STUDENT GOVERNMENT ASSOCIATION

CONSTITUTION
PREAMBLE

We, the students of Liberty University, in order to create and establish a right and proper manner of student representation, to protect and serve the students, and to promote the common good of the University, do hereby establish this constitution for the Liberty University Student Government Association.
ARTICLE I

NAME AND AUTHORITY

Section 1 – Name

The name of this organization shall be the Liberty University Student Government Association.

Section 2 – Authority

1. The authority exercised by the Student Government is granted by the student body of the University through elections, by which the Student Government shall have the authority to act on behalf of the student body.

2. The authority exercised by the Student Government is conferred by the Liberty University Administration, and all official actions of the Student Government are subject to review and revision by the Administration.

3. Only the powers specifically enumerated within this constitution shall be granted to the Student Government.

Section 3 – Purpose

The purpose of this organization shall be to represent the general interest of the student body to the Administration, and to work with the Administration and faculty to implement programs to meet the students’ needs.

ARTICLE II

MEMBERSHIP

Section 1 – Qualifications

1. Membership in the Student Government shall be open to all residential and commuter undergraduate students attending the University who meet the following qualifications:

   a. All members must maintain good academic standing according to the Academic Policies Handbook;

   b. No individual shall be a member who has been issued eighteen or more points according to the Student Honor Code within the past two semesters, inclusive;

   c. No individual shall be an officer who has been issued twelve or more points according to the Student Honor Code within the past two semesters, inclusive;
d. The Student Body President, Student Body Vice President, and Court Justices must have a GPA of at least 3.0 when elected or appointed, must have been full-time undergraduate students at the University for at least two semesters, must have served at least one semester in the Student Government, and must not be Resident Assistants or Resident Assistant candidates; additionally, the Student Body President and Vice President must be at least Juniors by semester credit hours according to the University's academic catalog;

e. Class Officers and members of the Student Body President’s Cabinet must have a GPA of at least 2.5 when elected or appointed;

f. The Speaker of the House of Delegates must not be a Resident Assistant or Resident Assistant candidate, and must have served at least two semesters in the Student Assembly.

Section 2 – Restrictions and Duties

1. No member may simultaneously hold two positions named in this constitution, unless explicitly stated by this constitution.

2. Only members of a body within the Student Government may vote on matters discussed within that body.

3. Any member may appoint assistants for the execution of that member’s duties; however, the member may not authorize any person to vote on their behalf, nor may any member act as an assistant to any other member. Each member shall bear all responsibility for the execution of their duties.

Section 3 – Oath

1. All members of the Student Government shall take an oath, upon the ratification of this document and at the beginning of each term of office thereafter, affirming that they will faithfully support and defend the constitution, statutes, and bylaws of the Student Government, and will to the best of their ability endeavor to represent the students of the University, and will conduct themselves in a Christian manner at all times.

2. The oath of office shall be administered at the beginning of the term of service for all members by the Student Body President, or, in the case of the President’s oath, by the Chief Justice.
ARTICLE III

Representative Branch

Section 1 – Legislative Powers

The legislative powers herein granted shall be vested in the Representative branch of the Student Government, which shall be composed of a Student Senate and a House of Delegates.

Section 2 – Class Officers

The President and Vice President elected for each undergraduate class shall be the Officers of their class. They shall represent the concerns of their class in the Representative branch, and shall act to promote the wellbeing of their class.

Section 3 – House of Delegates

1. The membership of the House of Delegates shall be composed of the Vice Presidents of each undergraduate class and Delegates. Those wishing to become Delegates and shall apply at the beginning of each academic year, and shall be approved after confirmation of fitness to serve from the Dean of Students Office. Additionally, each club shall be ensured one seat in the Assembly.

2. The representation of each club may be occupied by the student leader of the club.

3. All Delegates shall serve three consecutive semesters unless they resign or become ineligible for membership. Class Vice Presidents shall serve until the end of classes in the spring semester following their election.

4. All Delegates shall file their application for membership or renewal of membership prior to the first meeting of the House each semester. If such application is not filed in the case of renewal of membership, the Delegate’s membership shall cease.

5. The House shall elect one of their members for the office of Speaker. The House shall be overseen by a Committee on Rules and Ethics, which shall determine the agenda and rules of debate for the body.
Section 4 – Student Senate

1. The membership of the Senate shall be composed of the President of each undergraduate class, elected by the student body, and two Senators from each school and college, appointed by the Dean thereof.

2. When vacancies occur in the representation of any class, the Student Body President shall nominate a new officer to fill such vacancy, who must be confirmed by a majority of both representative houses. When vacancies occur in the representation of any school or college, the Dean shall appoint a new Senator to fill such vacancy.

3. No person shall be a Senator who shall not, when elected or appointed, be a student of the class or school for which they shall be chosen. Class status shall be determined by semester credit according to the University’s academic catalog.

4. The enumeration of schools and colleges shall be as follows:

- College of Applied Studies and Academic Success;
- College of Arts and Sciences;
- School of Behavioral Sciences;
- Helms School of Government;
- School of Aeronautics;
- School of Business;
- School of Communication and Creative Arts;
- School of Education;
- School of Engineering and Computational Sciences;
- School of Health Sciences;
- School of Music;
- School of Nursing;
- School of Divinity.

5. The Student Body Vice President shall be the President of the Senate, but shall have no vote unless those present and voting be equally divided. In the absence of the Student Body Vice President, or when the Student Body Vice President shall exercise the office of the Student Body President, the Senate shall choose a President pro tempore from among their members. The role of President pro tempore shall not be considered as an office, but he shall have no vote when acting in that role unless those present and voting be equally divided.

6. Class Presidents shall serve until the end of classes in the spring semester following their election. All appointed Senators shall serve for one calendar year beginning with the first meeting of the Senate in the spring semester following their appointment, unless they resign or become ineligible for membership.

7. The Senate shall be overseen by a Committee on Oversight, composed of the class officers, which shall determine the agenda and rules of debate for the body.
Section 5 – Joint Committee on Clubs

In addition to such other committees as the houses shall prescribe in their bylaws, there shall be a Joint Committee on Clubs to review legislation concerning clubs at the University, and to approve club applications for official recognition by the University.

Section 6 – Initiatory Procedure

1. The times, places, and manner of holding elections shall be prescribed by the Student Body President, provided that the election of Class Officers occur prior to the first session of the Representative branch in each academic year. The appointment of other Senators shall occur during the second week of November prior to the calendar year in which they shall serve; the manner of this appointment shall be prescribed by the Student Body President.

2. The Assembly and Senate shall separately assemble at least twice in every month during the academic year as set forth by the Registrar’s academic calendar, and shall cease at the conclusion of the final meeting within the academic year. Unless the houses shall by statute appoint a different day, such meetings shall be held on every alternate Tuesday beginning on the third Tuesday following the beginning of classes in the academic year. The final meeting shall be held in joint session between the two houses, and shall be presided over by the Student Body Vice President.

Section 7 – Business Procedure

1. One third of each house shall constitute a quorum to do business in that house, but a smaller number may adjourn from day to day and may be authorized to request the attendance of absent members, in such manner and under such penalties as each house may provide.

2. Each house shall determine the rules of its proceedings according to the duties of that house as established by this constitution. These bylaws may be amended by a majority vote of that house and shall be made publicly available.

3. Each house may discipline its members for disorderly behavior arising under the jurisdiction of the Student Government.

4. It shall be acceptable for committees in the Representative branch to conduct voting by electronic mail according to the members’ assigned academic e-mail addresses.

5. Each house shall keep minutes of its proceedings and from time to time publish the same, excepting such parts as may require secrecy, in their judgment or according to law; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the minutes.
6. Neither house shall adjourn for more than two weeks during the session of the academic year without the consent of the other house.

Section 8 – Legislation

Bills

1. Every bill which has passed the House and the Senate shall be presented to the Student Body President. If he approve he shall sign it and recommend it to the Administration, but if not he shall return it, with his objections, to that house in which it originated, which shall enter the objections on their minutes and proceed to reconsider it.

2. If, after reconsideration of a returned bill, two thirds of the bill’s originating house agree to pass the bill, it shall be sent, together with the Student Body President’s objections, to the other house, by which it shall likewise be reconsidered. If approved by two thirds of that house, it shall be recommended to the Administration. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the minutes of each house respectively.

3. If any bill has not been returned by the Student Body President within two weeks after it has been presented to him, the bill shall be presented to the Administration in like manner as if the President had signed it, unless the Representative branch by their adjournment prevent its recommendation, in which case it shall not become a statute.

4. If the Administration approve of a bill recommended to it, it shall become a statute; but if not the bill shall be returned, with the Administration’s objections, to the house in which it originated, who shall enter the objections on their minutes. A bill so returned shall not be reconsidered and shall not become a statute.

Resolutions

5. Every resolution or vote to which the concurrence of the House or Senate may be necessary (except on a question of adjournment) shall be presented to the Student Body President, and before the same shall take effect, it shall be approved by him; or being disapproved by him, it shall be reconsidered by the resolution’s originating house according to the rules and limitations prescribed in the case of a bill.

Section 9 – Powers

1. By bill, the Representative branch shall have the power to enforce courses of action with the approval of the Administration; to make appropriations for the operation of the Student Government and on the behalf of classes and clubs; and to make all statutes which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the Student Government.
2. By resolution, the Representative branch and each house thereof shall have the power to suggest courses of action to the Administration; to express opinions, condolences, congratulations, and thanks to any parties to which it may wish to communicate them; to describe its own long-term goals and plans; and to request permission to form a constitutional convention.

ARTICLE IV
EXECUTIVE BRANCH

Section 1 – Executive Powers

1. The executive powers herein granted shall be vested in a Student Body President. The President shall hold his office during the term of one calendar year from the date of inauguration, and, together with the Student Body Vice President chosen for the same term, shall be elected during the first week of April, to take office during the final meeting of the Representative branch in the academic year of their election.

2. In the case of the removal of the President from office or of his resignation, the Vice President shall become President. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President, who shall take office upon confirmation by a majority vote of both houses of the Representative branch.

3. Whenever the President transmits to the President of the Senate and the Speaker of the House his written declaration that he is unable to discharge the powers and duties of the office, and until the President transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 2 – Appointments

The President shall have power to appoint Justices of the Student Court and all other officers of the Student Government whose appointments are not herein otherwise provided for or which shall be established by statute; but the Representative branch may, by statute, vest the appointment of such inferior officers as they think proper in the President alone, in the Student Court, or in the heads of departments.

Section 3 – Cabinet

Subject to confirmation by the Representative branch in joint session, the President shall nominate a General Counsel, a Director of Internal Affairs, a Director of Communications, a Director of Clubs, and a
Treasurer of the Student Government, who shall serve as the President’s Cabinet. The Vice President shall also serve as a member of the Cabinet.

Section 4 – Duties

Student Body President

1. The President shall from time to time give to the Representative branch information of the state of the University, and recommend to their consideration such measures as he shall judge necessary and expedient.

2. The President shall take care that the statutes of the Representative branch and the rulings of the Student Court be faithfully executed.

3. The President may issue executive orders for the Student Government or for the execution of its statutes as he shall deem necessary. Executive orders may be overturned by a two thirds majority of both houses of the Representative branch. The President may also issue executive mandates at the direction of the Administration, which shall not be overturned.

Student Body Vice President

4. The Vice President shall serve as the President of the Senate, and shall execute any additional duties which the Student Body President may delegate to him.

Departments

5. The following offices shall determine the rules of their proceedings according to their duties as established by this constitution, by statute, and by executive order and mandate. These bylaws may be amended by the director of that office with the approval of the General Counsel and the President, and shall be made publicly available.

Department of the General Counsel

a. The General Counsel shall direct an office to oversee issues arising in policy and law in all departments of the Student Government; to investigate incidents of misconduct under the jurisdiction of the Student Government attributed to members; to advise and represent individuals and clubs before the Student Court, and to advise officers in drafting new bylaws for executive departments;

i. There shall be an Assistant General Counsel appointed by the President and confirmed by the Representative branch to serve in the absence of the General Counsel, to oversee such Legal Assistants as the office may appoint, and to perform such other duties as the General Counsel may designate;
ii. There shall be a Solicitor General appointed by the President and confirmed by the Representative branch to serve in the absence of the General Counsel and the Assistant General Counsel, and to advise and represent the members of the Student Government before the Student Court;

iii. The General Counsel, Assistant General Counsel, and Solicitor General may appoint Legal Assistants to assist in the counsel and representation of persons before the Student Court;

Department of Internal Affairs

b. The Director of Internal Affairs shall direct an office to oversee the interoperation of all departments of the Student Government;

Department of Communications

c. The Director of Communications shall direct an office to maintain communication between the Student Government and the student body;

Department of Clubs

d. The Director of Clubs shall direct an office to provide for the operation of clubs at the University, including but not limited to room reservation, operational guidance, publicity, and any other duties relating to clubs that the Representative branch shall by statute prescribe or as may be required by executive order or mandate.

Department of the Treasury

e. The Treasurer shall direct an office to oversee the creation of and adherence to a budget for the Student Government, and shall oversee and enable all distribution of funds to the various departments of the Student Government and to classes and clubs.

ARTICLE V

Judicial Branch

Section 1 – Judicial Powers

1. The judicial power of the Student Government shall be vested in a Student Court and in such inferior courts as the Representative branch may from time to time ordain and establish.

2. When the Student Court or any inferior court issues a ruling on any dispute arising under this constitution, club constitutions, or any statutes of the Student Government, such rulings shall be considered binding to all members of the Student Government and to the student body.
Section 2 – Justices

1. The Student Court shall consist of five Justices. The Student Body President shall nominate a Chief Justice of the Student Court and four Associate Justices, who shall be confirmed by the Senate prior to January 1st, to serve for two calendar years commencing January 1st.

2. Except as the bylaws of the Student Court shall prescribe, the Chief Justice shall preside over the Student Court and any courts created by statute or by executive order or mandate.

3. The Chief Justice shall have the authority to appoint Judicial Assistants as necessary.

Section 3 – Courts

1. There shall be a Student Court, consisting of the five Court Justices and presided over by the Chief Justice. The Student Court shall have original jurisdiction in all violations of this constitution, club constitutions, and all statutes of the Student Government. The Student Court shall have appellate jurisdiction on any matter delegated to the Court by the Student Government, the Office of Student Conduct, the Liberty University Police Department, or the Administration.

2. The members of the Student Court shall also serve as the members of the Student Appeals Court, and shall be appointed as such by the Chief Justice. No other members of the Student Government shall serve on the Student Appeals Court. The Student Appeals Court shall be directed by the Office of Student Conduct.

Section 4 – Investigative Committee

1. Upon receipt of allegations raised against a member of the Student Government, the Student Court shall convene an Investigative Committee, which shall be comprised of one Class Officer, one member of the House Committee on Rules and Ethics, one Senator, and one officer of the Executive branch, each selected according to the bylaws of the Student Court.

2. With the assistance of the General Counsel, an Investigative Committee shall act as a grand jury to investigate allegations against a member of the Student Government, to determine whether there is sufficient evidence to prosecute the individual before the Student Court.

3. An Investigative Committee shall have the power to subpoena individuals to appear before the committee, giving reasonable consideration to the academic schedules of those required to appear, and the committee shall not infringe on the individual’s right to remain silent.

4. Within two academic weeks of the formation of an Investigative Committee, the committee shall report to the Office of the General Counsel and to the Chief Justice whether it finds sufficient evidence for indictment. If probable cause of the allegation is found, the Solicitor General shall bring the accused before the Student Court for adjudication.
Section 5 – Disciplinary Authority

It shall be the duty of the Student Body President to enforce the disciplinary rulings of the Student Court and any inferior courts. However, if the Student Court deems that the ruling has not been properly executed, the Court may convene a committee with the Assembly Committee on Rules and Ethics and the Senate Committee on Oversight. If the majority of this committee finds that the President has failed to execute the ruling, they may require that the President execute the ruling. If the ruling is not then completed, the committee may inform the Dean of Students or the Vice President for Student Affairs of their concerns regarding the failure to enforce the ruling.

ARTICLE VI

DISCIPLINE

Section 1 – Representative and Executive Impeachment

1. If any member or officer of the Executive or Representative branches of the Student Government fails to properly and capably discharge their responsibilities under this constitution or meet the qualifications of their position, any individual may petition the Student Court to create an Investigative Committee.

2. If an Investigative Committee issues an indictment against a member or officer of the Representative or Executive branches, the Office of the General Counsel shall present the case before the Student Court, and the defendant shall be entitled to a proper defense.

3. If a member or officer of the Representative or Executive branches is found guilty by the Student Court, the Court shall determine appropriate discipline within the extent of the power of the Student Government. Such discipline shall not exceed removal from office; however, the Court may recommend that the Student Body President refer the matter to the Office of Student Conduct.

Section 2 – Judicial Impeachment

1. If any Justice of the Judicial branch fails to properly and capably discharge their responsibilities under this constitution, any individual may petition either the Assembly Committee on Rules and Ethics or the Senate Committee on Oversight, which may jointly from their members convene a judicial Investigative Committee.

2. If an Investigative Committee issues an indictment against a Justice of the Judicial branch, the Office of the General Counsel shall present the case before the Representative branch in joint session, and the defendant shall be entitled to a proper defense.
3. If a Justice of the Judicial branch is found guilty by the Representative branch, the Representative branch shall determine appropriate discipline within the extent of the power of the Student Government. By a two thirds majority vote of the Representative branch in joint session, the Justice may be removed from office. The Representative branch may recommend that the Student Body President refer the matter to the Office of Student Conduct.

ARTICLE VII
AMENDMENT

Members of the Student Government may propose amendments to this constitution. When such amendments are approved by a two thirds majority vote of both houses of the Representative branch, and signed by the Student Body President, or when such amendments are approved by a three fourths majority vote of both houses after rejection by the President, such amendments shall be valid as part of this constitution. Such amendments shall be in the form of additions, deletions, or substitutions, which shall directly modify the text of this constitution.

ARTICLE VIII
CONSTITUTIONAL CONVENTION

1. The Representative branch, whenever by a two thirds majority vote both houses shall deem it necessary, shall propose a list of grievances against this constitution, and shall request permission from the Administration to form a constitutional convention. If such permission is granted, the convention shall be composed of the Student Body President and Vice President, and such members as the houses of the Representative branch may appoint from their memberships not in excess of eleven members each.

2. The Chief Justice of the Student Court shall be the Chairman of the constitutional convention, and shall have no vote except when those present and voting be equally divided.

3. The constitutional convention shall be instructed to frame a new constitution for the Student Government to address the grievances proposed by the Representative branch.

4. Whatever constitution the constitutional convention may propose shall take effect if accepted by the Administration and the Student Body President and Vice President, and ratified by three fourths of both houses of the Representative branch.
ARTICLE IX

CONSEQUENCE

1. All debts contracted and engagements entered into before the adoption of this constitution shall be valid against the Student Government under this constitution.

2. This constitution, the statutes of the Student Government which shall be made in pursuance thereof, the Liberty Way, and all other policies of the Administration shall be the binding documents of the Student Government, and the Justices in the Student Court bound thereby.