This document includes Articles IV, V, and X of the SGA Constitution with the amendments proposed by the corresponding legislation.

Please note that all instances of “College Senator” shall be changed to “College Representative” in all Articles of the SGA Constitution.

Please note that all references to the number of Assembly members, Senators, and/or College Representatives shall be removed in all Articles of the SGA Constitution.

These changes throughout the SGA Constitution are to be made to maintain consistency with the amendments that are being made in Articles IV, V, and X according to the corresponding legislation.
ARTICLE IV. EXECUTIVE BRANCH

4.1 DESCRIPTION.
The West Virginia University Student Government Association Executive Branch shall consist of the President and Vice-President which are elected by the student body during the West Virginia University Student Government Association Election held each year. Within three weeks following the election, the President and Vice-President will appoint members to serve on the Executive Cabinet. The President may also have the power to appoint other executive positions as deemed necessary.

4.2 EXECUTIVE POSITIONS AND DUTIES.
4.2.1 PRESIDENT.
The President shall:
   a. Represent the Student Body in dealings with West Virginia University institutions: faculty, staff, and administrators of West Virginia University, the West Virginia University Board of Governors, and any other pertinent governing bodies;
   b. Serve as the Student Representative on the University Board of Governors;
   c. Make appointments to the Student Government Judicial Court when and if necessary;
   d. Appoint (with collaboration of the Vice-President) within the first three weeks of term, the executive cabinet;
   e. Create or dissolve such positions, departments, committees, boards, bureaus, panels, and commissions within the executive branch as they may deem necessary to carry out the duties as the SGA President;
   f. Serve as an ex-officio member, without vote, on all SGA committees, except those entirely within the judicial branch;
   g. Require reports from all SGA committees, boards, and appointees as needed; h. Make recommendations to the Student Assembly as the SGA President may deem necessary;
   i. Administer the enactments of the Student Assembly, unless specified otherwise by the assembly;
   j. Set policy and implement programs as the SGA President may deem necessary and proper, none of which may conflict actions of the Student Assembly; In collaboration with the Vice-President, submit a goals and issues statement to the President of the University and Chairperson of the University Board of Governors within the first month of being elected; provide a mid-term report by November 1; and a final report stating remaining tasks and accomplishments by May 1. This document should also be made available to the student body, the student newspaper(s), and SGA members;
   k. Attend weekly Student Assembly meetings and report to the Student Assembly
dealing with current issues of the Student Administration and ongoing issues.

4.2.2 VICE-PRESIDENT.
The Vice-President shall:

a. Fulfill all the duties of the SGA President in the event of absence or succession as outlined in Article 10, Section 1, Subsection D;
b. Collaborate with the President, to appoint, within the first three weeks of their term, members to serve on the Executive Cabinet;
c. Serve ex-officio, without vote, on all SGA committees, except those entirely within the judicial branch;
d. Perform and aid in such duties as delegated by the Student Government Association President;
e. Organize the annual Student Government Inauguration in cooperation with the staff of Student Engagement and Leadership and the Student Government Association Student Assembly;
f. Organize the annual SGA mini-retreat and summer retreat;
g. Make reservations for facilities and services when necessary with regards to the Inauguration and Retreat;
h. Serve as the President of the Student Assembly as outlined in Article 5, Section 3, Subsection 1;
i. In collaboration with the President, submit a goals and issues statement to the President of the University and Chairperson of the University Board of Governors within the first month of being elected; provide a mid-term report by November 1; and a final report stating remaining tasks and accomplishments by May 1. This document should also be made available to the student body, the student newspaper(s), and SGA members;
j. Initiate programs and create committees as the Student Government Association Vice-President may deem necessary and proper, none of which may conflict with the actions of the Student Assembly;
k. Chair Student Government Association meetings on a weekly basis.

4.2.3 ATTORNEY GENERAL.
The Attorney General shall:

a. Provide advice related to University matters as requested by members of the Student Body or Student Government Association;
b. Represent Student Government before University disciplinary and academic committees and the SGA Judicial Court;
c. Serve as Parliamentarian of the Student Assembly as outlined in Article 5.3.3;
d. Update this Constitution within thirty (30) days of an amendment;
e. Submit monthly reports to the SGA President and Vice-President on actions taken in office;
f. Attend Student Government Association meetings on weekly basis;
g. Perform all other related duties as shall be determined by the President and Vice President.

4.2.4 TREASURER.
The Treasurer shall:
a. Have access to the books, records, and monies of the Student Government Association in conjunction with the SGA Advisor;
b. Execute and sign such instruments that require the authorization of the SGA Treasurer;
c. Formulate, with the help of the SGA Advisor, a Student Government Association budget proposal for the Student Assembly;
d. Submit budget recommendations to the WVU Office of Student Engagement and Leadership prior to June 1;
e. Submit monthly budget update and report to the SGA President and Vice-President;
f. Facilitate, monitor, and promote the access of Student Organizations to apply for grants through the Student Government Association;
g. Present the Financial Bill to the Student Assembly;
h. Attend Student Government Association meetings on a weekly basis;
i. Submit the Financial Bill to the President Pro-Tempore of the Assembly within twenty-four (24) hours prior to any SGA meeting to be placed on the agenda;
j. Perform all other related duties as shall be determined by the President and Vice President.

4.2.5 ELECTIONS CHAIR.
The Elections Chair shall:
a. Adhere to the powers and functions as defined in the West Virginia University Elections Code;
b. Present election results to the SGA Judicial Court following any election;
c. Submit a monthly written or oral report to the SGA President and Vice-President;
d. Attend Student Government Association meetings on a bi-weekly basis, with the exception of weekly attendance two weeks prior to any election, during any election, and two weeks following any election;
e. Work closely with their appointed committee to plan and execute the Homecoming Court election, spring SGA election, and all other special elections as necessary;
f. Hold candidate information sessions and give out all information regarding elections and campaigning to all the candidates in accordance with the Student Government Association Election Code;
g. Work with the SGA communications team to promote voting during all elections
and to make the student body aware of deadlines and procedures for filing to run for office prior to each election;

h. Show impartiality to all candidates during all elections;
i. Make all candidates aware of deadlines before, during, and after campaigns at least 72 hours (3 days) in advance;
j. **Determine the number of College Representative positions for the spring election, as specified in Article V;**
k. The elections chair must be a full-time student who has completed at least one semester at West Virginia University and seen at least one election cycle (i.e. Homecoming Elections; Spring SGA Election);
l. Perform all other related duties as shall be determined by the President and Vice President.

**4.2.6 CHIEF OF STAFF.**
The Chief of Staff shall:
a. Act as a resource for the Executive Branch;
b. Oversee the accountability of the Executive Branch;
c. Assist the President and Vice-President with the duties of their office;
d. Act as an intermediary for the President or Vice-President;
e. Attend Student Government Association meetings on a weekly basis;
f. Perform all other related duties as shall be determined by the President and Vice President.

**4.2.7 COMMUNICATIONS COORDINATOR.**
The Communications Coordinator shall:
a. Select and appoint a communications team within the first thirty (30) days of appointment by the SGA Student Assembly;
b. Serve as the official spokesperson for the WVU Student Government Association;
c. Coordinate with SGA Chief Information Officer to maintain official SGA Website; d. Prepare SGA Newsletter once per semester (once at midterm and once at end of semester) after SGA members submit written reports;
e. Publicize all meetings of the SGA Student Assembly, at least 24 hours in advance through the Student Newspaper and by all means that are deemed appropriate;
f. Attend Student Government meetings on a weekly basis;
g. Perform all other related duties as determined by the President and Vice-President.

**4.2.8 EXECUTIVE SECRETARY.**
The Executive Secretary shall:
a. Serve as an assistant to the Vice-President;
b. Record and maintain accurate minutes of all Student Assembly and Executive Meetings and deliver typed transcripts of minutes to members of the Student Government Association within ninety-six (96) hours of any meeting;
c. Prepare said minutes for reference in such form as determined by the Student Assembly;
d. Maintain an on-going SGA historical file;
e. Maintain and organize all Student Assembly and Executive records and files, including copies of all reports and resolutions;
f. Maintain and organize the WVU SGA list serve;
g. Keep accurate attendance records at all Student Assembly meetings;
h. Post minutes with corresponding resolutions on the SGA Website with the help of the Communications Director and the Chief Information Officer;
i. Collaborate with the Judicial Court Clerk to document judicial actions and proceedings;
j. Attend Student Government Association meetings on a weekly basis;
k. Perform all other related duties as shall be determined by the President and Vice President.

4.2.9 VICE-PRESIDENT OF GRADUATE STUDENT AFFAIRS.
The Vice-President of Graduate Student Affairs shall:
a. Be appointed by the Graduate and Professional Student Senate;
b. Serve as a liaison between Student Government Association and the Graduate and Professional Student Senate;
c. Attend weekly Student Government Association meetings;
d. Work closely with the Student Government Association to coordinate initiatives between the organization and the Graduate and Professional Student Senate;
e. Perform all other related duties as determined by the President and Vice President of the Graduate and Professional Student Senate.
ARTICLE V. LEGISLATIVE BRANCH: THE STUDENT ASSEMBLY

5.1 THE STUDENT ASSEMBLY.
The supreme legislative power for the Student Body shall be vested in the Student Government Association Student Assembly.

5.2 COMPOSITION OF THE STUDENT ASSEMBLY.
The Student Assembly shall be composed of seventeen (17) Senators and a number of College Senators Representatives to be determined based on a proportional representation model. These Assembly members are all elected during the West Virginia University Student Government Association campus-wide election held each year. The number of College Representative positions shall be directly related to the enrollment data for the respective colleges. Each college will have one College Representative and will receive an additional Representative for every 1,000 students enrolled based on the following data specifications (Ex.: A college with 500 students receives one Representative, a college with 1,500 students receives two Representatives). This data will come from the fall enrollment of two years prior to the spring election (Ex.: Spring 2020 Election will use Fall 2018 Enrollment data). The data must also come from a verifiable source, including, but not limited to, an official University database. The Elections Chair shall determine the number of College Representatives for the election, as specified above, before the last meeting of the fall semester. The "Health Sciences" College Representative position shall encompass the School of Dentistry, School of Medicine, School of Nursing, School of Pharmacy, and School of Public Health for both candidacy and enrollment data purposes, as this collection of Schools shall imitate the role of Colleges in regards to the Student Assembly. The twenty College Senators, Representatives two from each academic college, will represent the following academic colleges:

- Benjamin M. Statler College of Engineering and Mineral Resources
- College of Creative Arts
- College of Education and Human Services
- College of Law
- College of Physical Activity and Sport Sciences
- Davis College of Agriculture, Natural Resources, and Design
- Eberly College of Arts and Sciences
- John Chambers College of Business and Economics
- School of Medicine Health Sciences
- Reed College of Media

The Student Assembly College senators will be elected in the Spring Election.

5.3 STUDENT ASSEMBLY OFFICERS AND DUTIES
The SGA Vice-President shall serve as the President of the Assembly. Senators and College Senators shall elect a President Pro-Tempore among the thirty-seven (37) elected Assembly members Senators. College Representatives shall elect a Speaker of the Assembly among the elected College Representatives. Senators and College Representatives shall use the Executive Secretary of the Assembly and any other personnel it deems necessary to its function.

5.3.1 PRESIDENT OF THE ASSEMBLY.
The President of the Assembly shall:
   a. Preside over meetings of the Student Assembly;
   b. Call special meetings of the Assembly whenever the need arises;
   c. Ensure that parliamentary and secretarial responsibilities are fulfilled;
   d. Ensure that all directives of the Student Assembly are carried out, delegating responsibility as deemed necessary for the efficient operation of the Assembly;
   e. Shall vote in the case of a tie.

5.3.2 PRESIDENT PRO-TEMPORE OF THE ASSEMBLY.
At the first meeting of the administration (the changing of the seats), a President Pro-Tempore shall be elected by majority vote from among the thirty-seven elected Senators. This shall take place in a public, open SGA meeting or at the SGA mini-retreat.

The President Pro-Tempore shall:
   a. Fulfill duties of the Chairperson of the Assembly in absence of the President of the Senate, serving as the Chairperson of the Assembly;
   b. Prepare an agenda for each meeting of the Student Assembly, and distribute to all members twenty-four (24) hours prior to the respective meetings;
   c. Represent the overall needs of the Student Body, before self;
   d. Perform all other related duties as shall be determined by the President of the Assembly.

5.3.3 SPEAKER OF THE ASSEMBLY.
At the first meeting of the administration (the changing of the seats), a Speaker of the Assembly shall be elected by a majority vote from among the elected College Representatives. This shall take place in a public, open SGA meeting.

The Speaker of the Assembly shall:
   a. Preside over meetings as the Chairperson of the Student Assembly;
   b. Call special meetings of the Assembly whenever the need arises;
   c. Ensure that all directives of the Student Assembly are carried out, delegating responsibility as deemed necessary for the efficient operation of the Assembly;
d. Perform all other related duties as shall be determined by the President Pro-Tempore.

5.3.4 STUDENT ASSEMBLY PARLIAMENTARIAN.
The Parliamentarian shall: serve the Student Assembly as follows:
   a. Prepare special rules of procedure for Assembly meetings. The Student Assembly must approve these rules within thirty (30) days of beginning the Spring term. Any area not covered by these special rules shall be covered by Robert’s Rules of Order; Newly Revised;
   b. Rule, give advice, and interpret matters of procedure, Constitutions, laws, policies, rules and regulations, documents, and other legal or non-legal materials.

5.3.5 STUDENT ASSEMBLY EXECUTIVE SECRETARY.
The Executive Secretary shall be available at the request of the Student Assembly. These duties are outlined in Article 4.2.8.

5.4 POWERS AND FUNCTIONS.

5.4.1 STUDENT ASSEMBLY SENATORS AND COLLEGE SENATORS REPRESENTATIVES.
The Student Assembly shall:
   a. Approve or deny all SGA Presidential executive appointments of Officers and Directors. Vacancy appointments not submitted within thirty (30) days of said vacancy may be filled by the Assembly upon two-thirds (2/3) majority approval;
   b. Approve or deny the annual Student Government Association budget at the first formal meeting following the Treasurer receiving the budget from the University. No one within the Student Government Association other than the Student Assembly shall have the power of financial appropriation;
   c. Impeach any SGA official or appointed position under 10.2.1;
   d. Require, upon majority approval, any SGA officer to appear before the Judicial Court within the power of the Judicial Court as outlined in Article 6.3;
   e. Call special meetings of the Student Assembly, when necessary by written petition signed by ten (10) total members of the Student Assembly. Notice of at least twenty-four (24) hours must be given to all members before said meeting can be held;
   f. In the absence of the Vice-President Speaker of the Assembly or the President Pro-Tempore of the Senate Assembly, Assembly members may appoint a temporary chairperson from amongst the thirty-seven elected Senators and College Senators Representatives upon majority approval;
   g. Create or dissolve any temporary or standing committee or position within the Student Government Association, except those entirely within the executive or
judicial branches, or those mandated by the Constitution;
h. Create or dissolve any committees within the Student Assembly, of which only a Senator at-large any Assembly member can chair the said committee;
i. Approve or deny representatives to serve as liaisons to University committees as requested to the SGA President or Vice-President;
j. Set policy; implement programs, administer services and facilities of the Student Government Association, approve or deny grant requests by the SGA Treasurer, or enact any other legislation that shall be deemed necessary for effectuating this Constitution and to promote the general welfare of the student body;
k. Approve or deny any special rules proposed by the Parliamenterian as outlined in Article 5.3.3
l. College Senators Representatives shall bear the additional requirement of a monthly meeting with their college’s Dean or a liaison of the college Dean.
m. Each Assembly member will submit a monthly written report to the President and Vice-President, with copies to the Attorney General and Executive Secretary. College Senators Representatives shall submit a monthly oral or written report on their mandated, monthly meeting with the Dean of their college or with an organization that speaks on behalf of their college as a whole. If an Assembly member fails to submit a report, the respective Assembly member shall be required to meet with the Vice-President and the Attorney General to give recourse and explanation;
n. Only members of the Assembly may propose and vote on amendments to the Student Government Association Constitution.

5.5 MEETINGS.
The Student Assembly shall meet formally during the academic year at least bi-weekly (twice per month) during its one-year term of office while school is in session. Formal meetings shall be open to all members of the Student Body and shall follow parliamentary procedure.

5.6 QUORUM AND VOTING.
Two-thirds of the total members shall constitute the necessary quorum at all meetings of the Student Assembly. Proxy or absentee participation shall not be permitted.

5.7 ATTENDANCE.
  a. Attendance at meetings of the Student Assembly shall be mandatory; more than two unexcused absences by a member of the Student Assembly shall constitute grounds for impeachment and removal from office. The SGA Attorney General, aided by the Executive Secretary of the Assembly, and the President of the Senate, shall rule on excuse validity;
  b. Following the first unexcused absence by an Assemblyperson, the
Assemblyperson shall be given a warning from the Executive Secretary; c. After two unexcused absences, the Assemblyperson is required to have a meeting with the Attorney General, Executive Secretary, President and Vice-President.
ARTICLE X. VACANCY AND SUCCESION, IMPEACHMENT AND REMOVAL, AND PETITION.

10.1 VACANCY AND SUCCESSION.

a. Any appointed position within the Student Government Association that originally required Student assembly approval, which becomes vacant shall be filled by presidential appointment with two-thirds (2/3) approval of the Student Assembly, as previously described in this Constitution;

b. Any elected position within the Student Government Association except that of the Student Government Association President and Vice-President, which becomes vacant, shall be filled by the candidate receiving the next highest number of votes. If the candidate that received the next highest number of votes does not meet the requirements to be on the Student Government Assembly, which is outlined in Article 9.1 and Article 9.2, the person receiving the next highest number of votes shall fill the vacancy;

c. In the instance that there are no candidates from the Student Government Association Election to fill the vacancy, the position shall be filled by presidential appointment from individuals determined by the Student Government Association Select Committee on Legislative Vacancies and Appointments;

1) The Select Committee on Legislative Vacancies and Appointments is formed on a pro re nata basis when a vacancy in the Student Assembly arises. The Select Committee on Legislative Vacancies and Appointments shall consist of five (5) total members: The Vice-President of the Student Government Association, two (2) members of the Student Assembly (with the President Pro-Tempore and Speaker of the Assembly serving as one of the members de facto and selecting the other member), and two (2) members of the Executive Branch (selected by the President).

2) The Student Government Association Select Committee on Legislative Vacancies and Appointments shall submit a public notice to the student body no more than twenty-four (24) hours after the formation of the select committee in order to notify the student body of the vacancy and outline the application and appointment process.

3) Any student interested in applying for the appointment will have four (4) academic days following the public notice posting time to submit the following information to the Student Government Association:

   i. Name

   ii. WVU Student ID Number
iii. Any additional or supplemental information as requested, outlined and/or determined by the Select Committee on Legislative Vacancies and Appointments.

4) All applicants must meet the requirements to be on the Student Government Student Assembly as outlined in Article 9.1 and 9.2. These requirements shall be outlined on the application. For vacancies with specific regard to College Senators Representatives, applicants must be enrolled in the academic college for which the vacancy has been created.

5) The Select Committee on Legislative Vacancies and Appointments shall then conduct an interview process (lasting no shorter than four (4) academic days) to meet all qualified candidates for nomination in person.

6) Upon completion of the interview process and recommendation(s) by the Select Committee on Legislative Vacancies and Appointments, the Student Government Association President shall have no more than twenty-four (24) hours to approve or reject the recommendation(s) and make the appointment at the next calendar dated SGA meeting to the Student Assembly to fill the vacancy(s). The nomination must then be approved by a two-thirds (2/3) vote of the Student Government Association Student Assembly.

d. If the office of SGA President becomes vacant, the SGA Vice-President shall succeed to that position and the President Pro-Tempore of the Senate Senators will elect a new President Pro-Tempore, as specified in Article 5.3;

e. If the offices of SGA President and Vice-President become vacant, the President Pro-Tempore of the Assembly shall succeed to the presidency and the Speaker of the Assembly shall succeed to the vice-presidency. The Student Assembly will then elect a Vice-President from amongst them and the Student Assembly will then elect a new President Pro-Tempore and a new Speaker of the Assembly, as specified in Article 5.3 amongst them.

10.2 IMPEACHMENT AND REMOVAL.

10.2.1 IMPEACHMENT.

a. Any person occupying an appointed position may be replaced by recommendation from the SGA President, and approved by two-thirds (2/3) of the Student Assembly;
b. Elected Officials.
   1) Impeachment by the Student Assembly of any elected official shall automatically forward to the Judicial Court.
   2) The Judicial Court shall have the power of removal of elected officials upon majority vote. If an elected official is removed from office, they may not hold a future position within the Student Government Association.

10.3 PETITIONS.
   a. Petitions may only be initiated and signed by current students at West Virginia University’s Morgantown campus;
   b. Petitioners will be allowed four weeks to complete their petition from the date initiated;
   c. The SGA Attorney General must be informed and consulted prior to any petitioning process. Petitions, which are initiated without informing the Attorney General, will be considered null and void;
   d. Official petition forms are required and shall be provided by the Attorney General upon request;
   e. Petitioners who wish to amend the SGA Constitution shall be required to obtain no less than 25% of the student body’s signatures to initiate a special election on the proposed amendment(s).