

Fall 2013

**FAIRMONT STATE UNIVERSITY AND
PIERPONT COMMUNITY & TECHNICAL COLLEGE
STUDENT GOVERNMENT ASSOCIATION**

CONSTITUTION AND BY-LAWS

PREAMBLE

We, the students of Fairmont State University and Pierpont Community and Technical College, in order to secure a better school spirit, to ensure closer cooperation between the students and the faculty, and to advocate for students on all relevant issues, , establish this Constitution and By-Laws for the Student Government Association of Fairmont State University and Pierpont Community and Technical College.

ARTICLE I

The purpose of this organization shall be to regulate all matters pertaining to the student life of its members which do not fall under jurisdiction of the faculty and administration; to promote general activities and develop a true college spirit; to train its members in the principles and practices of democracy; to constitute a medium, physically and ideologically, for expressing the opinion of the students on matters of general interest as well as promoting those opinions on relevant matters and to strengthen the cordial relations existing between the faculty, staff, students, and alumni.

ARTICLE II

- Section 1. Student Government Association Executive Officers:** The executive officers of this organization shall be a President, Vice-President, Treasurer, and Secretary.
- Section 2. Term of Office:** Student Government Association Officers shall serve from April to April.
- Section 3. Qualifications of Student Government Association Executive Officers:** The Student Government Association Officers shall be:
- A.** At the time of their nomination the nominee must be carrying no less than 12 semester hours. If elected, the nominee must carry no less than 12 semester hours during their full term of office. No Student

Government Association Executive Officer shall be a candidate for Winter graduation during their term of office.

- B.** They must have a cumulative 2.0 GPA or above at the end of the semester immediately preceding the election, and must maintain a cumulative 2.0 GPA or above while in office.
- C.** A candidate must have completed no less than two full semesters, or one semester and one summer session of college work as a full-time student at Fairmont State University. A candidate cannot be a Freshman. All candidates to an executive office shall meet all Fairmont State University and Pierpont Community and Technical College requirements for sophomore class status.
- D.** No Student Government Association Officer shall be in student teaching, practicum or internship during the full term of office.
- E.** No Student Government Association Officer shall be a candidate for the Homecoming Court.
- F.** No student can be a candidate for executive office unless they attended 75% of regular meetings during the course of the school year, to be monitored by the secretary.

Section 4. Duties and Responsibilities of the Student Government Association Executive Officers:

A. President: 1) Shall preside over all regular meetings of the student body; 2) Shall preside over all Student Government Association meetings; 3) Shall have power to call special meetings; 4) Shall have power to appoint special committees; 5) Attend and represent Fairmont State and Pierpont at the Statewide Advisory Council; 6) Shall perform such other duties as usually belong to this office; 7) Shall sign a contract of these and other designated duties; 8) Shall maintain regular communication with all student organizations.

B. Vice-President:- 1) Shall assume the duties of the President when absent or by request; 2) Shall handle the elections of the Freshman Class; 3) Shall handle press relations for the Student Government Association in conjunction with the Director of Public Relations; 4) Shall assist the President in implementing policy; 5) Shall serve as an advisor to the

President on all matters; 6) Shall sign a contract of these and other designated duties;

C. Treasurer:- 1) Shall assume the duties of the President in case of the absence of the President and Vice-President; 2) Shall present to the Student Government Association bi monthly a statement of all expenditures during the semester; 3) Shall requisition the Business Office of the college for funds to be used for student activities; 4) Shall be a member of the Student Government Association Advisor's office; 5) Shall sign contract of these and other designated duties; 6) Shall maintain communication with all student organizations;. 7) Shall publish a list of those organizations registered with the Student Government Association for financing purposes.

D. Secretary: - 1) Shall assume the duties of the President, Vice-President, and Treasurer, in case of absence; 2) Shall keep minutes of Student Government Association meetings and shall read the same at the next regular meeting; 3) Shall keep all records in permanent form; 4) Shall post minutes of the Student Government Association meetings and shall read the same at the next regular meeting; 5) Shall sign a contract of these and other designated duties.

In addition to the duties hereby mentioned, it is the duty of all executive officers to participate as Orientation and Welcome Weekend Leaders.

ARTICLE III

Section 1. Parliamentarian: The President of the Student Government Association must appoint an individual as a member of the Student Government Association and the Organizational Advisory Council to advise the President on Parliamentary procedure. This individual shall become a voting member of Student Government Association and shall be assigned to committees. The Parliamentarian shall also serve as interpreter of the Student Government Association Constitution and shall issue final clarifications on matters of procedure.

Section 2. Multi-Cultural Representative: The President of Student Government Association must appoint an individual as a member of the Student

Government Association to act as a liaison between Multi- Cultural Affairs and Student Government Association. This individual shall become a voting member of Student Government Association and shall be assigned to committees.

Section 3. Residence Hall Representatives: There will be one representative voted/appointed from College Park and each Residence Hall to be voted/appointed upon during fall elections.

Section 4. Faction Representatives:

- A. Greek Life: There shall be no more than two representatives to SGA on behalf of the Greek Life Community; one from the fraternities, one from the sororities. The representatives must be considered active members within their organization.
- B. Honors: There shall be two representatives to SGA on behalf of the Honors Program; the representatives must be full members of Honors and must remain a member throughout their term.
- C. Commuter: there shall be one representative on behalf of the commuter population; this representative must not reside on campus at any time during their term.
- D. Veterans: There shall be one representative on behalf of the student veterans population; this representative must be a veteran of any United States military branch.
- E. Athletics: there shall be two representatives on behalf of the various sports teams associated with FSU, one from men's athletics, one from women's athletics. These representatives must be members of any NCAA sports team at FSU.
- F. Faction Representatives Qualifications: These representatives serve as the liason between their respective faction, and SGA. They are voted upon by their respective faction, serve from April to April, and have no required hour completion.

ARTICLE IV

Section 1. Class Senators: The senators shall serves as representatives of the Senior, Junior, Sophomore, and Freshman classes respectively, as well the graduate student population.

Section 2. Duties and Qualifications of Class Senators:

- A. These senators shall: 1) preside over any of their respective class meetings. 2) Serve on all assigned committees.
- B. Academic standing is not required of freshmen at time of elections but must be maintained while in office.

- C. These class senators shall be students who, at the time of their elections, are carrying not less than 12 semester hours and must have a cumulative 2.0 GPA or above, while in office. Academic standing is not required of freshmen. These senators must be present at meetings of the Student Government Association and must serve on all designated committees.
- D. A class senator must have the required number of hours for qualification as a member of that class.
- E. The class senators and the President of Student Government Association may call special class meetings.

ARTICLE V

Section 1. Representation to Student Government Association:

- A. The class senators shall serve as representatives to the Student Government Association from their respective classes. The remaining representation to the Student Government Association shall consist of eight Fairmont State University House of Representatives, four Pierpont Community and Technical College House of Representatives, the number of Fairmont State House of Representatives and Pierpont House of Representatives will change according to total enrollment numbers, two representatives to each of the following: Fairmont State Faculty Senate, Pierpont Community and Technical College Representatives, and one of each of the following: Director of Public Relations, and Fairmont State University Board of Governors, Pierpont Community and Technical College Board of Governors, Pierpont Community and Technical College Faculty Assembly and Statewide Advisory Council of Students Representative.
- B. These representatives shall be students who, at the time of their election, are carrying not less than 12 semester hours and must have a cumulative 2.0 GPA or above and must maintain a cumulative 2.0 GPA or above while in office.

Section 2. Student Representatives to the Faculty Senate:

- A. In order that students may participate in the work of the Faculty Senate two students may serve as Members at Large from the student body.
- B. The duties of the Student Representatives shall include reporting on developments on the Senate to SGA, presenting proposals on the

Senate Floor, as well as reporting to the President of the Senate and the Senate any developments from SGA.

- C. The Student Representative to the Faculty Senate must have completed 24 credit hours.

Section 3. Student Representatives to the Board of Governors:

- A. The duties of the Student Representatives to the Board of Governors shall include reporting on developments to SGA, presenting proposals to the BOG, as well as reporting to the Board and Board of Governors Chairman any new developments within SGA.
- B. The Student Representatives to the BOG must have completed 24 credit hours.

Article VI

Section 1. Duties and Responsibilities of Student Government Association:

The duties of the Student Government Association shall be to act as the executive for the student body and to supervise all activities of the different organizations and to bring these organizations into closer cooperation with the faculty, staff, alumni, and administration. It shall also function to recommend how the funds from student activity fees are to be allocated. Lastly, it shall actively listen to the needs and worries of their constituents, find solutions, and advocate for their implementation. All power not expressly given in this Constitution shall be vested in this Government.

- A. It shall be the duty of all Student Government Association members to attend the weekly meeting of Student Government Association, the required activities of Student Government Association and any special meetings or duties called by the President. In order to be excused from these meetings a written request must be submitted to the Secretary of Student Government no later than the next scheduled meeting. It shall be the responsibility of Student Government members to write a request one day in advance to be excused from a meeting for institutional absences. The Executive Committee shall determine the validity of the excuse by majority vote. Automatic expulsion shall be a result of three unexcused absences. Three unexcused tardies will result in one unexcused absence.
- A. The Student Government Association shall have the power to accept or reject any nomination or withdrawal when not provided for in the Constitution; it shall also have the power to arrange for any nomination or election of both when such is not provided for in the Constitution.
- B. It shall be the duty of all Student Government Association members to maintain an office hour each week, during their term of office.

Section 3. Student Representatives to the Faculty Senate:

- A. In order that students may participate in the work of the Faculty Senate, two students may serve as members-at-large from the student body.
- B. The duties of the student members-at-large shall include reporting on developments in the Senate to Student Government Association, presenting proposals on the Senate floor, as well as reporting to the President of the Senate and the Senate any developments in the Student Government Association.

ARTICLE VII

Election of Officers and Representatives for this Organization

Section 1. Election Committee:

Within the first three weeks of the spring semester, the President of Student Government Association shall appoint a committee of five graduating students to serve to as the “Election Committee”. The President of Student Government Association shall appoint one member of this committee to act as the chairperson. It shall be the duty of this committee to make all physical arrangements for conducting the nominations and the general election for the student body officers for the following term. If there are not five graduating students in Student Government Association, the President shall have the power to appoint any member that is not a candidate for office.

Section 2. Nominations:

- A. Nominations shall be made at a regular Student Government Association meeting of the student body held two weeks prior to elections of the spring semester. Such a meeting shall be publicized and advertised through all media at the disposal of the Election Committee. In addition, any student interested in running for any Student Government Association office may file for the particular office on designated days prior to the nominations with the advisor of Student Government Association located in the office of Student Affairs. No student may be nominated or file for more than one office.

- B.** The nominations shall be conducted under the supervision of the chairperson of the Election Committee. The advisor of Student Government Association shall supervise and record all students filing for office.
- C.** Any current full-time student of Fairmont State University and Pierpont Community and Technical College who meets the requirements set forth in this constitution shall be entitled to nomination. From the floor, any current Student Government Association member nominated for any of the positions in Student Government Association must have attended four regular Student Government Association meetings prior to the elections. If the candidate does not attend these meetings their nomination is declined, unless under the discretion of the Election committee.
- D.** The Election Committee shall investigate all nominees. Should any nominee be found to be lacking in any of the qualifications stated herein, their name will be stricken from the list of the official nominees and persons filing for office.
- E.** Withdrawals: Any candidate wishing to withdraw from candidacy for any of the Student Government Association position must do so in writing, or verbally at any Student Government Association meeting.
- F.** If a member is removed from office for any reason, they must wait one full year before being qualified to run for office again. Students that withdraw are qualified for running again only at the discretion of the Election Committee's vote.

Section 3:

General Election:

- A.** The general election shall be held at a two day designated time in the spring semester prior to the first Student Government Association meeting in April. All ballots shall contain all nominated or filed candidates in alphabetical order. All elections shall be conducted by secret ballot and electronic or paper ballot.
- B.** No write in votes shall be counted or accepted.
- C.** The Student Government Association shall provide the sealed ballot boxes and sufficient ballots for the election. All voting shall be done during the time period designated by the Student Government Association. The Election Committee shall supervise all voting procedures at the polling places. It is the responsibility of the Election Committee to supervise the polling place and to make sure ballots are placed in proper slots.

- D.** After the polls are opened, each student shall show identification by means of an ID card. The clerk shall check the voter's name from the class list and the clerk will hand a ballot to them. The voter shall then go to a designated area and mark the ballot, and insert the marked ballot in the sealed ballot box.
- E.** In the event of paper balloting, upon completion of the election, the election committee will go to a designated area to open the ballot boxes. The election committee will count the ballots with the use of the scantron counter.
- F.** In the event of electronic balloting, the Information Technology Department shall maintain the electronic ballot and shall submit the results to the Student Government Association Election Committee. The Election Committee shall supervise the voting locations.
- G.** The poll clerks, the Election Committee, and counting board should be comprised of Student Government Association members who are seniors and those who are not a candidate for election, The poll clerks are responsible for enforcing the rule: No campaigning within 15 feet of the polls.
- H.** The overall election must be supervised by both the Election Committee and the Student Government Association Advisor or some faculty or administrative representative designated by the University. The Election Committee shall verify the results and publicize them widely. The nominee receiving the highest number of votes shall be declared elected to the respective office.
- I.** After the results have been certified and posted, all marked ballots shall be packaged and delivered to the University vault and secured for 72 hours. All unmarked ballots shall be destroyed.
- J. Only in the event of a paper balloted election,** lists of names of students participating in student teaching, and students away from school serving in a representative capacity shall be obtained from the faculty director of such student groups. Students participating in such activity shall be entitled to cast their vote prior to general election. No other absentee voting shall be permitted unless under the discretion of the Election committee.
- K.** Should a candidate feel that the contest is close enough to warrant, a request for an audit of the voting may be made within 72 hours after the results have been announced. Such an audit shall be made by a counting committee comprised of persons agreeable to all candidates

for the office in question. This audit committee shall then work in complete privacy, under the supervision of a faculty or administration member acceptable to all parties. The report of this audit committee shall be accepted as final unless the audit indicates a change in the declared winner. In such case, another audit shall be mandatory, with a new auditing committee designated. The findings of the second audit committee shall be accepted as final.

- L. All students of Fairmont State University and Pierpont Community & Technical College shall be eligible to vote for all candidates running for office in Student Government Association as in clarification of specific ballots for individual class rank and institution.

Section 4. Class Senators:

- A. Class Senators of the Sophomore, Junior, and Senior classes shall be nominated on the same day as Student Government Association Executive Officers. Fairmont State University students from any class rank can hold a senatorial office. Pierpont Community and Technical College students can only hold a Freshman or Sophomore rank. All Freshmen and graduate student elections will be held in the fall. The election for class officers will be held on the same days as the election for the student body executive officers with the name of the class candidates appearing on separate ballots. The procedure for class senator election will be identical to that cited in Section 3 above, with the exception of the Freshman Class.
- B. Any position not filled in the Spring will be made available for occupation the following Fall. Any remaining vacant posts can be voted upon within Student Government Association through out the academic year.

Section 5. Campaign Expenditures

- A. All expenditures and donations for all candidates for Student Government Association election combined shall not exceed \$200.00, with the exception of the positions of President and Vice-President, who may spend up to \$500.00 as a ticket.
- B. Any material donated to a candidate shall be valued at fair market value. The said candidate shall provide an affidavit stating the amount and nature of the donation, signed by the donor, to the Student Government Association via the Student Government Association Advisor in his/her financial report.

- C. Fair market value is defined as the price paid by a bonafide purchaser of the material.

Section 6. Reporting Expenses

- A. Each candidate, regardless of success, shall file with the Student Government Association Advisor a detailed account of his/her campaign finances, said Expenditure Report is to include:
 - 1. Candidate's name, address, and phone number.
 - 2. A detailed report of campaign expenditures and donations listing each item or campaign expense incurred and the total amount of their campaign.
 - 3. Complete set of receipts and affidavits for donated items.
- B. Any candidate who fails to turn in a campaign financial statement by 12 Noon election eve shall have their name removed from the ballot and will no longer be considered as a candidate.
- C. It shall be the duty of the outgoing Student Government Association to meet with the newly inaugurated members of the Student Government Association within two weeks after the new Student Government Association takes office. The purpose of this meeting shall be for the outgoing members to familiarize the new Student Government Association members with their duties and general activities. At this time the minutes of the meetings of the outgoing Government shall be turned over to the new Government.

Section 7. Violation of Election Rules & Procedure

- A. Any candidate who has been accused of a violation of any other election procedure shall remain on the ballot during the election; immediately upon the completion of the election an in-depth investigation shall be made by the election committee. Student Government Association Advisor and the Vice-President of Student Affairs. This investigation shall begin by the accused candidate, the poll clerks, and administration serving at the time of the alleged violation meeting with Vice-President of Student Affairs. The investigation committee shall determine the validity of the accusation. If the candidate is found to be in infraction of the rules said candidate is disqualified.

Section 8. Appeal Process: The Election Rules and Procedures shall contain all other specific matters not included in the Student Government Association

Constitution and shall serve as reference for enforcement of proper procedure.

A. Election packets and procedures, excluding the change of dates, shall be continuous and in line with the Student Government Association Constitution and all changes made shall first be approved by the majority of the Student Government Association Election Committee members present.

ARTICLE VIII

Section 1. Student Government Association Executive Officers: Vacancies

A. President of the Student Government Association: In case of a vacancy in the office of the President of the Student Government Association, the Vice-President shall assume the full duties of that office upon being properly sworn in by the Vice-President of Student Affairs in the presence of the other members of the Student Government Association. The vacancy thus created in the office of the Vice-President shall be fulfilled by nominations from the floor at a Student Government Association meeting with the winning candidate receiving the approval of the majority of the members of Student Government Association.

B. Student Government Association Executive Officers other than the President: In case of vacancy in any of the Student Government Association offices shall be filled by nominations from the floor at a Student Government Association meeting with the winning candidate receiving the approval of the majority of the members of Student Government Association.

Section 2. Class Senators:

A. Any vacancy shall be filled by nominations from the floor at a Student Government Association meeting with the winning candidate receiving the approval of the majority of the members of Student Government Association.

Section 3. Student Government Association Representatives-at-Large and Faculty Senate:

A. In case of vacancy in the office of representative-at-large and faculty senate, positions shall be filled by nominations from the floor at a Student Government Association meeting with the winning candidate

receiving the approval of the majority of the members of Student Government Association.

ARTICLE IX

Section 1. Inauguration of Officers: The inauguration of all officers will take place prior to the Student Government Association Banquet after the elections. The retiring officers shall constitute a committee for properly carrying out the inaugural ceremony.

Section 2. Oath of Office: “I (name of officer), do solemnly swear (or affirm) to support the Constitution of the United States, of West Virginia, and of Fairmont State University and Pierpont Community and Technical College. I furthermore agree to discharge faithfully the duties and obligations of my office to the best of my skill, judgment, and ability.

ARTICLE X

The Organizational Advisory Council

Section 1. Purpose: The purpose of this Organizational Advisory Council shall be to advise and assist the students on any matters arising within the general student body not expressly dealt with in this Constitution, and to promote a better understanding of the Student Government Association.

Section 2. Composition:

- A.** The Organizational Advisory Council shall consist of all recognized organizations of Fairmont State University and Pierpont Community and Technical College.
- B.** There shall be one student representative elected from each of the recognized organizations.
- C.** The elected Advisory Council representative will lead the Advisory Council meetings to Student Government Association.

Section 3. Officers: The officers of this council shall be the Advisory Council members elected during Student Government Association elections. Those officers will include the Advisory Council Representative and the Executive Officers of Student Government Association.

Section 4. Term of Office: The term of office of this council and its officers shall be from Spring to Spring excluding the summer sessions.

Section 5. Qualifications: Qualifications of officers and representatives to this council shall be the same as the qualifications of the Student Government Association officers and representatives (page 1), with the exclusion of Section 3 Part E and F.

Section 6. Duties and Responsibilities of Advisory Council Officers:

A. Chairperson: 1) Shall preside over all regular meetings of this council; 2) Shall have the power to call special meetings of this council; 3) Shall have the power to appoint special committees; 4) Shall be the representative of the Advisory Council to the Student Government Association as a voting member; 5) Shall present the minutes of the Advisory Council meetings to Student Government Association as a report of that council; 6) Shall have voting power in Student Government Association.

Section 7. Duties and Responsibilities of Advisory Council:

A. 1) To listen, to discuss, and to make suggestions concerning any matter presented to them by a student or group of students affecting the student body and to bring those matters of importance to the attention of Student Government Association; 2) To aid the Student Government Association in informing and orientating the students in any and all matters concerning the Student Government Association and the student body; 3) To aid the Student Government Association in any activity or function of the pertaining to the student body as deemed necessary by the Student Government Association; 4) Shall be responsible for securing the advice and opinion of the student body by means including, but not limited to, an annual statistically valid survey.

Section 8. The Election of the Advisory Council:

A. Each recognized organization shall select or appoint one person to represent that organization on the Advisory Council and shall register that person with the Student Government Association Secretary during the first week of October preceding the first meeting of the Advisory Council in October.

B. Election of Advisory Council officers shall take place at the second meeting each September.

Section 9. Meetings of Advisory Council:

A. Meetings shall be held at least one month at a time to be decided upon by a majority of the Advisory Council at the first meeting of the body in each semester.

B. Special meetings may be called by the chairperson of this council and the President of Student Government Association.

C. Any interested student, administrator or faculty member may attend meetings, but cannot vote or make a motion.

ARTICLE XI

- Section 1. Student Government Association:**
- A. Meetings shall be held at least once each week during the free time set aside by the Registrar of Fairmont State University and Pierpont Community and Technical College, unless otherwise directed.
 - B. Special meetings may be called at any time by the Student Government, or upon petition for a proposed meeting signed by not less than one-fourth of the total enrollment of the students at Fairmont State University and Pierpont Community and Technical College, respectively.
- Section 2. Class Meetings:** All class meetings shall be announced through sufficient public notice by prominent display of notices on bulletin boards in all main buildings on the campus at least three days in advance of the meetings.

ARTICLE XII

- Section 1. Recognition of Organizations:** Qualifications for four year related social and honorary organizations.
- A. Membership of a social, religious, or professional organization petitioning for recognition by the Student Government Association must total ten or more.
 - B. Two thirds of the members must not be ranked as freshmen.
 - C. Each member of the organization at the same time of petitioning must have no less than a 2.0 GPA.
 - D. The aims and purposes of the organization shall not involve any activities in conflict with the duly enacted laws of the City of Fairmont and the State of West Virginia and the rules and regulations governing Fairmont State University and Pierpont Community & Technical College.
 - E. To remain an active organization on campus, they must: 1) Turn in an organizational registration forms each spring by deadline. 2) Attend all Advisory Council Meetings by sending a representative from the organization. Organizations that do not meet these requirements will no longer be recognized as an organization on campus.
- Section 2. Procedures for Recognition of a New Organization:**
- A. A representative of the organization shall appear before the Student Government Association and present a written petition and constitution for recognition setting forth the aims and purposes of the organization, and the names of members, officers, and faculty advisor.

- B. The petition for recognition shall then be tabled until the Student Government Association can verify the qualification set forth in Section 1.
- C. A second reading of the petition shall be held at the next available meeting of the Student Government Association.
- D. The Student Government Association shall recognize the organization if it has satisfied the qualifications set forth in Section 1 of this Article.

ARTICLE XIII

- Section 1. Student Government Association Financial System:** The Student Government Association will be entitled to a portion of the student activity fee to use as operating funds. The President and the Executive Officers of Student Government Association will make a recommendation to the Assistant to the President of Fairmont State University and Pierpont Community and Technical College concerning the amount of such activity fee. Shortly before financial decisions are enacted, Student Government Association shall approve or vote requests by student organizations for co-sponsorship funding appropriations. The President will be free to consult with other officers, the Student Government Association, as a body, other organizations, or any other advisor when formulating recommendations.
- Section 2.** Requirements of the West Virginia Department of Finance and Administration will be met when making any purchases or expenditures. All Student Government Association records are to be filed with the Advisor of Student Government Association.
- Section 3.** It shall be the duty of the President and the Treasurer of the Student Government Association to keep abreast of funds expended and balances remaining by consulting with personnel in the Business Office who keep the appropriate records. It shall be the responsibility of the Student Government Association President and the Treasurer to see that any accounts kept internally by the organization are reconciled with those in the Business Office.
- Section 4.** The Treasurer of the Student Government Association shall require reports from all organizations expending Student Government Association funds. Upon receipt of such reports, the Treasurer shall make them known to the entire body of Student Government Association. It shall be the duty of the Treasurer to maintain and update all reports.

ARTICLE XIV

Amendments to the Constitution

Section 1. Any amendments to this Constitution shall be presented to the Student Government Association through the Secretary of the Student Government Association at the next regular meeting. When the Secretary presents such a proposed amendment, it will be read before the session and then ask for the issue to be tabled until the next regular meeting of the Student Government Association. At the next regular meeting of the Government, the proposed amendments shall be read for a second time and voted on. If after due consideration by the members of the Government present, a two-thirds majority of them approve of said amendments proposed, the Secretary of the Student Government Association shall read and cause a typewritten or printed copy of this proposed amendment to be posted on the bulletin boards in all main buildings and kept there until the next regular meeting of the Student Government Association shall make widely available the text of the proposed amendments of the student body.

Section 2. **Final Vote:** At a special regular student body election (A special election for the consideration of amendments may be called if a simple majority of the Student Government Association chooses to do so) after the proposed amendment has been posted one week, and published in the school paper one time, the student body shall vote on the proposed amendments. If two thirds of those students voting vote in favor of adopting the amendment, it shall become effective as a part of this Constitution immediately, unless there is a provision in the amendment setting the date at which it is to become effective. If less than two thirds of those voting vote for the proposed amendment, the amendment shall not become effective.

ARTICLE XV

Student Programming Committee

Section 1. **Purpose:** The purpose of this Student Programming Committee shall be to plan and implement activities for the student body for the academic year.

Section 2. **Composition:** Members shall be the executive officers of Student Government Association.

Section 3. **Chairperson of the Programming Committee:**

A. Elections: The members shall elect within their committee a chairperson for each event.

B. Duties and Responsibilities of Committee Chairperson:

1. Preside over all meetings of the committee.

2. Shall have power to call meetings of this committee.
3. Shall present the minutes and recommendations of the Programming Committee to the Student Government Association for approval.

C. Duties and Responsibilities of the Programming Committee:

1. Must have a regular weekly meeting.
2. Sponsorship of a campus organization activity is to be made obvious by affixing the following to all publicity materials:
 FULL SPONSORSHIP: (Fairmont State) Student Government Association Presents “CO- SPONSORSHIP: (FAIRMONT STATE) Student Government Association and _____ Present.” This logo shall appear on all publicity materials.
3. The chairperson and volunteers must be present at all scheduled activities and remain for the duration of the activities. In case of an absence, he/she must find a replacement by using the Student Government Association Directory, and then notify the chairperson of the absence and replacement. If a replacement cannot be found, sufficient notice is required to the chairperson. For the replacement, both parties must supply written documentation of absence and willingness to replace the absentee. A committee absence will follow traditional Student Government Association absentee policies.

ARTICLE XVI

Grievance Policy

Section 1. If any Student Government Association member lodges a grievance, the following informal grievance procedure shall be provided.

- A.** The aggrieved and the Executive Officers shall meet and attempt to resolve the matter.
- B.** If satisfaction is not met, the party against which the grievance is filed and the Student Government Association shall meet and attempt to resolve the matter. The Student Government Association Advisor may also participate if requested.
- C.** If any Executive Officer or member of this body is found to be in direct violation of any provision set forth by this constitution, by due process, this shall be reason for the dismissal of said officer or member.
- D.** If this order of grievance is exhausted and satisfaction is not met the aggrieved may request for a meeting with the Vice- President for

Student Affairs to present in-writing said grievance.

ARTICLE XVII

Insubordination

- Section 1.** **A.** After all grievance procedure have been exhausted and no satisfactory end has been produced, a vote will be called for the possible expulsion of the accused, and if a simple majority vote in favor, said member shall be expelled from Student Government Association.
B. Any vacancy due to recall shall be filled in the same manner as those cited in Article VI.
- Section 2.** **A.** After submission of a petition by a reasonable number of Fairmont State University and Pierpont Community & Technical College students listing grievances against a Student Government Association member, the Student Government Association body will consider these grievances and vote to possibly expel the accused member from SGA. If a majority vote is in the affirmative, a recall vote will be placed before the entire student body at the earliest reasonable date. If a majority votes for removal, said student shall be removed from office.

ARTICLE XVIII

Effectiveness

- Section 1.** **Date:** This Constitution shall become effective immediately.
- Section 2.** **Supremacy:** All policies of Student Government Association shall be subordinate in accordance with this constitution.

BY-LAWS

I. Quorum-Student Council Meeting

Voting in the Student Government Association shall be by means of majority vote unless there is provision in the Constitution to the contrary on the question at issue. A simple majority of the Student Government Association shall constitute a quorum. If a quorum is believed to be absent, the present members shall not call a vote.

II. Parliamentary Procedure

Procedures at the meetings shall be in accordance with Robert's Rules of Order.

III. Substitutes

No substitutes for Student Government Association representatives will be permitted at meetings of the Student Government Association.

IV. Amendments of By-Laws

The By-Laws of the Student Government Association shall be amended by two-thirds (2/3) vote of the entire Student Government Association.

V. Vacant Positions During Term

In-house elections shall be done for any position in Student Government Association that is vacant during the year's term with the exception of the terms stated in Article VII. Any eligible candidate may be nominated and run for any vacant positions.

Revisions as a result of election, May 5 and 6, 1993.

Revisions as a result of election, May 5 and 6, 1994

Revised Article 2 section 1 and 3 stating Student Government Executive Officers instead of Student Government Officers.

Revised Article 2 section 3 letter D. All students must attend at least four regular meetings to qualify to run for executive office.

Revisions as a result of election, March 20, 2008.

Revised Strike the word "College" from all Student Government Constitution and By-Laws documents

Revised Article II. Section 3-A. Strike the words "and must have no less than 23 hours to complete before graduation."

Revised Article II. Section 3-C. Strike the words "and have received credit for no less than 24 semester hours credit the twelve- month period prior to the date of nomination." And ADD – Cannot be a Freshman. All candidates to an executive office shall meet all Fairmont State requirements for sophomore class status.

Revised Article II. Section- D. Strike the words "and will not carry more than 17 credit hours while in office."

Revised Article IV. Section 1-B. Change the number of Faculty Senators from three to two." Add "These representatives, at the time of their election, cannot be Freshman" as the last sentence in this section.

Revised -Article IV. Section 1-B. Last Sentence becomes Article IV. Section 1-C. Strike the words “In Addition” and add “Voted/Appointed

Revised Article IV. Section 1-C. Section 1-C becomes Section 1-D.

Revised Article IV. Section 1. Add Section 1-E. “House of Representatives must have completed 24 hours.”

Revised Article IV. Section 1. Add Section 1-F. “There will also be two Community & Technical College Representatives, two Community & Technical College Faculty Assembly members, along with one Community & Technical College Board of Governors member voted upon during the fall elections. These members must have a 2.0 GPA and be full time registered students in the Community & Technical College at the time of their election. ”

Revised Article V. Section 2. Add Section 2-F. “If a member is removed from office for any reason, attendance or other, they must sit out for one full year before being qualified to run for office again. Students that withdraw are qualified for running again only at the digression of the executive officers’ vote.”

Revised Article X. Section 1. Add Section 1-F. “To remain an active, recognized organization on campus, organizations must: 1) Turn in an organizational registration form each spring by deadline. 2) Attend ALL Advisory Council Meetings by sending a representative from organization. Organizations failing to meet these requirements will no longer be recognized as an organization on campus.”

VI. Constitutional Amendments Fall 2011

In Article I, after “between the faculty, “remove “and the students,” and insert “staff, students, and alumni”.

In Article II, Section 3, Subsection A, insert the word “Winter” before the word “graduation”.

In Article II, Section 3, Subsection B, and anywhere thereafter, substitute the words “2.0 GPA” for the grade letter “C”.

In Article II, Section 4, Subsection A, under the duties of the President shall be added “8) Shall participate as a Freshman Counselor,” and “9) Shall maintain regular communication with all student organizations.”

In Article II, Section 4, Subsection B, C, and D, the added duty will be given to the Vice President of “7) Shall participate as a Freshman Counselor”.

In Article II, Section 6 and Section 7 shall now be made into Article III as “Appointed Positions” and numbered as such. All following numbering of articles shall account for the revision.

In Article II, Section 6, under the duties of the Parliamentarian shall have inserted after the last sentence the phrase “The Parliamentarian shall also serve as interpreter of the Student Government Constitution and shall issue final clarifications on matters of procedure.” This will now be in Article III, Section 2.

In Article III, there will be a new Section 3. Section 3 will state that the position, “Residence Hall Representatives”. There will be one representative voted/appointed from College Park and each Residence Hall to be voted upon during fall elections along with the Freshman Senator Elections and Community College election of the following positions: Pierpont Community and Technical College Representative. These Pierpont Community and Technical College representatives, at the time of their election, cannot be Freshmen.

In the Old Constitution, Article III, Article III will now be Article IV in the New Constitution. In Article IV, Section II, the new Subsection E will state, “Special class meetings may be called by the class senators and the President of Student Government.”

In the Old Constitution, Article IV, Article IV will now be Article V. In Article IV, Section 1, strike the text of subsections A, B, and C and all following subsections will move up as replacements. Article 5, Section 1 will read, “Section 1. Representation to Student Government: The class senators shall serve as representatives to the Student Government from their respective classes. The remaining representation to the Student Government shall consist of eight Fairmont State University House of Representatives, four Pierpont Community and Technical College House of Representatives, the number of Fairmont State House of Representatives and Pierpont House of Representatives will change according to total enrollment numbers, two representatives to each of the following: Faculty Senate, Pierpont Community and Technical College Representatives, Faculty Assembly, and one of each of the following: Director of Public Relations, Advisory Council, Board of Advisors, and Fairmont State University Board of Governors, Pierpont Community and Technical

College Board of Governors, Pierpont Community and Technical College Faculty Assembly.

These representatives shall be students who, at the time of their election, are carrying not less than 12 semester hours and must have a cumulative 2.0 GPA or above and must maintain a cumulative 2.0 GPA or above while in office.

House of Representatives must have completed 24 hours.

In Article V, Section 2, Subsection A, insert “staff, alumni,” before “and administration”.

In Article V, Section 2, Subsection B strike out “more than two schools days following the meeting missed” and substitute “later than the next scheduled meeting”.

In the Old Constitution Article IV, Section 2, Subsection C, please strike out.

In Article V, Section 2, Subsection D, it will be read, “It shall be the duty of the Student Government members to maintain an office hour each week, during their term of office.”

In Article V, Section 4 will be added and will be titled, “Faculty Assembly for Pierpont Community and Technical College”.

In Article VI, Section 1, substitute “five graduating students to serve” in place of “seniors to”. Substitute “graduating students” for “seniors” in this section. Capitalize “Student Government” and “President”.

In Article VI, Section 2, Subsection A, insert “regular Student Government” before “meeting”. Also, insert “of” after “advisor”.

In Article V, Section 2, Subsection C strike out “college” and insert “Fairmont State University or Pierpont Community and Technical College” and begin the second sentence with “From the floor,” Strike out “for any of the Student Government Offices”, “that a nominee to”, and “elections which will be mandatory!”. Substitute “nominated for any of the positions in Student Government” for the first deletion, and “the elections” for the third.

In Article V, Section 2, Subsection E, substitute “Student Government positions” for “student body offices”.

In Article V, Section 2, Subsection F, strike “executive officers” and substitute “Election Committees”.

In Article V, Section 3, Subsection A add at the end “; and electronic or paper ballot.”

In Article V, Section 3, Subsection E, it should be stated as “in the event of paper balloting, upon completion of the election, the election committee will go to a designated area to open the ballot boxes. The election committee will count the ballots with the use of the scantron counter.”

Between Article V, Section 3, Subsections E and F, insert a new subsection and have all following subsections lettered accordingly. This section shall read, “In the event of electronic balloting, the Information Technology Department shall maintain the electronic ballot and shall submit the results to the Student Government Election Committee. The Election Committee shall supervise the voting locations.

In Article V, Section 3, Subsection H, after “upon the election board” add the phrase “and place them outside the Student Government office”.

In the new Article V, Section 3, Subsection J, it shall read, “Only in the event of a paper balloted election, Lists of names of students doing student teaching, and students away from school serving in a representative capacity shall be obtained from the faculty director of such student groups. Students doing such activity shall be entitled to cast their vote prior to general election. No other absentee voting shall be permitted. Unless under the discretion of the Election committee.”

In the new Article V, Section 3, Subsection L, it shall read, “All students of Fairmont State University and Pierpont Community & Technical College shall be eligible to vote for all candidates running for office in Student Government.

In Article V, Section 4, Subsection A, after the first sentence insert the line “Fairmont State University students from any class rank can hold a senatorial office. Pierpont Community and Technical College students can only hold a Freshman or Sophomore rank. All Freshmen Elections will be held in the fall.”

In Article VI, Section 4, Subsection A, strike out “elevation” and substitute “election”.

In Article VI, Section 4, Subsection B, after the first sentence, insert the phrase, “Freshman Senators, upon election into Student Government, must attend the Freshmen Senators meeting with the Vice President.”

In Article VI, Section 4, insert two more subsections. The first reading, “All Pierpont Community and Technical College Student Government positions will be elected in the fall, except for the occasions of when a Pierpont Technical and Community College student runs for an executive office.” The second shall read, “Any position not filled in the spring will be made available for occupation the following fall.”

In Article VI, Section 5, Section 5 will be struck from the Constitution and all following numberings will change accordingly.

In Article VI, Section 8 will be added and it shall state, “The Election Rules and Procedures shall contain all other specific matters not included in the Student Government Constitution and shall serve as reference for enforcement of proper procedure.”

In Article VIX, Section 2, Subsection A, “all recognized campus organizations (organizations registered with the office of Student Activities.)” shall be altered to “all recognized organizations of Fairmont State University and Pierpont Community and Technical College.”

In Article VIX, Section 3, strike the wording and substitute, “The officers of this council shall be the Advisory Council members elected during Student Government elections.”

In Article VIX, Section 4, substitute, “Spring” for “September”.

In Article VIX, Section 6, remove all information about the Co-Chairperson and the Secretary’s responsibilities.

In the new Article X, Section 1, Subsection A, remove all text after the comma and substitute “during the free time set aside by the Registrar of the University and College, unless otherwise directed.”

In the new Article XI, Section 1, Subsection B, it will now state that 2/3 of the members must not be freshmen.

In the old Article X, Section 1, strike out Subsection C and re-letter accordingly.

In Article XI, Section 2 Subsection A, add “and constitution” after “a written petition”.

In Article XI, Section 2, Subsection C, add “available” before the word “meeting”.

In Article XI, strike Section 3 and renumber accordingly. Section 3 has been stated in Article XI, Section 1.

In Article XII, Section 1, remove “will be entitled to” and replace with “must receive”.

In Article XII, Section 1, remove “committee” and substitute with “Officers of Student Government”.

In Article XII, Section 1, Remove the rest of the sentence following “activity fee” and the following sentence; place in the sentence “Shortly before financial decisions are enacted, Student Government shall approve or vote requests by student organizations for funding appropriations.”

In Article XII, Section 2, add to the end “Financial records shall be kept in an appropriate manner.”

In Article XII, Section 4, it shall now be read as, “The Treasurer of the Student Government shall require reports from all organizations expending funds. Upon receipt of such reports, the Treasurer shall make them known to the entire body of Student Government. It shall be the duty of the Treasurer to maintain and update all reports.”

In Article XIII, Section 1, after “regular meeting” remove “of said Government”. Also remove “the President will cause”, “to, and “according to the decision of the Government members present”. Replace “to” with “shall”. Make amendment” plural. Before “majority” add “two-thirds”. Strike “proposed” and end the sentence. Replace “President” with “Secretary”. After “shall” remove the rest of the text and substitute “make widely available the text of the proposed amendments to the student body.” Article XIII, Section 1 should read, “Any amendments to this Constitution shall be presented to the Student Government through the Secretary of the Student Government at the next regular meeting. When such a proposed

amendment is presented by the Secretary, it will be read before the session and then ask for the issue to be tabled until the next regular meeting of the Student Government. At the next regular meeting of the Government, the proposed amendments shall be read for a second time and voted on. If after due consideration by the members of the Government present, a two-thirds majority of them approve of said amendments proposed, the Secretary of the Student Government shall read and cause a typewritten or printed copy of this proposed amendment to be posted on the bulletin boards in all main buildings and kept there until the next regular meeting of the Student Government shall make widely available the text of the proposed amendments of the student body.

In Article XIV, replace the title “Board of Regents” with “Advisory Council of Student Representatives”.

In Article XIC, remove “elect” and substitute “appoint” and “West Virginia Board of Regents Student Advisory Council” with “Statewide Advisory Council of Student Representative”. Remove “elected” and substitute “appointed by the President”. Also, remove “a resident” and replace with “an inhabitant”.

In Article XV, Section 2, remove the text of Subsection A and replace with “Members shall be the Executive Officers of Student Government.”

In the old Article XV, strike Section 3 and renumber appropriately. The old Section 3 states the qualifications of the Executive Officers.

In Article XV, Section 4, Subsection C, Sub-Subsection 3, remove the text and it shall be read the following, “The chairperson and volunteers must be present at all scheduled activities and remain for the duration of the activities. In case of an absence, he/she must find a replacement by using the Student Government Directory, and then notify the chairperson of the absence and replacement. If a replacement cannot be found, sufficient notice is required to the chairperson. For the replacement, both parties must supply written documentation of absence and willingness to replace the absentee. A committee absence will follow traditional Student Government absentee policies.”

In Article V, Section 2, Subsection B, the Executive Committee shall determine the validity of the excuse by majority vote by ballot of the members present at a regular constituted meeting. Automatic expulsion shall be a result of three unexcused absences. Three unexcused tardies will result in one unexcused absence.

In Article XVI, make “Grievance Policy” the header.

In Article XVI, Section 1, Subsection A, replace “Committee” with “Officers”.

In Article XVI, Section 1, Subsection B, make “isn’t” “is not”. Strike “the aggrieved”.

In Article XVI, make Section 2 a Subsection D of Section 1. It shall be read the following, “If this order of grievance is exhausted and satisfaction is not met the aggrieved may request for a meeting with the Vice-President for Student Affairs to present in-writing said grievance.

In Article XVII, remove text of Section A and substitute “After all grievance procedure have been exhausted and no satisfactory end has been produced, a vote will be called for the possible expulsion of the accused, and if a simple majority vote in favor, said member shall be expelled.”

In Article XVIII, remove the date and all text after “taking”. Substitute the word “immediately”. If said proposed amendments are passed into law, these amendments will take immediate action.

In Article XVIII, Section 2, remove “of” and substitute “and in accordance with”.

In the By-Laws, Article I, add to the end of the text the lines “If a quorum of Student Government members is found to be lacking, the body shall bring them to the floor.”