

UNIVERSITY of
HOUSTON

STUDENT GOVERNMENT ASSOCIATION

Label: SGAB-55005

Date introduced: July 18th, 2018

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Sponsor(s): Fmr. Chair Aguilar, Chair Mehra, Sen. Syed, Sen. White

Committee: Internal Affairs

Draft: Final

The Better SGA Act

Whereas, the Student Government has suffered from inefficiencies as a result of the structure of the constitution;

Whereas, these changes are necessary to ensure a proper and effective Student Government Association;

Whereas, the Student Government needs more accountability, and the Students need direct ability to hold the Student Government accountable.

Therefore, be it enacted by the Senate of the Student Government Association of the University of Houston:

That the attached document titled and labeled "The University of Houston Student Government Association Constitution... Proposed Amended - September 5th, 2018 (55th Administration)" become the new University of Houston Student Government Association Constitution.

Be it further enacted, that should any additional constitutional amendments be passed by the 55th Administration, they will be automatically included within the new Constitution referenced by The Better SGA Act;

Be it further enacted, that should this constitution be approved, the Bylaws and Election Code will be automatically updated to avoid any contradictions between the SGA constitution and other Student Government governing documents.

Cameron Barrett

Cameron Barrett
Student Government President

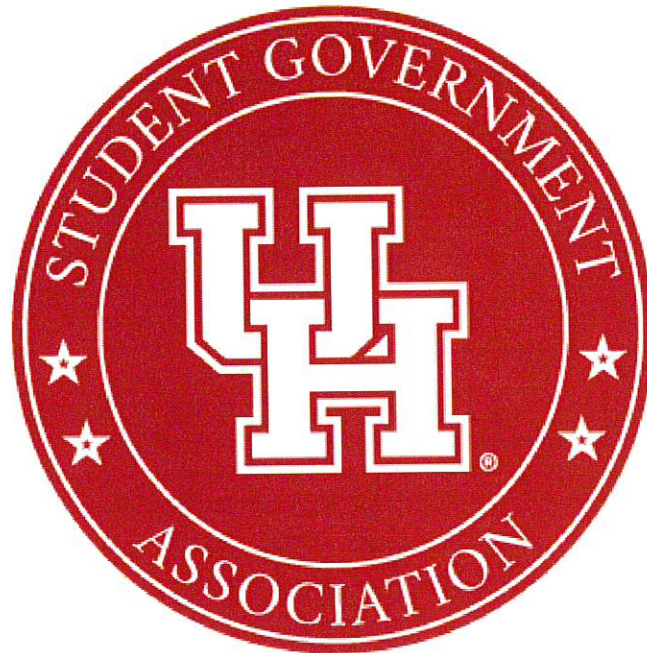
Date of President's Approval: 9/5/18

APPROVED

Andrew Trinh

Andrew Trinh
Speaker of Senate

Date of Senate Approval: 9/5/18



**The University of Houston
Student Government Association
Constitution**

Proposed Amended – September 5th, 2018 (55th Administration)

Preamble

We the students of the University of Houston, in order to provide an official and representative organization to receive student questions and suggestions, investigate student problems and take appropriate action, provide the official voice through which the students' opinion may be expressed, encourage the development of responsible student participation in the overall policy and decision making processes of the university community, foster an awareness of the students' role in the academic community, enhance the quality and scope of education at the University of Houston, and provide means for responsible and effective participation in the organization of student affairs, do establish this Constitution for the Student Government Association at the University of Houston.

Article I: Name and Membership

Section 1.01 This Constitution establishes, under the laws of the State of Texas, a representative student government that will be known as the “Student Government Association of the University of Houston.”

Section 1.02 All currently enrolled students at the University of Houston will be considered members of the Student Government Association.

Article II: Bill of Rights

Section 2.01 As a component of University of Houston, a public educational institution of the State of Texas, the Student Government Association will take no action abridging the rights, immunities or privileges granted to students under the Constitution of the United States of America, the Constitution of the State of Texas, U.S. federal law or under the laws of the State of Texas.

Section 2.02 No student will be deprived of the right to vote in an election of the Student Government Association, nor will any student be deprived of the right to vote on any measure put before the student body by the Student Government Association.

Section 2.03 No member of the press will be denied access to any meeting of Student Government Association. In addition, no member of the press will be denied access to legislation, minutes, or any other business record of the Student Government Association.

Section 2.04 All students of the University of Houston will enjoy equal protection under the laws of the Student Government Association, without regard to race, nationality, creed, sex, age, academic standing, or sexual orientation.

Section 2.05 The only requirement for a student to hold elective office is that the student will be in good academic and disciplinary standing with the University of Houston.

Article III: Structure of Government

Section 3.01 All Student Government officials are accountable to the Student Government Association constitution and all other Student Government governing documents upon taking office.

Section 3.02 The Student Government Association will consist of three separate branches of government: a Legislative, an Executive and a Judicial.

Section 3.03 The Student Government Justice Department will be considered entirely independent from the Executive Branch, accountable to the Senate and Judicial Branches.

Section 3.04 No student will simultaneously hold office in more than one branch of government.

Section 3.05 To protect the separation of powers of each branch of government, no person holding office in one branch of government will be accountable to a person holding office in a separate branch of government, except as provided by this Constitution.

Section 3.06 In no way may the Senate, Court, or Executive Branch grant or be granted temporary powers which are not already defined by the Student Government Association Constitution, Bylaws, or Election Code.

Section 3.07 Powers in the Student Government Association are explicitly granted and may only be given as a result of a Student Government Bill completing the legislative process and being enacted.

Article IV: The Legislative Branch

Section 4.01 The legislative power of the University of Houston Student Government Association will be vested in the Student Senate, hereinafter “the Senate.” The Senate will be the legislative and deliberative body of the University of Houston Student Government Association.

Section 4.02 Apportionment

Clause 1: Each college or school within the University of Houston will have representation in the Senate according to the proportion of students enrolled in the University of Houston as shown by the Fall Semester official statistics published by the University of Houston.

Clause 2: Each college will be entitled to at least one representative. For each four (4) percent and/or part thereof that a college or school has of the university’s total enrollment, that school or college will be entitled to one (1) representative.

Clause 3: In addition to the representation afforded to each college or school, six (6) at-large undergraduate senators and four (4) at-large graduate senators will be elected in campus-wide elections. Voting for these seats will be restricted to those students of the same classification.

(A) For the purposes of at-large seats, professional students will be considered graduate students.

(B) For the purposes of at-large seats, post-baccalaureate students will be considered undergraduate students.

Clause 4: Any degree-granting college created or re-designated by Act of the Board of Regents will be guaranteed representation in the Senate.

Section 4.03 Elections for Senate positions will be held in the Spring semester of each academic year.

Section 4.04 Senators elected in the Spring will serve one-year terms commencing with the call to order of the first Senate meeting in April and terminating at the call to order of the first Senate meeting of the following April or at such time as a duly elected Senator involved in a disputed election is eligible to serve.

Section 4.05 Vacancies

Clause 1: Senatorial vacancies will be filled by appointment by the President, Vice President and/or Speaker of the Senate within the Student Government Association with the advice and consent of a majority of the Senate present and voting.

Clause 2: Students appointed to fill senate vacancies will complete the term of the position to which they are appointed.

Clause 3: If a Senate vacancy remains open beyond one regular meeting of the Senate and/or the Senate fails to confirm an eligible candidate for the vacant position, the power to appoint to vacant Senate seats falls to each individual senator, who each may appoint a person they deem fit, with the advice and consent of a majority of the Senate present and voting.

Section 4.06 Speaker of the Senate

Clause 1: The Speaker of the Senate will be the presiding officer of the Senate.

Clause 2: The Speaker will come from the membership of the Senate and will be elected by the Senate.

Clause 3: The Speaker will appoint, with the advice and consent of a majority of the Senate present and voting, the chairpersons and members for each standing committee of the Senate and the Speaker Pro-Tempore of the Senate.

Clause 4: The Speaker of the Senate will vote in instances where their vote will make a difference in the outcome of the vote.

Section 4.07 The Senate will have general legislative powers, including the following:

Clause 1: To approve and/or amend the budget of the Student Government Association;

Clause 2: To approve committees, commissions or boards as are needed to perform the functions of this Association;

Clause 3: To prescribe times, places and manners of holding elections;

Clause 4: To establish lower tribunals not set forth in this Constitution, which will be subordinate to any judiciary established herein;

Clause 5: To make laws which will be necessary and proper for carrying into execution the foregoing powers and all powers vested by this Constitution in the Student Government Association.

Section 4.08 Meetings

- Clause 1: The Senate will convene at least biweekly while classes are in session. These meetings will take place on Wednesday unless otherwise provided by law.
- Clause 2: The Senate will keep minutes of its meetings current and make them available to the public.
- Clause 3: All minutes from the current session will be made available to the public through the internet.

Section 4.09 The Summer Senate

- Clause 1: The Summer Senate will consist of all senators able to attend during the Summer Semester. A Summer Senator need not be enrolled in classes, however, he or she must be able to attend meetings and carry on his or her usual duties and responsibilities on a regular basis.
- Clause 2: Senators able to serve will so indicate to the Speaker of the Senate in writing and the Speaker may install them prior to that week's meeting.
- Clause 3: Speaker of the Senate and individual Senate seats will not be filled by the Summer Senate.
- Clause 4: The Summer Senate will have the power to pass legislation or take other actions as necessary.

Section 4.10 Legislation

- Clause 1: Legislation pursuant to a fundamental policy or principle of the Student Government Association will, before it becomes law, be presented by the Speaker of the Senate within three (3) class days to the President of the Student Government Association.
- (A) If the President approves the legislation, he or she will sign it and it will become law.
- (B) If the President disapproves the legislation, he or she will return it to the Senate along with his or her written objections which will be entered into the Senate Journal. The Senate will then proceed to reconsider the legislation. If after such reconsideration, two-thirds (2/3^{rds}) of the Senate present and voting agree to pass the legislation, it will become law.
- (C) If no action is taken by the President of the Student Government Association within five (5) class days, the legislation will automatically become law without his or her signature.
- Clause 2: Legislation involving action by areas or departments within the university, other than the Student Government Association, which have passed the Senate will, before it becomes law, be presented to the President of the Student Government Association and/or the President of the University.

(A) Action by the Student Government Association President

- 1) If the President of the Student Government Association approves the legislation, he or she will sign it and present it to the President of the University.
- 2) If the President of the Student Government Association disapproves the legislation, he or she will return it to the Senate along with his or her written objections which will be entered into the Senate Journal.
- 3) The Senate will then proceed to reconsider the legislation. If after such reconsideration, two-thirds (2/3rds) of the Senate present and voting will agree to pass the legislation, it will be presented to the President of the University.
- 4) If no action is taken by the President of the Student Government Association within five (5) class days, the legislation will automatically be presented without his or her signature to the President of the University.

(B) Action by the President of the University

- 1) If the President of the University approves the legislation, he or she will sign it and it will become law.

Article V: The Executive Branch

Section 5.01 The Executive Branch will be responsible for the proper administration of the Student Government Association, for the development of policy and the implementation of legislation. It will be composed of the Cabinet as well as any Directors appointed by the President.

Section 5.02 The Presidency

Clause 1: The President of the Student Government Association will be elected by a majority of the members of the Student Government Association. Presidential candidates may name a Vice Presidential candidate on their election application with whom they will run for office jointly.

Clause 2: The President will serve a concurrent one-year term commencing on the first day of April and terminating on the first day of the next following April or at such time as a duly elected President involved in a disputed election are eligible to serve.

Section 5.03 The President will:

- Clause 1: Be the official representative of the student body of the University of Houston; and
- Clause 2: Participate in discussion at Senate meetings with the same privileges as Senate members; and
- Clause 3: Give the Senate information concerning the state of the Campus and recommend for their consideration such measures as he or she will deem necessary and expedient; and
- Clause 4: Call emergency meetings of the Senate when he or she deems such meetings advisable; and
- Clause 5: Appoint, with the advice and consent of a majority of the Senate present and voting, compensated/stipend cabinet members of the offices within the Executive Branch; and
- Clause 6: Assign tasks or duties to other members of the Executive Branch as he or she sees fit.

Section 5.04 Not later than September 1 of each year, the Student Government will solicit applicants for the position of Student Regent. Not later than November 1, the President of the Student Government will select five applicants as the Student Government's recommendations for Student Regent and send the applications of those applicants to the Chancellor.

Article VI: The Judicial Branch

Section 6.01 Composition

- Clause 1: The Judicial Branch of the Student Government Association will consist of a supreme judicial body known as the Student Government Association Supreme Court.
- Clause 2: One (1) Chief Justice and eight (8) Associate Justices will make up the voting members of the Student Government Association Supreme Court.
- Clause 3: All lower courts, created by law or necessity as determined by the Chief Justice, will be considered subordinate components of the Judicial Branch.

Section 6.02 Vacancies

- Clause 1: In the event of a vacancy, the Justices and/or alternates of the Supreme Court will be appointed by the President with the advice and consent of three-fourths (3/4^{ths}) of the Senate present and voting.
- Clause 2: The President will appoint, with the advice and consent of three-fourths (3/4^{ths}) of the Senate present and voting, a Chief Justice from the membership of the Supreme Court.
- Clause 3: Should a vacancy in the court last longer than 10 business days, the Chief Justice, or the most senior justice (should the Chief Justice position be vacant), will have

the right to appoint members of the Supreme Court, with the advice and consent of three-fourths (3/4^{ths}) of the Senators present and voting.

Section 6.03 The Supreme Court will have original jurisdiction over any case in the Student Government Association. If a lower court or other tribunal will have original jurisdiction over a case or controversy as specified by law, the Supreme Court will have final appellate jurisdiction.

Section 6.04 Only when quorum is needed, the Chief Justice may select from the pool of Alternate members of the court, which have been nominated by the President and confirmed with the advice and consent of the Senate, to form a panel of Justices.

Section 6.05 All rulings of the Supreme Court will be final with no appeal.

Section 6.06 Members of the Supreme Court will continue to hold office until such time as they discontinue enrollment as students at the University of Houston or are no longer in good academic or disciplinary standing with the University of Houston.

Article VII: Recall and Impeachment

Section 7.01 Impeachment

Clause 1: Anyone holding office in the Student Government Association may be nominated for impeachment if:

- (A) A two-thirds vote of the total number of senators approve nomination; or
- (B) The President and Speaker of the Senate agree to nominate, and three-fourths (3/4^{ths}) of the senate present and voting approve the nomination.

Clause 2: All persons nominated for impeachment will stand trial in front of the Supreme Court.

Clause 3: If a person is found guilty of an impeachment charge or charges, these charges will be forwarded to the Senate, who may impeach the individual with a two-thirds (2/3^{rds}) vote of the total membership of the Senate.

Clause 4: Persons impeached will not hold any office in the Student Government Association for two years following the date of their impeachment.

Clause 5: Persons accused or in violation of SGA attendance requirements are not required to go through the impeachment process but may be subject to immediate dismissal by the head of the branch. Dismissal pursuant to this section may be appealed to the Supreme Court.

Section 7.02 Recall

Clause 1: A recall is a special election where eligible voters decide whether or not to remove an elected official from office.

- Clause 2: The process for recalling an elected official of the Student Government Association will be initiated if:
- (A) Two-thirds (2/3^{rds}) of the total membership of the Senate vote for the individual to stand in a recall election; or
 - (B) Five percent (5%) of a respective constituency, in a signed petition, move to recall their elected official or officials.
- Clause 3: The proper number of students in a given constituency to initiate a recall election will be based on the number of students enrolled in the University of Houston as shown by the most recently available Fall Semester official statistics published by the University of Houston.
- Clause 4: Only currently enrolled students at the University of Houston may sign a recall petition to recall an elected official within the University of Houston Student Government Association.
- Clause 5: Any petition attempting to recall an elected official must include each signatory's full name and student identification number for verification. Electronic signatures will be accepted. This information will only be shared with the Attorney General and the relevant University officials for verification.
- Clause 6: Should a petition appear to have the required number of signatures, the Attorney General will have seven (7) business days to verify the signatures from the point where they received the full petition.
- Clause 7: A recall vote must take place between ten (10) and fifteen (15) class days after the recall process is initiated. A recall vote must be open a minimum of forty-eight (48) continuous hours and take place between the days of Monday and Thursday.
- Clause 8: The Attorney General of the Student Government Association will conduct and schedule any recall elections. Only students who are eligible to vote in the election for the office of the person being recalled may vote in the recall election.
- Clause 9: Should a majority of students voting in a recall election, within the appropriate constituency, vote to recall the official in question, the official will be removed from office.

Article VIII: Amendments

Section 8.01 Proposed constitutional amendments will be approved by a three-fourths (3/4^{ths}) vote of the total membership of the senate.

Section 8.02 Constitutional Referenda

- Clause 1: After being approved by the Senate, the Amendment(s) will become a part of the Constitution when ratified by a majority of the students voting in duly authorized elections.
- Clause 2: Bills attempting to amend the Constitution must specify the date(s) the referendum will take place.
- Clause 3: Constitutional referenda will take place during either the Fall or Spring semesters, while classes are in session, between the days of Monday and Thursday. Voting

on a constitutional referendum will be open a minimum of forty-eight (48) continuous hours.

Article IX: Anti-Hazing and Anti-Discrimination Statements

Section 9.01 This organization will not initiate, participate in, or be witness to any act that inflicts or intends to inflict physical or mental harm or discomfort or which may demean, disgrace, or degrade any person, regardless of location, intent, or consent of participant(s).

Section 9.02 As a Registered Student Organization at the University of Houston we adhere to the University of Houston's Non-Discrimination Policy. The University of Houston is an Affirmative Action/Equal Opportunity institution. The university provides equal treatment and opportunity to all persons without regard to race, color, religion, national origin, sex, age, genetic information, disability, or veteran status except where such distinction is required by law. Additionally, the System prohibits discrimination on the basis of sexual orientation, gender identity or gender expression.