The Constitution of the Pennsylvania State University Berks Campus Student Government Association

2018-2019

Preamble
The purpose of the Student Government Association, hereafter referred to as SGA, is to unite students in order to communicate the needs and concerns of the student body to the faculty, administration, and staff for the purpose of enriching the quality of student life at the Pennsylvania State University Berks Campus, hereafter referred to as PSU Berks. Furthermore, the PSU Berks SGA shall purpose itself to at no time discriminate against any person as in agreement with University policy and shall set about accomplishing its purpose in accordance with a commitment to diversity and unity.

Article I: Membership
I. Shall include and be divided into General Assembly and General Election membership.
   A. General Assembly
      i. Shall only include persons defined under Article II: General Assembly.
   B. General Election
      i. Shall include all currently registered students of PSU Berks.

Article II: General Assembly
I. Membership shall be divided into voting and non-voting members.
   A. Voting Members
      i. Organization Senators
         a. Approved student organizations may seat one (1) voting member within the Assembly.
         b. Shall be selected by each organization by week two of the Fall Semester.
         c. Shall represent the organizations interest to the Assembly.
         d. Organizations must be approved and recognized by the Office of Student Affairs.
         e. Each Senator must be knowledgeable of the organization and its constitution.
         f. Representatives will not be restricted by the number of terms they can serve.
         g. Shall be required to serve on a committee of the SGA.
         h. Representatives may be absent at a maximum of two (2) meetings per semester.
         i. May be temporarily replaced with a proxy senator as outlined in Article II: Section III.
         j. Voting members are to arrive at meetings on time and if a member is 10 minutes late or more they will be marked as absent
      ii. Representative Senators
         a. Shall be knowledgably of campus issues and events.
         b. Will represent the interest of the student body.
         c. Shall be required to serve on a committee of the SGA.
d. Representative may be absent at a maximum of two (2) meetings per semester.

e. The student seeking representative senator status shall abide by the following procedures:
   1. Shall submit a written or verbal request to become a senator to the Assembly.
   2. The Assembly may question the student.
   3. Voting will be tabled one (1) week.
   4. Simply majority vote (50%+1) shall be required to approve the representative request.
   5. The President shall have the power to veto an approval from the Assembly.
   6. Vetoes may be overturned by a two-thirds (2/3) majority vote of the Assembly.

iii. Affiliate Student Organization Senators

   a. Shall be selected by each affiliate student organization by the second week of each semester.
   b. Any senator from a student organization without previous representation must be approved by the Assembly with a simple majority (50%+1) vote.
   c. Approved student organizations may seat one (1) voting member within the Assembly.
   d. Each senator must be knowledgeable of the organization and its constitution.
   e. Shall represent the organizations interest to the Assembly.
   f. Affiliate Student organizations shall not be required to meet specifications of clubs that are funded by the SGA Budget Committee and Financial Manager.
   g. Student organizations may not submit a budget, or request for funding, to the SGA Budget Committee or the Financial Manager.
   h. If the Senator is to be absent from a scheduled meeting of the SGA, that organization shall send a proxy to take the place of the absent senator.
   i. Student organizations shall be allowed two (2) unexcused absences from the meetings of the Assembly.
   j. Any affiliate student organization that incurs more than two (2) unexcused absences shall lose their voting rights and not be recognized.
   k. The student organization must be re-approved by the Assembly by first submitting a formal letter to the assembly stating why the organization became inactive and future plans to ensure active status; a simple majority (50% + 1) vote by the Assembly is needed to regain voting rights.
   l. If the student organization becomes inactive a second time in one year (30 weeks), the organization is automatically inactive for a minimum of one full semester (15 weeks).
m. Once one full semester (15 weeks) of inactive status has expired, the organization must petition the Assembly and be re-approved by a two-thirds (2/3) majority vote.

B. Non-Voting
   i. SGA Executive Board and Staff
      a. The SGA Executive Board and Staff are to be considered non-voting members of the Assembly.
   ii. Gallery
      a. The audience of the Assembly shall be allowed to speak once all voting members are given an opportunity to speak.
      b. Members of the gallery are considered non-voting members.

II. Bill of Rights
   A. The following is powers of voting members:
      i. Shall have one (1) vote when a vote is called for.
      ii. May sponsor legislation, resolutions, or amendments to be voted on by the Assembly.
      iii. May request information from the SGA Executive Board when deemed necessary.

III. Proxy Senators
   A. Any person temporarily fulfilling the duties of an organizational or student organization senator shall be known as a proxy senator
      i. A proxy senator must be a listed proxy on record before the start of the meeting.
      ii. The President must approve of the proxy senators status in order for the proxy senator to have voting rights within the Assembly.
      iii. The Assembly may, with a two-thirds (2/3) vote, object to approval of a proxy senator.
      iv. In the event that a proxy senator is taking part in a committee meeting, he/she must inform the committee Chair of his/her proxy status.

Article III: Meetings of the Assembly
I. The General Assembly
   A. Procedures of the General Assembly meetings
      i. Shall start the second week of the fall semester.
      ii. Shall be the responsibility of the President and General Assembly to schedule meetings on a weekly or bi-weekly basis.
      iii. Committee breakouts shall be held during Assembly meetings at least once a month as deemed necessary by committee chairs/executive board.
      iv. One-half (1/2) of the total number of members of the Assembly shall constitute the quorum necessary to conduct business.
      v. Only the following may vote in the Assembly meeting:
         1. Members of the General Assembly
         2. University Faculty Senate Representative

II. Committees of the Assembly
A. Standing Committees
   i. The President may appoint or disband standing committees when deemed necessary.
      1. The Assembly may veto any committee actions taken by the President with a two-thirds (2/3) majority vote.
   ii. The standing committees of the Assembly include:
      1. Academic Affairs Committee
      2. Budget Committee
      3. Elections Committee
      4. Governmental Affairs Committee
      5. Community Service Committee
      6. Student Life Committee
      7. Public Relations Committee
      8. Environmental Affairs
      9. Information Technology
      10. Student Affairs

B. Ad-Hoc Committees
   i. Shall be organized to address special issues as deemed necessary by the President or Assembly.
   ii. Shall be assigned tasks by the President or the Assembly.
   iii. The committee will give regular reports of progress to the President and Assembly through the assigned chairperson.
   iv. Shall be dissolved after the completion of their assigned task.

Article IV: SGA Executive Board and Staff Members
I. SGA Executive Board
   A. The President
      i. Shall conduct, in conjunction with the Vice-President and Chief of Staff, all SGA staff meetings.
      ii. Shall prepare, in conjunction with the Vice-President, the agenda for the Assembly meetings.
      iii. Shall maintain, in conjunction with the rest of SGA staff, an office at PSU Berks.
      iv. Shall Co-Chair the Student Activity Fee Committee
      v. Shall attend meetings of the Council of Commonwealth Student Governments.
      vi. Shall appoint, in conjunction with Vice-President, all staff members of the SGA.
      vii. Shall approve or veto all legislation and amendments passed by the Assembly.
      viii. Shall act as chair or shall appoint another chair to preside over meetings of the Assembly.
      ix. Shall conduct an SGA state of the college address outlining the changes and progress that the SGA has made over the past year.
      x. Shall be an ex officio member of all committees either standing or Ad Hoc established by, or on behalf of the SGA.
1. The only exception is that the president shall not be an ex officio member of the Elections Committee.

xi. Shall have the power to appoint additional Staff members as he/she deems necessary.

B. The Vice-President

i. Shall aid the President in fulfilling his/her duties

ii. In the absence of the President or the inability of the President to perform his/her duties, the Vice-President shall assume the responsibilities of the President

iii. Shall appoint, in conjunction with President, all staff members of the SGA

iv. Shall Chair or serve on committees as the President may direct

v. Shall act as Chair of the Judicial Oversight Board as a non-voting member for any meetings of the board.

vi. Shall Co-Chair the Student Facility Fee Committee

vii. Shall attend CCSG regularly and report back to the SGA the progress of the Commonwealth

C. Chief of Staff

i. Shall serve as a communication liaison between the Executive Board and Staff.

ii. Shall coordinate travel logistics for CCSG weekends.

iii. Will serve as the information contact for staff members regarding campus or university information.

iv. With approval of the President and Vice President, draft and regulate staff contracts

v. Shall address individual concerns of the staff members and inform the Executive Committee of any ensuing situations.

vi. Can be assigned additional duties by the President and Vice-President.

vii. Shall be appointed by the President and Vice-President and serve as a member of the SGA executive board

viii. In the case of vacancy the Chief of Staff shall assume the role of the Vice-Presidency.

D. Secretary

i. Shall be responsible for keeping records of the General Assembly and all staff meetings, such as minutes and attendance, and distributing such records to the General Assembly.

ii. Shall be charged with the responsibility of collecting club reports when deemed necessary.

iii. Shall be appointed by the President or Vice-President and serve as a member of the executive board.

iv. Can be assigned additional duties by the President and Vice-President.

E. Financial Manager

i. Shall be responsible for keeping accurate financial records of all SGA monies.

ii. Shall be responsible, in conjunction with the Budget Committee, for reviewing budget requests made by organizations to SGA and properly
allocating monies to those organizations in accordance with the Budget
Committee Constitution and Requestor Handbook.

iii. Shall work in conjunction with, and report to, the President and Vice-
President. The Financial Manager shall also work in conjunction with the
Budget Committee, and the SGA Advisor’s financial designee.

iv. Shall be an elected member of the executive board.

II. SGA Staff Members

A. Selection Process of Committee Directors

i. The SGA Executive Board shall establish a process in which all members
of the Penn State Berks student body may apply to SGA Staff position(s).

ii. Each applicant must be interviewed once the application deadline,
announced to the campus, is surpassed.

iii. After interviews are conducted in some manner for each applicant, the
SGA Executive Board may select applicants to fill staff positions.

iv. Once an applicant is selected they are required to sign a contract which
indicates their understanding of the duties and requirements of their
position.

B. Duties

i. Shall be assigned duties as stated in each staff member’s contract.

ii. Shall be assigned additional duties by the President, Vice-President, or
Chief of Staff.

C. Terms

i. Each staff members’ term, regardless of start date, will end on the last day
of classes in the spring semester.

ii. Staff members serve at the discretion of the President and Vice-President
and can be dismissed for actions deemed inappropriate by the Executive
Board.

Article V: University Faculty Senator

I. Duties

A. Shall attend a minimum of three (3) Assembly meetings.

B. Shall obtain and learn the Constitution of the University Faculty Senate.

C. Shall report University Faculty Senate business to the Assembly.

D. Shall represent the needs and concerns of the students of PSU Berks to the
University Faculty Senate.

E. Shall attend an assigned committee at the University Faculty Senate.

II. Powers

A. Shall have all the rights as described in Article II Section II.

Article VI: Financial Management

I. Budget Committee

A. The Student Government Budget Committee, hereafter referred to as the SGBBC,
shall be the financial committee of the Assembly.
B. The SGBC shall be conducted by the procedures set forth in the Student Government Budget Committee Constitution.

C. Only the policies of the SGBC Constitution, University policies, and Berks Campus policies may govern the SGBC.

D. The Assembly shall be responsible for any amendments to the SGBC Constitution.

   i. Revisions to the SGBC Constitution will follow procedures set forth in Article X: Constitutional Amendments and Revisions.

E. The SGBC shall be solely responsible for allocating funds to recognized student organizations of the Assembly.

F. The SGBC will be chaired by the SGA Financial Manager.

Article VII: Elections

I. SGA Elections Code

   A. The SGA Elections Code shall be the governing document in matters regarding elections of SGA officials.

   B. The Elections Committee shall be formed in the fall semester according to the SGA Elections Code.

   C. The election code shall be reviewed each year by the elections committee and any revisions approved by the Assembly during the fall semester.

Article VIII: Judiciary

I. The Judiciary shall include the Judicial Oversight Board and the Judicial Oversight Board Chair

   A. JOB Chair

      i. The Vice-President shall be the non-voting chair of the JOB.

      ii. When matters of the JOB arise, the chair shall organize a meeting of the board.

         1. Matters of the JOB include reviewing constitutional amendments, legislation, investigating motions of impeachment, and general constitutional revisions.

         iii. The chair shall keep meeting minutes of the board.

         iv. If the Vice President is being impeached, the JOB shall appoint a member of the JOB to act as sitting JOB Chair

   B. JOB Members

      i. Members of the JOB must be voting members of the Assembly in good standing with the SGA.

      ii. The JOB must hold a quorum of 5 voting members.

      iii. Members of the JOB must be volunteers of the Assembly and approved by a majority (50% + 1) vote.

      iv. All members of the Board shall be knowledgeable about this constitution as well as all SGA legislation and parliamentary processes.

      v. Each member may serve on the board for up to one (1) academic year.
vi. Shall, when necessary, interpret this constitution as well as all SGA legislation and parliamentary authority.

vii. Shall review and submit constitutional Amendments to the Assembly for approval.

viii. Any decision by the Judicial Oversight Board, not otherwise defined by this constitution, may be overturned by a (3/4) vote of the General Assembly.

ix. Shall oversee the periodic updating of the SGA Constitution and shall only include changes known as housekeeping. Housekeeping changes may not include changes that would alter the meaning of the SGA Constitution. Housekeeping changes shall be defined as the following:
   1. Numerical Format
   2. Grammatical inconsistencies, errors, or ambiguity
   3. Misspellings or word choice
   4. General format or layout issues

x. The Chair shall notify the President, Chair, and the Assembly of all housekeeping changes.

xi. The Assembly may object to and overrule any housekeeping changes by a majority vote and Presidential approval. The object and overrule housekeeping changes without a Presidential approval and a (2/3) majority.

Article VIX: Impeachments

I. Grounds for Removal
   A. Violation of the Penn State Student Code of Conduct.
   B. Actions that negatively impact the Penn State Berks SGA.

II. Procedure
   A. The following will be the procedure for impeachment and removal of SGA Executive Board members.
      i. The motion to remove an executive board or staff member must be submitted in writing and the motion must be signed by half (1/2) of the Senate members in good standing with the Berks SGA.
      ii. The motion must be signed by the advisor of the SGA or his/her appointee.
      iii. The resolution must be tabled for a period of one (1) week.
      iv. During this time the JOB Committee shall investigate the claims of the motion and prepare its findings for the Assembly.
      v. Proceedings shall occur at the discretion of the JOB Chair of the Assembly
         1. If the Vice-President, or JOB Chair, is the official being impeached, the JOB Committee will nominate a member to chair the proceedings.
vi. The member who is being impeached shall be allowed to speak on his/her own behalf after the motion has been tabled for one (1) week.

vii. The official who is being impeached must be escorted from the room by the two SGA Staff members while voting occurs.

viii. Voting shall occur by secret ballot.

ix. If the motion is approved by two-thirds (2/3) majority vote, the impeached official is to be removed from office effective immediately.

Article X: Constitutional Amendments and Legislation

I. Governing Rules of the Constitution

A. This Constitution shall be the supreme governing authority over all matters of the PSU Berks SGA and shall supersede, if found in contradiction, any legislation, by-law, resolution or any other act enacted by the PSU Berks SGA.

B. Roberts Rules of Order, Newly Revised, the latest edition, shall be the parliamentary authority in all cases not addressed by this Constitution.

C. The assemble shall vote to approve this constitution at the start of each academic year.

II. Legislation

A. May be sponsored by any General Business member for Assembly approval.

B. Shall be passed by a majority of those present in the Assembly.

C. Upon approval of the legislation, the President shall veto or pass the legislation.
   i. In the event of a Presidential veto, the legislation may be passed by a two-thirds (2/3) vote of the Assembly.
   ii. The President shall be allowed one (1) veto per legislation.

III. Constitutional Amendments

A. May be sponsored by any General Business member for Assembly approval.

B. An amendment shall be tabled for at least one (1) week during which time it will be reviewed by the Judicial Oversight Board.

C. An amendment shall require a two-thirds (2/3) vote of the Assembly in order to pass.

D. Upon approval, the President shall veto or pass the amendment.
   i. In the event of a Presidential veto, the amendment may be passed by a three-fourths (3/4) vote of the Assembly.
   ii. The President shall be allowed one (1) veto per amendment.

Article XI: Vacancies of Elected Positions

I. Filling of vacancies will follow the Chain of Command set forth below.

A. In the event there is a vacancy in the President’s position, the Vice-President shall become President and the Chief of Staff shall become the Vice-President.

B. In the event that there is a vacancy in the Vice-President’s position, the Chief of Staff shall become the Vice-President.

C. In the event that there is a vacancy in both President and Vice-President positions, the Chief of Staff shall become President and the Berks Campus student body will vote to select a Vice-President in accordance with the most current SGA Elections Code.
Article XII: By-Laws

I. Presidents’ Council

A. Membership
   i. The council shall be made of the club presidents of the Berks Campus clubs and student organizations.
   ii. Clubs and student organizations shall be required to attend Presidents’ Council meetings as a requirement to request student activity fee (SAF) funds and remain an active club.

B. Meetings
   i. The SGA President shall chair the meetings of Presidents’ Council.
   ii. It shall be the responsibility of the President to call a meeting of the council as needed throughout the year.
   iii. A notice of two weeks must be issued before a council meeting.
   iv. Attendance of each meeting shall be kept for SGA records.

II. Student Government Association Funding

A. Budget
   i. The SGA shall keep a budget on file for each semester.
   ii. The SGA Budget shall be approved by the SGA Advisor for each semester.
   iii. Any discretionary funding shall be approved by the SGA Advisor

III. Community Service

A. Regulations
   i. All active clubs shall be required to conduct twenty-four (24) hours of community service each semester with the exception of the summer semester.
   ii. Clubs must complete a community service registration form before conducting community service.
   iii. Clubs shall submit a verification form upon completion of an event.
   iv. All service shall be focused within the state of Pennsylvania.
      1. Events outside of the state of Pennsylvania shall require special approval before the event.
   v. Clubs requesting to participate in service projects in areas surrounding another Penn State campus shall contact the Berks SGA for special approval.
   vi. All community service shall be conducted outside of Berks Campus.
      1. The only exception shall be for the use of Berks Campus facilities to conduct education or recreational events in which the local community is invited.
   vii. Shall be separate from events where club members are required to attend for reasons other than community service.
   viii. Club members attending any summer or winter break service projects must be students returning to Berks Campus in the following fall or spring semester and must be on the club’s roster upon returning.
   ix. The following shall be the time table for completing service hours:
1. Fall hours begin during the first day of the summer break and end
   the last day of classes during the fall semester.

2. Spring hours shall begin on the first day of winter break and end
   on the last day of classes during the spring semester.

  Failure to complete the required community service for the semester will
result in freezing of SGA funds and possible suspension of the
organization’s recognition.