Professional degree shall be members of the Graduate & Professional Student Body. All members of the Graduate & Professional Government must be members of the Graduate & Professional Student Body.

Members of the Graduate & Professional Student Government shall be elected either directly by each respective college, appointed by each respective college's Student Government, or subject to regulations set by the Graduate & Professional Government.

Members of the Graduate & Professional Student Body shall be entitled to vote in the relevant elections held by the Graduate & Professional Government and shall be subject to the rules and regulations presented by the Graduate & Professional Government.

Section 2. The Legislature

Subsection i. Jurisdiction & Composition

The Legislative power of the Graduate & Professional Government shall be vested in the Graduate & Professional Senate. Members of the Senate shall

remain in office until expelled or replaced by their respective college by election or appointment.

All Graduate & Professional Officers, without exception, serve at the leisure and confidence of the Senate. The Senate has the sole authority to instigate Motions of No Confidence in all Graduate & Professional Government Officers.

If a Motion of No Confidence passes against a Legislative Officer, they shall be removed from their post but shall remain as Members of the Senate unless expelled.

If a Motion of No Confidence passes against a Member of the Cabinet, they shall be removed from the Graduate & Professional Government entirely. The Graduate & Professional Senate may define and regulate Motions of No Confidence to their needs.

The Graduate & Professional Senate may vote to expel one of its members with two-thirds support of the remaining Members of the Senate with or without a quorum present.

The Graduate & Professional Bylaws shall define the manner of election or appointment of each college's representatives within the Senate as well as the number of seats and division of seats within the Senate.

Subsection ii. Legislation

The Graduate & Professional bylaws may be modified with the consent of a simple majority of the Senate with or without a quorum present.

A bill or resolution may be introduced by any Member of the Senate.

A bill or resolution requires the approval of a simple majority of the Senate with or without a quorum present. Upon attaining this threshold, the bill or resolution is sent to the Graduate & Professional President. The President may sign or veto the bill or resolution. If the bill or resolution is not signed within five (5) business days, then it is automatically enacted.

If a bill or resolution is vetoed, then the Senate may override the veto with a supermajority of Members consenting with or without a quorum present.

The voting record of Members of the Senate shall be made public with the only exception being if the Senate successfully motions for a secret ballot.

Section 3. The Cabinet

The Executive power of the Graduate & Professional Government shall be vested in the Graduate & Professional Cabinet. The Cabinet shall be led by the Graduate & Professional President. The remainder of the Cabinet shall be appointed by the President as regulated by the Graduate & Professional Bylaws. Nominees for Cabinet positions shall be confirmed by a simple majority of the Senate with or without a quorum present.

The election of the Graduate & Professional President shall be defined by the Graduate & Professional Bylaws.

Cabinet members hold office until the expiration of their term as defined by the Graduate & Professional bylaws, by resignation, by a motion of no-confidence, or by replacement by the incumbent President.

Article IV. Independent Financial Board

Section 1. Authority

Subsection i. Legitimacy

The Independent Financial Board shall be established as an independent arm under the authority of this Constitution and shall enact their own bylaws accordingly. Each devolved government bylaws shall be responsible for defining that respective government's selection and confirmation process for Independent Financial Board nominees.

In cases where the Financial Bylaws conflict with the Constitution, those specific clauses within the bylaws shall be struck down as unconstitutional.

The Financial Bylaws must further explain and define the Constitution and the roles and duties of the offices within the Independent Financial Board. The bylaws may be modified with the consent of a simple majority of the board with a quorum present.

Subsection ii. Membership

All members of the Independent Financial Board must be members of the Student Body.

Members of the Independent Financial Board shall be elected or appointed in the manner prescribed by the Board.

The Independent Financial Board may vote to expel one of its members with two-thirds support of the remaining Members of the Board with a quorum present.

Section 2. Appropriations

The Independent Financial Board is charged with funding Student Organizations subject to regulation by the Financial Bylaws.

Section 3. Budget & Salaries

The overall Student Governments Association Budget shall only consist of the amount or percentage allocated to each devolved government and the Independent Financial Board. All unused or unallocated funds are to be rolled over to for future use.

The salaries of all paid officers as sanctioned by this Constitution or any governing bylaws shall be static budgets that never expire. Amendments to salaries shall follow a procedure identical to Constitutional Referendums although any resulting changes to the salaries will not affect the language of the Constitution itself.

Money allocated to a devolved government can only be authorized for spending by the legislature. Any person of any branch or office that wishes to use funds must first seek the approval of the simple majority of the respective legislature in a timely manner. Only the legislature shall have the power to create, amend, renew, and enact each devolved government's respective budgets.

Funds allocated to the Independent Financial Board may be authorized for appropriations with the consent of the Board as a whole.

Any amendments altering the breakdown of the overall Budget or utilization of funds which have been rolled over from years prior must be authorized by the Independent Financial Board at the request of any member of the Student Governments Association. This request must subsequently be confirmed by all devolved governments' legislatures by a simple majority with quorum present.

Article V. Joint Conference of Leadership

The cabinets of all devolved governments and officers of the Independent Financial Board shall meet at least once a month during the spring and fall semesters with the opportunity for any willing members within the Student

Governments Association and other student leaders not affiliated with the Student Governments Association to also be present.

The conference shall be co-chaired by the leaders of the cabinets of all devolved governments or said leaders' designated representatives.

This body shall have no authority or decision making powers. The purpose of this body is to simply issue recommendations and discuss proposals that may be referred back to each respective government for consideration prior to further collaboration.

Article VI. The Judiciary

Section 1. Authority

The Judiciary shall enact their own code to define the structure of the Judiciary and to define the roles and procedures of Judicial offices and hearings respectively.

All members of the Judiciary must be members of the Student Body. The Judicial Code shall define the overall composition of the Judiciary. Each devolved government bylaws shall be responsible for defining that respective government's selection and confirmation process for Judicial nominees.

The Judiciary shall be composed of an odd number of Justices not numbering less than five (5). These members shall include one Chief Justice and a Deputy Chief Justice. The Chief Justice and Deputy Chief Justice shall be from opposing constituencies.

Members of the Judiciary Committee serve two-year appointments until they resign or are removed from office in a manner defined by the Judicial code.

Section 2. Jurisdiction

The Judiciary shall have jurisdiction over cases regarding a party accusing another party of general violation of any Constitution or Bylaws enacted by this Student Governments Association.

The Judiciary shall also have jurisdiction over appropriations disputes between student organizations and the Independent Financial Board.

The Judiciary shall also have original jurisdiction over disputes between student organizations when both parties consent to resolve the matter within the Judiciary.

The Judiciary shall have original jurisdiction over cases involving disputes between devolved governments and cases involving Constitutional clarification from within any devolved government.

Article VII. Ratification, Referenda, & Amendments

Section 1. Ratification

The ratification of this Constitution by a simple majority of voters, all of whom must be members of the Student Body of Virginia Commonwealth University, shall be sufficient for the establishment of this Constitution effective immediately.

Section 2. Referenda

Referenda may be initiated by any member of the devolved governments. Referenda must then be approved by all of the devolved governments with a sufficient threshold as stated below. Only the Judiciary may authorize the placement of referenda on the ballot after conducting a procedural review.

For a Constitutional Referendum to be placed on the ballot, be it a new Constitution to replace this Constitution, an amendment to this current Constitution, must be approved by a supermajority of the membership of each of the legislatures of the devolved governments after two readings of the proposed referendum with a quorum present.

For a poll to be placed on the ballot, a referendum shall require the approval of no less than a simple majority of any one of the devolved governments.

The act of formally placing government-initiated referenda on the ballot cannot occur without the authorization of the Judiciary. The Justices shall determine if sufficient approval was obtained and the correct procedure was followed to gain any such approval.

Any referenda may be initiated by any member of the student body by petition. Upon gaining the signature of support of no less than one (1) percent of the student body, the referenda must be placed onto the ballot without exception

given that there are sufficient authentic signatures. The university shall determine the authenticity of signatures gathered.

Any referenda that gathers the support of no less than a simple majority of voters shall be considered approved and, if applicable, enacted.

Section 3. Amendments

This Constitution can only be amended, dissolved, or replaced by a referendum.

A public record shall be established detailing all enacted and failed amendments to this Constitution as well as all interactions of Constitutions of Student Governments at Virginia Commonwealth University that are accessible.

Article VIII. Relation to the Institution

Section 1. Advisory

The university shall appoint an advisor to the SGA, hereafter known as “The SGA Advisor”. The SGA Advisor will serve as a resource to the four governing bodies and Joint Conference of Leadership as outlined herein. As such, The SGA Advisor, shall serve as a primary conduit between the SGA and the VCU administration. Additionally, other members of the VCU community may serve in advisory roles, but will not hold the formal title of advisor and may not be afforded all the benefits bestowed on “The SGA Advisor” as noted within this Constitution or the SGA Bylaws.

1. Authority of The SGA Advisor
 - a. The SGA Advisor, under the authority of this Constitution, has the authority to attend any and all meetings of the SGA meetings, both public and private, including, but not limited to Undergraduate Parliament, Graduate and Professional Student Senate, SGA Independent Financial Board, SGA Judiciary, or any standing SGA Committees.
 - b. The SGA Advisor has the authority to call special mandatory meetings of committees, any SGA governing body or Joint Conference of Leadership for the purpose of training or development.
 - c. The SGA Advisor has the authority to review all final budget actions to ensure they meet with financial rules developed and maintained by the office of the Senior Vice President and CFO
2. Other duties and responsibilities
 - a. The SGA Advisor will maintain the password to the SGA social media accounts but is not responsible for the development of content or information provided

through social media channels. Access to social media accounts will be determined through the SGA bylaws

- b. The SGA Advisor has the right to hold members of the SGA accountable to the Student Code of Conduct and/or decisions made by the Office of Student Conduct and Academic Integrity
 - i. If a member of the SGA is found responsible for violating the Student Code of Conduct, the SGA Advisor will notify the appropriate membership chair that a violation has occurred. Information related to the specific infraction or details about sanctions are limited by state and federal law and cannot be divulged.
- c. Other duties and responsibilities of The SGA Advisor shall be outlined within the bylaws of each SGA governing body outline within in this Constitution

Section 2. Autonomy

The VCU SGA is a self-governing body within the VCU community and serves as voice for the VCU student body. Its members are elected from the members of the student body and given the authority to act on their behalf. As a self-governing body, we believe that we are self-determinate in our authority and autonomy while being active participants in the shared-governance of the University.

For the purposes of student government autonomy, these policies are not subject to the Creating and Maintaining Policies and Procedures as outlined and maintained by the Virginia Commonwealth University Integrity and Compliance Office, Audit and Compliance Services, by vote of the VCU student body. The policies and procedures, as outlined in this Constitution and associated bylaws affirms this autonomy.

Autonomy is only limited where specifically outlined within this Constitution or associated bylaws.

Section 3. Agreements

The VCU SGA has the authority to develop and maintain agreements with the University that do not contradict its authority or limit its autonomy. Agreement between the VCU SGA and entities outside the University shall be reviewed by the proper authorities within VCU to determine and/or limit VCU's liability.

The primary agreement between VCU SGA and the University is through the [Policies and Procedures for Student Organization at Virginia Commonwealth University](#). The VCU SGA is recognized as a Sponsored Student Organization.

Student Organizations at VCU are entities whose membership is comprised primarily of VCU students and may include VCU alumni, faculty or staff and that offer educational, service, recreational, or social opportunities to their members. Each student organization is designated into three tiers as either Sponsored, Affiliated, or Registered. The tier is determined by assessing the student organizations relationship to the university, the purpose and scope of its activities, the university population served, and the potential risk to participants and the university.

Sponsored Student Organizations

Sponsored Student Organizations are those groups considered critical not only to its membership and officers but also to the vision, mission and culture of the university. These organizations work in a collaborative partnership with an identified university department or office. These organizations are inherently linked to the university because of their role representing VCU and/or in presenting events of broad appeal that are considered an integral part of the institution and community.