

PREAMBLE

We, the students of the University of North Florida, in order that we may maintain the benefits of Constitutional Liberty and may create a Representative Government through which the Individual, Student Voice can be heard, and which students can actively participate in this University by promoting cooperation among the Student Body, Faculty, and Administration, Do hereby Ordain and Establish this Constitution of the Student Government of the University of North Florida.

ARTICLE I: THE ORGANIZATION

Section 1: Name

The name of this organization shall be the Student Government of the University of North Florida; hereinafter referred to as the Student Government.

Section 2: Branches of Government

The powers of this Government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

Section 3: Purpose

The purpose of this Government shall be to represent student concerns in all University-wide matters while developing and promoting programs and activities of practical value and interest to students. This shall include but not be limited to the following:

- A.** The allocation of the Activity and Service Fee Budget.
- B.** The evaluation and establishment of student programs.
- C.** The support and development of student activities, clubs, and organizations, publications, and services.
- D.** The representation of concerns for student morale, welfare, responsibility, and integrity.
- E.** Other activities as may pertain directly to students.

ARTICLE II: THE LEGISLATURE

Section 1: Composition

The Legislative Powers of the Student Government shall be vested in the Student Senate,

hereinafter referred to as the Senate, which shall consist of 46 senators.

Section 2: Terms and Qualifications of Senators

- A. Elected Senators:** Elected Senators shall be elected for terms of one (1) year, and shall be limited to a maximum of six (6) terms.
- B. Appointed Senators:** If a vacancy occurs, Senate may appoint a substitute to serve for the remainder of the term as prescribed by law, but subject to the restrictions enumerated Section 4B of this Article
- C. Qualifications:** Every Senator must be an A&S fee paying student, enrolled in at least one (1) class during both the fall and spring semester at the University of North Florida, and maintaining a 2.00 GPA or higher. Senators may continue to serve during the summer semester without being enrolled in a class as long as they are still considered students by the University of North Florida.

Section 3: Senate Officers:

The Senate shall choose it's officers, which shall include a permanent presiding officer selected annually from its membership, who shall be designated as the Senate President. The Senate shall also annually select from its membership a Senate President Pro-Tempore, who shall assume the duties of presiding officer in the Senate President's absence. All other duties and requirements of the aforementioned officers, and/or creation of additional Senate officers shall be prescribed by law.

Section 4: Apportionment

- A. General Apportionment:** The Senate shall consist of forty-six (46) seats, numbered one (1) through forty-six (46), with one (1) senator occupying each seat.
- B. Special Provisions:**
 - 1. Seat number forty-one (41) can only be occupied by a qualified graduate student.
 - 2. Seat number forty-two (42) can only be occupied by a qualified student from the College of Arts and Sciences.
 - 3. Seat number forty-three (43) can only be occupied by a qualified student from the College of Computing Sciences and Engineering.
 - 4. Seat number forty-four (44) can only be occupied by a qualified student from the College of Health.
 - 5. Seat number forty-five (45) can only be occupied by a qualified student from the College of Business Administration.

6. Seat number forty-six (46) can only be occupied by a qualified student from the College of Education.
7. Seats numbers one (1) through forty (40) are open to all students qualified under section 2C of this Article.

Section 5: Meetings of the Senate

- A. **Organizational Meeting:** Within one calendar month of each general election, the Senate shall convene for the purpose of organization and selection of officers as prescribed by law.
- B. **Regular Meeting:** A regular meeting of Senate shall convene during each academic semester a minimum of two times each thirty-one (31) day period, excluding the last week of each semester. The Senate can waive this requirement, for only one (1) meeting per semester, by two-thirds vote.
- C. **Special Meeting:** The Student Government President, by written proclamation, presented to the Senate President, stating a legitimate purpose, may convene, 24 hours after the presentation, the Senate in special meeting during which only such legislative business may be transacted as is within the purview of the proclamation, or of a communication from the President, or is introduced by consent of two-thirds of the Senate. The President's power to convene the Senate may be prevented only upon a petition of one-half of the Senate's membership. The Senate's power of prevention cannot be general in nature and must apply only to the President's respective proclamation and order to convene.

Section 6: Definition of Legislation

- A. **Bills:** Bills shall be legislative proposals to appropriate monies, approve Constitutional amendments and revisions, adopt statutory amendments and revisions, and other binding acts.
- B. **Joint Resolutions:** Joint Resolutions shall be resolutions stating the will of Student Government.
- C. **Simple Resolutions:** Simple Resolutions shall be the formal expression of the opinion of the Senate or the legislative vehicle used for the internal regulation of the senatorial policies and procedures.

Section 7: Passage of Legislation

- A. The origination of legislation in Senate shall be prescribed by law.
- B. The passage of Bills and Joint Resolutions shall be governed pursuant to Section 8 of this Article.

- C. The passage of Simple Resolutions that only express the official opinion of the Senate shall require a majority vote and are not subject to the Executive Veto power outlined in Section 8 of this Article.
- D. The passage of Simple Resolutions that amend or revise Senatorial policies and procedures shall require a two-thirds (2/3) vote of Senate and are not subject to the Executive Veto power outlined in Section 8 of this Article.

Section 8: Executive Approval and Veto

- A. Every Bill or Joint Resolution passed by majority vote of the Senate shall be presented, by the Senate President, to the Student Government President as prescribed by law, but not to exceed five (5) business days.
- B. The Bill or Joint Resolution shall become law if the President approves and signs it, or fails to veto it within five (5) business days after its presentation.
- C. In all cases except general appropriation bills, a Presidential veto shall extend to the entire Bill or Joint Resolution. The President may veto any specific appropriation in a general appropriation bill, but may not veto any qualification or restriction without vetoing the appropriation to which it relates nor may he or she approve any general appropriation which becomes law or is appropriated after his or her term of office.
- D. After a Bill, Joint Resolution, or specific appropriation has been vetoed, the President shall transmit written and/or oral objections thereto to the Senate at the next regular meeting.
- E. If any Senator motions to reconsider the vetoed Bill or specific appropriation at the next Regular Meeting following the Presidential veto, the vetoed legislation shall be placed on the floor of the Senate, and be subject to normal parliamentary motions, including a two-thirds override.
- F. The Senate, after reconsidering the vetoed legislation, may by two-thirds vote re-enact the bill or reinstate the specific appropriation, over which the president shall have no veto authority. Any Bill re-enacted under this provision shall immediately become law. Any specific appropriation re-instated under this provision shall be allocated with all reasonable brevity.
- G. Vetoed Bills or specific appropriations that are amended in any way after Senate reconsideration shall become de facto a new piece of legislation and be subject to presidential veto authority.
- H. If no Senator motions to reconsider at the next regular session, the vetoed Bill or specific appropriation cannot be brought back to the floor. This provision applies only to vetoed legislation for the purpose of Senate re-enactment or reinstatement and in no way shall infringe upon the ability of Senate to bring any previously vetoed Bill or specific appropriation back through normal legislative procedures, subject again to presidential veto.

- I. If a joint resolution is vetoed by the President, it shall automatically return to the Senate as a simple resolution.

Section 9: Prohibited Laws

- A. Senate shall not enact a Bill or Joint Resolution that conflicts with or violates any Federal law, State law, Local law or ordinance. This shall include but not be limited to Bills of attainder, ex post facto laws. The Student Government Judicial Branch shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.
- B. Senate shall not enact a Bill or Joint Resolution which adds any qualification or restriction for membership in the Student Government not already outlined in Section 2C and of Article II, Section 3B of Article II, Section 2B of Article III, or Section 3B of Article IV. The Student Government Judicial Branch shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.

Section 10: Additional Powers and Duties

The Student Senate shall:

- A. Enact under the procedures outlined in Section 7 of this Article, constitutional bylaws to be known as Student Government Statutes, with the exception of bylaws concerning elections, which shall require a two-thirds (2/3) vote of the Senate.
- B. Approve and allocate the fiscal budget of the Student Government, subject to the provisions of Section 7 of this Article and Chapter 240.235 of the Florida Statutes.
- C. Establish its own meeting times, rules, and procedures.

ARTICLE III: THE EXECUTIVE

Section 1: Executive Powers

All Executive Powers of the Student Government shall be vested in the President of the Student Government assisted by the Vice President and such administrative officers as the President shall appoint in accordance with this Article. The Student Government President shall hereinafter be referred to as the President, the Student Government Vice President as the Vice President.

Section 2: Terms and Qualifications of the President and Vice President

- A. **Terms:** The President and Vice President shall be elected for terms of one (1) year, and shall be limited to a maximum of two (2) terms.

- B. Qualifications:** The President, Vice President, and all members of the Executive Branch must be A&S fee paying students, enrolled in at least one (1) class during both the fall and spring semester, and maintaining a 2.00 GPA or higher.

Section 3: Vacancies

- A.** If a vacancy occurs in the office of the President, the Vice President shall assume office for the remainder of the term.
- B.** If a vacancy occurs in the office of the Vice President, the President shall have the power to appoint a new Vice President, subject to majority approval from Senate.
- C.** If a vacancy occurs in both the office of the President and the Office of the Vice President, the Senate President shall assume the office of the President for the remainder of the term.

Section 4: Executive Cabinet

- A.** The President shall have the power to appoint all Executive Cabinet Officers with majority approval from Senate. The removal of Executive Cabinet Officers shall be prescribed by law.
- B.** The creation, termination, and/or funding of Executive Cabinet Positions shall be prescribed by law.
- C.** The Student Government President must appoint a qualified individual to the position of Student Government Treasurer within the first month of taking office. This position shall be a member of the Executive Cabinet and report directly to the Senate Budget and Allocations Committee. The appointment, termination, and duties of this position shall be prescribed by law.

Section 5: Additional Duties and Powers of the President

The President shall:

- A.** Be the chief executive of the Student Government.
- B.** Administer and enforce all laws of the Student Government.
- C.** Provide for the compilation and publication of Constitutional legislation.
- D.** Co-sign, along with the Student Government Comptroller, on all expenditures from the Student Government operating budget.
- E.** Call and preside over executive meetings of the Student Government and student assemblies when appropriate.

Section 6: Duties and Powers of the Vice President

- A.** The Vice President shall assume the duties of the President only in extreme circumstances, such as physical incapacitation or travel outside of Duval County, which makes it impossible to discharge the duties of the office.
- B.** The Vice President shall coordinate the efforts of the Executive Cabinet and shall serve as coordinator for the formulation and completion of Executive Cabinet projects.

Section 7: Duties and Powers of the Treasurer

- A.** The Student Body Treasurer shall serve as the executive liaison to the Student Body on all matters pertaining to Activity and Service Fee procedures.
- B.** The Student Body Treasurer shall work with the Senate Budget and Allocation Committee, Student Government Accountant, and Student Government Comptroller in monitoring all Activity and Service Fee accounts and advising all A & S Fee requesters on proper procedure and regulations.
- C.** The Student Body Treasurer shall fulfill all job responsibilities as well as duties prescribed by law.

ARTICLE IV: THE JUDICIARY

Section 1: Judicial Powers

The Judicial Power of the Student Government shall be vested in the Judicial Council.

Section 2: Composition of the Judicial Council

- A.** The Judicial Council shall be composed of seven (7) Justices.
- B.** A Chief Justice shall be elected annually from within the Council to serve as the presiding officer.
- C.** Other officers that the Council deems necessary shall be chosen according to Judicial Rules and Procedures.

Section 3: Terms and Qualifications of Justices

- A. Terms:** Upon installation, justices may serve as long as they remain qualified. Acting Justices may also resign their position at any time for any reason.
- B. Qualifications:** Justices must be A&S fee paying students, enrolled in at least

one (1) class during both the fall and spring semester, and maintaining a 2.00 GPA or higher.

Section 4: Installation of Justices

- A. Procedure:** When there is a vacancy on the Judicial Council, the Student Government President shall forward a Judicial Nominee to Senate for majority confirmation. Upon majority confirmation from Senate, the Judicial Nominee shall immediately be installed as an acting Justice.

Section 5: Jurisdiction and Judicial Review

- A. Powers:** The Judicial Council shall have the power of Judicial Review over all Executive and Legislative Acts. This power shall include but not be limited to the following:

1. The Judicial Council must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any provisions of the Student Government Constitution.
2. The Judicial Council must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any Federal law, State law, Local law or ordinance, or University regulation. Prior to any judgement that negates or removes existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy that is being challenged on the grounds that it violates Federal law, State law, Local law or ordinance, or University regulation, the Judicial Council must consult with the University of North Florida General Counsel.
3. The Judicial Council may issue a temporary stay against the application of a Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy in time sensitive matters not to exceed ten (10) business days, in order to provide ample time for a judicial hearing and decision. These Judicial Council shall not issue more than two (2) stays for any one complaint or issue.
4. The Judicial Council shall serve as the final deciding body for all disputes between Student Government student employees, members, and/or elected officials which involve Student Government law. Judicial relief in such cases shall prescribed by law but must always be comparable to the Judicial power exercised by courts in the United States Federal Court System.

- B. General Restrictions:** The aforementioned power of Judicial Review outlined in Section 4 of this Article cannot be enacted unless an A&S fee

paying student files a written complaint. Furthermore, the complainant cannot be a member of the Judicial Council and any judgement rendered must be within the purview of the complaint.

- C. **Constitutional Restriction:** The Judicial Council may not change, amend, negate, or remove any provision of the Student Government Constitution at any time for any reason.

Section 6: Administration: Practice and Procedure

- A. Quorum for a Student Government Judicial Council hearing shall be set at fifty percent (50%) plus one (1) of the current membership.
- B. The Chief Justice of the Judicial Council shall serve as the chief administrative officer of the judiciary and shall be vested with, and shall exercise, in accordance with rules adopted by the court, the authority to:
 1. Assign duties among the Justices of the Council.
 2. Conduct and preside over Council proceedings.
 3. Rule on procedural questions that arise during the course of the judicial proceedings.
 4. Report in writing to the Respondent of any complaint filed with the Judicial Council.
 5. Be responsible for administering the “Oath of Office” to all Student Government officers.
 6. Periodically inform the Senate of the condition of the judiciary.
 7. Report to the Senate such defects in the laws as may have been brought to the attention of the Council and suggest such amendments or additional legislation which is deemed necessary.
- C. In the absence of the Chief Justice, an interim Chief Justice shall be designated according to Judicial Rules and Procedures.
- D. The Judicial Council shall establish its own meeting times, rules, and procedures. Rules and procedures of the Judicial Council may be negated and removed through a bill requiring a two-thirds vote of Senate and Presidential signature approval. If the President does not approve, the Senate may override his veto by three-fourths (3/4) vote.
- E. The Judicial Council shall conduct open Hearings for all cases.

ARTICLE V: ELECTIONS

Section 1: Eligible Voters

- A. Every student currently registered and paying A&S fees to the University of North Florida shall be entitled to vote in all General and Special Elections.
- B. Only Students currently registered in the College of Arts and Sciences and paying A&S fees to the University of North Florida shall be eligible to vote in the fall Inter-College Election for Senatorial Seat forty-two (42).
- C. Only Students currently registered in the College of Computing Sciences and Engineering and paying A&S fees to the University of North Florida shall be eligible to vote in the fall Inter-College Election for Senatorial Seat forty-three (43).
- D. Only Students currently registered in the College of Health and paying A&S fees to the University of North Florida shall be eligible to vote in the fall Inter-College Election for Senatorial Seat forty-four (44).
- E. Only Students currently registered in the College of Business Administration and paying A&S fees to the University of North Florida shall be eligible to vote in the spring Inter-College Election for Senatorial Seat forty-five (45).
- F. Only Students currently registered in the College of Education and paying A&S fees to the University of North Florida shall be eligible to vote in the spring Inter-College Election for Senatorial Seat forty-six (46).
- G. Student Government will make no law which adds any additional eligibility criteria to this Section or a students right to vote.

Section 2: Candidacy

- A. All Student Government candidates for elective office must be A&S fee paying students, enrolled in at least one (1) class during both the fall and spring semester, and maintaining a 2.00 GPA or higher. In addition, all Presidential/Vice-Presidential candidates are required to run on a two person ticket, with a clear distinction of which office each seeks.
- B. Student Government may add to qualification in Section 2A of Article V only if they are procedural in nature and do not disadvantage or exclude any particular group or segment of the student body.

Section 3: Types of Elections

- A. **General Election:** Elections that will be held exactly once (1) during both fall and spring semester for the purpose of determining which candidates will assume all Student Government Elective Offices, with the exception of Senatorial apportioned seats forty-two (42) through forty-six (46), and any

Special Election called pursuant to Section 4K of this Article.

- B. Special Elections:** All other elections which are not General Elections or Inter-College Elections.
- C. Inter-College Elections:** Elections held three (3) times during the fall semester and twice (2) during the spring semester for the purposes of determining which candidate will assume Senatorial apportioned seats forty-two (42) through forty-six (46).

Section 4: Senatorial Elective Offices

- A.** Seats one (1) through twenty (20) shall be open for election during the fall General Election.
- B.** Seats Twenty-one (21) through forty-one (41) shall be open for election during the spring General Election.
- C.** With the exception of seat forty-one (41), Senatorial Seats offered during a General Election shall be at-large, with vacant seats being occupied by the candidates receiving the most votes.
- D.** Seat forty-one (41) shall be occupied by the candidate receiving the most votes who also fulfills the requirements outlined in Section 3B of Article II. This seat take priority over the remaining at-large seats in that it, if possible, shall be allotted to the qualified candidate with the most votes prior to the allotment of at-large seats.
- E.** Seat forty-two (42) shall be open for election during one of the fall Inter-College Election and shall be subject to the restrictions enumerated in Section 3B of Article II and Section 1 of this Article.
- F.** Seat forty-three (43) shall be open for election during one of the fall Inter-College Elections and shall be subject to the restrictions enumerated in Section 3B of Article II and Section 1 of this Article
- G.** Seat forty-four (44) shall be open for election during one of the fall Inter-College Election and shall be subject to the restrictions enumerated in Section 3B of Article II and Section 1 of this Article.
- H.** Seat forty-five (45) shall be open for election during one of the spring Inter-College Election and shall be subject to the restrictions enumerated in Section 3B of Article II and Section 1 of this Article.
- I.** Seat forty-six (46) shall be open for election during one of the spring Inter-College Election and shall be subject to the restrictions enumerated in Section 3B of Article II and Section 1 of this Article.
- J.** The Student body may, upon written petition presented to the Chief Justice

bearing the names and signatures of at least ten percent (10%) of the student body, call a special election for one, several, or all of the seats occupied by appointed Senators or left vacant by elected ones. This Special Election shall be held within twenty (20) business days from the date of presentation.

- K.** All further Senatorial election requirements and procedures shall be prescribed by law.

Section 5: Executive Elective Offices

- A.** The Presidential/Vice-Presidential Election shall be held during the spring General Election.
- B.** All further Executive election requirements and procedures shall be prescribed by law.

Section 6: Installation

All Student Government's duly elected officers shall immediately take office at the time of their installation. In the absence of a legitimate challenge to the validity of the entire General, Inter-College, or Special Election, newly elected officials shall be installed within five (5) business days, beginning on the last business day of the General, Inter-College, or Special Elections, respectively.

ARTICLE VI: AMENDMENT PROCESS

Section 1: Proposal of Amendments

An amendment to this constitution may be proposed to the student body through:

- A.** A three-fourths (3/4) vote of Senate, or
- B.** A written petition presented to the Chief Justice bearing the names and signatures of at least ten percent (10%) of the student body.

Section 2: Procedure after Proposal

- A.** All proposed amendments shall be published in the major student publication and otherwise made available to the Student Body for ten (10) business days prior to the vote by the Student Body.
- B.** Proposals made via the Student Senate or as written petition bearing the names and signature of at least ten percent (10%) but less than twenty percent (20%) of the student body shall be introduced as a constitutional referendum at the next General Election.
- C.** Proposals made via a written petition bearing the names and signatures of

twenty percent (20%) or more of the student body may be introduced, at the discretion of the petitioner(s), as a Special Constitutional Referendum, which shall be voted on by the student body within fourteen (14) business days of its presentation and shall have the following restrictions.

1. Special Constitutional Referendums can individually encompass only a singular subject.
2. Special Constitutional Referendums cannot be proposed during the summer semester

Section 3: Ratification

The proposed amendment shall immediately become part of this Constitution if more eligible students vote Yea than Nay at the General or Special Election.

ARTICLE VII: IMPEACHMENT

Section 1: Method

Procedural Requirements of the impeachment of Senatorial, Executive and/or Judicial Members shall be prescribed by law, pursuant to the following requirements.

- A. For a member of the Executive Branch to be impeached, two-thirds (2/3) of Senate and a majority of the Judicial Council must concur.
- B. For a member of Legislative Branch to be impeached, two-thirds (2/3) of Senate and a majority of the Judicial Council must concur.
- C. For an appointed member of the Judicial Council to be impeached, two-thirds (2/3) of Senate and the President must concur. If the President does not concur, the senate may still impeach the Justice with a three-fourths (3/4) vote of concurrence.
- D. Upon receipt of a petition of 20% of the currently enrolled A&S Fee paying students of the University of North Florida requesting that an elected student government official be removed from office, within 60 days after the filing of a petition, a referendum must be held in which a majority vote of the students will remove the officer from their seat. Also, the grounds for removing a Student Government Officer must be expressly contained within the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.

Section 2: Removal

- A. Upon fulfillment of the requirements enumerated in Section 1 of this Article, the

impeached official shall immediately be removed from office and may not seek appointment for any Student Government Office until the after the next General Election.

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CA-00S-1325 (March 17, 2000)
CA-02SB-1567 (September 27, 2002)
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