
The
CONSTITUTION
of the
STUDENT GOVERNMENT
ASSOCIATION

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Article I- NAME, PURPOSE, AND STRUCTURE

Section I

The name of the organization shall be the Student Government Association (SGA) of The University of Memphis.

Section II

The purposes of this organization are:

- A) To encourage students to realize the full potential of the university experience,
- B) To develop loyalty and enthusiasm for the University of Memphis,
- C) To supplement academic goals through development of appropriate co-curricular programs,
- D) To aid in the social adjustment and maturation of students,
- E) To provide leadership training in an environment which permits the expression and examination of a wide range of ideas,
- F) To directly reflect student needs and interests in the promotion of all campus activities, and
- G) To work in conjunction with the administrative officers in all matters affecting the welfare of the student body.

Section III

The officers of the Student Government Association of the University of Memphis shall be organized into (3) branches: Executive, Legislative, and Judicial. The Executive branch shall be headed by the President and the Vice President. The Legislative branch shall be headed by the Speaker of the Senate. The Judicial branch shall be headed by the Chief Justice.

Section IV

If the office of the President shall become vacant, it shall be filled by the Vice President. If the office of the Vice President shall become vacant, the President will appoint a member of the Student Government Association to the office who is at least a second-year student and meets all qualifications, with the approval of two-thirds (2/3) of the Senate quorum. In the event the offices of the President and Vice President shall become vacant simultaneously, for any reason, the Speaker of the Senate shall immediately succeed to the office of President and appoint a Vice President.

Article II- MEMBERSHIP

Section I

Membership in this organization shall be comprised of students registered at the University of Memphis, including an undergraduate student in addition to a law student, both full-time and part-time.

Section II

All members of this organization shall be subject to a review by the Office of Student Conduct and the Court to determine membership eligibility.

- A) If a candidate is currently not in good standing, they must be deemed ineligible for membership.
- B) If a current member is placed on probation, they must appear before the court to determine whether they are eligible for office.

Article III- EXECUTIVE BRANCH

Section I

All executive powers granted herein shall be vested in the President of the Student Government Association. The President shall be assisted by the Vice President, Cabinet, and such Staff Personnel as they shall appoint.

Section II

The President shall have the following duties:

- A) To faithfully execute the laws of this constitution, of the Senate, and all other laws of the Student Government Association,
- B) To call and preside over meetings of the Executive Council,
- C) To submit to the Senate for approval of the proposed budget for the year,
- D) To appoint students to the University-wide Standing Committees,
- E) To appoint students to Cabinet and to call Cabinet meetings at their discretion,
- F) To require, when requested, a written opinion by the Attorney General of any provision of the Constitution or the laws of the Student Government Association, and
- G) To deliver the officer report at Senate meetings.

Section III

The President shall have the following privileges:

- A) To call special sessions of the Senate,
- B) To veto any acts of the Senate. If the President does not veto any act of the Senate within ten (10) working days after passage, such act becomes law without the President's signature. The President shall not have the power to veto articles of impeachment,
- C) To appoint or remove such other Staff Personnel and members of their Cabinet as they may deem to be in the best interest of the Student Body,
- D) To serve on the Chief Justice Selection Committee, and
- E) To oversee First Year Senate.

Section IV

The Vice President shall have the following duties:

- A) To execute the duties and powers of the President in their absence.
- B) To serve as President of the Senate and the perform the following duties:
 - 1. To preside over the first senate meeting of the new General Assembly until a Speaker of the Senate is elected,
 - 2. To appoint in conjunction with the Speaker of the Senate a Parliamentarian, Clerk, and any other such functionaries of the Senate as they may decide,
 - 3. To vote only if a tie occurs,
 - 4. To deliver their office report,
 - 5. To perform such duties as the President may assign them,
 - 6. Assign elected Senators At-Large to represent colleges, and
 - 7. Have voting privileges if the quorum is not met.

Section V

The Executive Council of the Student Government Association shall be comprised of the President, the Vice President, the Speaker of the Senate, and the Chief Justice of the Court. This Council shall be chaired by the President of the Student Government Association.

Section VI

The President's Cabinet shall be compromised of the following offices:

- A) The Secretary of Undergraduate Travel,
- B) The Secretary of Student Life,
- C) The Secretary of Government Relations,
- D) The Attorney General,
- E) The Director of Media Relations, and
- F) The Chief of Staff.

The duties of these departments and offices shall be outlined within the Executive Branch bylaws.

Article IV- LEGISLATIVE BRANCH

Section I

All legislative powers granted herein shall be vested in a Senate.

Section II

The term "Senate membership" shall be defined as the total number of Senators in office at the time. A majority of the membership of the Senate shall constitute a quorum to do business. A

“majority” shall be defined as half of the total number of Senators, plus one additional Senator. The Senate shall meet no less than twice (2) each month during each full month of the regular school term, at the call of the President, at the call of the Speaker of the Senate, or upon the written request of a majority of the Senate. All enactments of the Senate, including changes in the laws of the Student Government Association, shall be passed by a majority vote, unless otherwise specified in the Constitution.

Section III

If a Senate position should become vacant, the President shall fill the vacancy by appointment, with approval of two-thirds (2/3) of the Senate membership present.

Section IV

The Senate shall be comprised of twenty-five (25) seats. Membership shall be apportioned based on the following criteria:

A) Four (4) seats will be reserved for First Year Senate Members to be appointed by the President during the Fall semester.

B) Each special interest group listed below shall be represented by one (1) Senator:

1. Lambuth, and

2. Cecil C. Humphreys School of Law.

1. Appointment requirements and other details will be outlined by the Student Government Association.

C) The remaining nineteen (19) seats shall be deemed At-Large:

1. Each college or school shall be represented by a senator appointment by the Vice President and Speaker of the Senate from the nineteen (19) Senators At-Large.

D) Should Special Interest Groups not, by choice or inability, select a Senator, the seat shall become At-Large to be appointed by the President.

Section V

The membership of the Senate shall be chosen to last until the next general election. All officers of the Senate shall be chosen to serve for a term to last until the next general election.

Section VI

The Speaker of the Senate shall be chosen from within the Senate membership. The Speaker shall be the chief officer of the Legislative Branch. They shall:

- A) Preside over all meetings of the Senate, except in cases otherwise outlined in this Constitution,
- B) Appoint the members and chairs of all committees of the Senate, and
- C) Serve on the Chief Justice Selection Committee.

Section VII

The Speaker of the Senate shall have the following privileges:

- A) To call special sessions of the Senate,
- B) To serve as an ex-officio member of all Committees of the Senate,
- C) To appoint in conjunction with the President of the Senate a Parliamentarian, a Clerk, and any other such functionaries of the Senate as they may decide,
- D) To enforce bylaws to ensure proper functioning of the Senate within reasonable judgement,
- E) Assign elected Senators At-Large to represent colleges, and
- F) In instances where the removal of a Senator is necessary, the Speaker of the Senate must inform the Chief Justice of the Court of the removal and inform the removed Senator of their right to appeal the removal to the Court.

Section VIII

The Parliamentarian shall have the following duties and powers:

- A) To preside over the Senate in the absence of the Speaker, and
- B) To maintain decorum and adherence to Parliamentary Procedure and Robert's Rules of Order.

Section IX

The Clerk of the Senate shall have the following duties:

- A) To be responsible for the accurate recording of the minutes of all regular and special meetings of the Senate, and
- B) To be responsible for, under the direction of the current presiding officer, all administrative functions pertaining to the Legislative Branch.

Section X

The Senate shall have the following duties:

- A) To elect from among the Senate, the Speaker of the Senate in the first item of business if the office is vacant,
- B) To specify in the Senate bylaws other duties that may be required of Senators, and
- C) To adopt legislation to approve the budget for the year.

Section XI

The Senate alone shall have the following powers:

- A) To enact legislation consistent with the goals and desires of the Student Body of the University of Memphis,
- B) To create permanent or temporary committees within the Senate as needed,
- C) To approve by two-thirds (2/3) vote of the Senate membership present all Cabinet appointments and Senate vacancy appointments,
- D) To override the veto of the SGA President by a vote of two-thirds (2/3) of the Senate membership present,
- E) To bring articles of impeachment against any officer of the Student Government Association,
- F) To rescind the impeachment of a Senator through an act of the Senate receiving a 2/3 affirmative vote, and
- G) All matters not expressly delegated to the Executive or Judicial Branches.

Section XII

Any actions of the Senate may be reviewed, altered, or appealed by a petition of the Student Body. A petition must contain the following elements:

- A) Names and signatures of ten percent (10%) of the student body,
- B) A redress of grievances, and
- C) A written statement of the action requested.

Upon receipt of the petition, the President shall determine the time and place to vote on the requested action. The vote must occur within one (1) month of the receipt of the petition.

Article V- JUDICIAL BRANCH

Section I

All judicial powers granted herein shall be vested in a Court. The Court shall be composed of a Chief Justice and ten (10) Associate Justices.

Section II

The Chief Justice shall be selected via application and interview by the Chief Justice Selection Committee, consisting of the following members:

- A) The Associate Dean of Students, serving as chair only,
- B) The retiring Chief Justice, serving as vice chair,
- C) The most senior Associate Justice,
- D) The Speaker of the Senate, and
- E) The President.

Associate Justices shall be selected via application and interview by the Judicial Vacancy Committee, consisting of the following members:

- A) All sitting Justices, and
- B) The Associate Dean of Students, voting only during a tie.

Section III

Quorum for the Court shall be five (5) Justices, except in the case of Traffic Court decisions, which shall require a quorum of three (3).

Section IV

The Court shall have the following powers:

- A) To interpret the SGA Constitution,
- B) To adjudicate all cases, excluding impeachment, involving violations of the provisions of this Constitution, laws, bylaws, and election laws,
- C) To adjudicate cases referred to by the Associate Dean of Students where a student or organization has elected to have the Court consider their case,
- D) To hear appeals of the Election Commission's decisions,
- E) To investigate any allegations of inappropriate action(s) or neglect of duty by the Election Commission, and
- F) To adjudicate cases involving traffic violations.

Section V

The Chief Justice shall have the following duties:

- A) To faithfully observe the Constitution and laws of the Student Government Association in all matters,
- B) To preside over or appoint the presiding justice to all Court sessions and hearings,
- C) To represent the Court, or appoint a representative in their absence in all business with the Legislative and Executive Branches of the Student Government Association,
- D) To call special meetings of the Court, and
- E) To appoint one (1) from among the Associate Justices to serve as Associate Chief Justice.

Section VI

The Chief Justice shall serve during good behavior and academic standing and shall be subject to a review upon the request of three (3) Associate Justices. The review shall be conducted by the Chief Justice Review Committee composed of the following members:

- A) The Associate Dean of Students,
- B) All sitting Associate Justices,

- C) The Speaker of the Senate, and
- D) The President.

If the Chief Justice Review Committee finds the Chief Justice to be ineligible or otherwise incapable of performing the duties of the Chief Justice, they shall vacate the position of Chief Justice. The Associate Chief Justice shall serve as interim Chief Justice until a new Chief Justice is selected as outlined in Article V, Section I.

Section VII

Court Procedures - Social Discipline Cases.

- A) In its adjudication of all cases brought before it, the Court shall, at all times, conduct itself in accord with the following procedures designed to safeguard the rights of all students.
- B) Student rights, in accord with the Code of Student Conduct, as printed in the current handbook and changes to that Code Section IV as follows:
 - 1. A written notice of the time and place of the hearing at least three (3) days in advance,
 - 2. A written statement of the charges in sufficient detail as to enable them to prepare a defense,
 - 3. The right to be accompanied or assisted by an advisor of their choice,
 - 4. A statement of the possible sanctions that may be imposed as a result of a finding of violation of the Code of Student Conduct,
 - 5. The right to present witnesses in their behalf and to question any witnesses presented against them. Such witnesses shall testify, and the student is responsible for the attendance of any witnesses in their behalf, and
 - 6. All students shall have the right to appeal any decision of the Court to the University Appeals committee. All appeals should be addressed in writing to the Chairman of the University Appeals committee within forty-eight (48) hours after the student is notified of the decision.
- C) The Court shall report in twenty-four (24) hours to the appropriate University official all decisions reached by it and the disciplinary sanctions determined by it.

Section VIII

Court Procedures - Traffic Cases

- A) The Court shall operate Traffic Court which shall have jurisdiction in any cases which involve violations of campus traffic regulations.

B) The Traffic Court shall operate on a rotation basis designated by the Chief Justice of the Court. At least three (3) Justices must be present to have quorum. Notification of times of Court sessions shall be made public.

C) Decisions shall be decided by a majority vote of the Justices. All Traffic Court decisions shall be rendered immediately upon deliberation of the Justices.

Section IX

Court Procedures - Decisions

A) Each decision of the Court must be made within three (3) business days.

B) A majority vote shall be sufficient for a decision.

C) The Court shall make available its written opinion in the cases involving the rules and procedures of the Student Government Association within a reasonable amount of time after rendering its decision.

Article VI- ELECTIONS & QUALIFICATIONS

Section I

The Election Commission shall be selected by the following process:

A) The Advisor to the Student Government Association shall select the Chair of the Election Commission through an application and interview process, and

B) Election Commission members shall be approved by the Advisor to the Student Government Association with recommendations from the Chair of the Election Commission.

The duties of the Election Commission shall be outlined in the Election laws.

Section II

With the exception of First Year Senate members, any candidate for an elected position or an appointed office in this organization must be a student with a minimum of six (6) semester hours at The University of Memphis and must carry a course load of at least six (6) hours per semester during their term of office. Each candidate must have a cumulative GPA of at least 2.5 and maintain a 2.5 cumulative GPA during their term of office.

Section III

Candidates for the President, Vice President, Speaker of the Senate, and Chief Justice must have a cumulative GPA of at least 3.00 and maintain a cumulative GPA of 3.00 during their term of office.

Section IV

In order to be a candidate for President, Vice President, or Speaker of the Senate, a student must have a minimum of thirty-six (36) semester hours at the time of their election.

Section V

The President and Vice President must be elected on a joint ticket.

Section VI

The Senate shall be comprised of twenty-five (25) seats. Candidates shall be elected, or selected, as described below:

- A) Four (4) seats will be reserved for First Year Senate Members to be appointed by the President during the Fall semester.
- B) Each special interest group listed below shall be represented by one (1) Senator:
 - 1. Lambuth, and
 - 2. Cecil C. Humphreys School of Law.
 - 1. Appointment requirements and other details will be outlined by the Student Government Association.
- C) The remaining nineteen (19) seats shall be deemed At-Large:
 - 1. Each college or school shall be represented by a senator appointment by the Vice President and Speaker of the Senate from the nineteen (19) Senators At-Large.
- D) Should Special Interest Groups not, by choice or inability, select a Senator, the seat shall become At-Large to be appointed by the President.

Section VII

The SGA Election shall take place during the last week of March and adhere to the following timeline:

- A) Voting opens Tuesday,
- B) Voting closes Thursday and results released Friday, and
- C) Newly elected officers inaugurated fourteen (14) days after voting closes.

Section VIII

The two (2) week period between the announcement of the election results and the inauguration of the new administration shall be deemed the Transition Period. During this period, each branch shall provide information and guidance to their successors to ease the transition of power.

Section IX

All Justices of the Court are required to meet the following special qualifications:

- A) The Chief Justice must be of at least junior classification and shall be required to have at the time of their appointment a cumulative grade point average of not less than 3.00. Furthermore, at the time of their appointment, the Chief Justice must have served a minimum of one (1) year on the Court as an Associate Justice,
- B) Of the remaining ten (10) Associate Justices, all must have been enrolled at the University of Memphis and have a cumulative GPA of not less than 2.50,

C) Law students are required to maintain a 2.00 average in any Court membership capacity, and

D) Each Justice of the Court shall carry a course load of at least six (6) semester hours at The University of Memphis during their term of office.

Article VII- IMPEACHMENT

Section I

Impeachment shall be defined as the process through which the Senate files charges for violations of the provisions of this Constitution. A simple majority vote of the entire Senate shall be adequate to initiate the impeachment process. After a party has been impeached, their trial shall be heard at the next formal Senate meeting. If two-thirds (2/3) affirmation is not met, the impeached party is innocent and remains in the office they held. No party described in this article shall be subject to double jeopardy.

A) In the event of the Speaker of the Senate being impeached, the Speaker shall be treated as absent.

Section II

All officers of the Student Government Association, excluding the President's Cabinet and Staff Personnel are subject to impeachment and trial by the Senate. All members that are impeached, tried, and convicted shall be barred from participation in the Student Government Association indefinitely.

Article VIII- AMENDMENTS

Section I

The Constitutional Review Committee may meet to review the Constitution and make recommendations to the Senate on possible revisions. The Constitutional Review Committee shall consist of the following members:

A) The President and one (1) appointee,

B) The Speaker of the Senate and one (1) appointee,

C) The Chief Justice and one (1) appointee, and

D) The Attorney General who shall serve as chairperson and vote only during a tie.

Section II

Two-thirds (2/3) vote in the Senate shall be sufficient to adopt amendments to this Constitution. Once amendments have been adopted, a referendum on the adopted amendments will occur at the next election requiring a simple majority of voters to pass.

Section III

Bylaws, while permitted to aid the administration of each branch, may neither contradict legislation passed by the Senate nor serve as official amendments to this Constitution.

Article IX- STUDENT TRUSTEE SELECTION PROCESS

Section I

Eligibility – The student must:

- A) Be a full-time undergraduate, graduate, or law student based on the number of credits each classification denotes as full-time. Students must remain full-time for the duration of their term,
- B) Must have a 3.00 minimum grade point average (GPA) or higher for undergraduate and graduate students. Law students must have a 2.00 minimum GPA,
- C) Undergraduates shall at least be a second-semester sophomore, but no more than a second-semester junior. Law students shall be at least in their second year. Graduate students shall have at least completed one semester within their degree program,
- D) Be in good academic and conduct standing,
- E) Cannot be the presidents of the Student Government Association, Graduate Student Association, or Student Bar Association, and
- F) Cannot be the SGA Vice President, Chief Justice, or Speaker of the Senate.

Section II

The Student Trustee Selection Committee (STSC) shall be comprised of:

- A) The Student Government Association president or designated appointee,
- B) The Graduate Student Association president or designated appointee,
- C) The Student Bar Association president or designated appointee,
- D) A full-time Lambuth student,
- E) An SGA Senator,
- F) A non-SGA student appointed by the SGA President, and
- G) The Vice President of Student Affairs or designated appointee.

The Vice President of Student Affairs or their designee serves as the chair of the committee and only votes in the event of a tie.

Section III

Application and Interview Process

- A) Eligible students will submit an application to the Student Government Association.
 - 1. Standard application form including biographical information,
 - 2. Honors/awards received,
 - 3. Involvement within the University and in the community,

4. Anticipated graduation date,
5. Grade point average,
6. Two (2) letters of recommendation (at least one must be from a professor or instructor), and
7. Statement of Interest in the position.

B) The STSC will review all of the candidates' applications and conduct interviews. After reviewing and interviews, the STSC will provide the University President with the names of at most three students.

C) The University President will then recommend their selection to the Board of Trustees for their vote of approval.

Section IV

Duties of the Student Trustee include the following:

- A) Attend all Board of Trustees meetings, including corresponding committee meetings to which may be appointed,
- B) Provide university updates/reports to the SGA Senate at regular senate meetings, and
- C) Other duties as assigned.

Section V

Vacancy

In the event that the selected student trustee cannot fulfill their role, the STSC shall reconvene among themselves to decide whom shall fill the vacancy.

Article X- THE TENNESSEE INTERCOLLEGIATE STATE LEGISLATURE

Section I

The Tennessee Intercollegiate State Legislature (TISL) is a forum for students to exchange ideas, express their opinions and learn how government works. TISL combines different components including the legislative process, lobbying, media, and the Appellate Moot Court Collegiate Challenge (AMC3). The University of Memphis sends a delegation each year, led by the Head Delegate, to represent the University. The Head Delegate reports to the Secretary of Government Relations.

Section II

The University of Memphis TISL Executive Board shall be comprised of:

- A) A Head Delegate,
- B) A Legislative Coordinator,
- C) A Recruitment and Media Coordinator, and
- D) An AMC3 Coordinator.

The duties of these departments shall be outlined within the TISL bylaws.

Section III

The TISL Delegation is to at least comprise of the following:

- A) One Senator who has previously attended TISL and participated in the legislature for one year,
- B) An apportioned number of Representatives as set by the TISL Executive Board,
- C) A media person,
- D) A lobbyist, and
- E) An AMC3 team comprising of a minimum of 3 and a maximum of 5 TISC (Tennessee Intercollegiate State Court) lawyers.

1. The duties of the delegation shall be outlined within the TISL bylaws.

The delegation may take as many delegates as the budget and application process allows.