

**The Constitution**  
of the  
**Undergraduate Student Government**  
**Association of Emory University**



We, the undergraduate students of Emory University, in order to participate in the determination of undergraduate policy, establish a responsible and equitable undergraduate student government, insure the basic student rights of personal freedom and pursuit of a quality education, and provide the opportunity for responsible individual and collective action, do ordain and establish this Constitution of the Student Government Association of Emory University.

## **Article I: Authority**

### **SECTION 1: DERIVATION OF AUTHORITY**

On October 3, 1968, the Chairman of the Board of Trustees of Emory University, Henry L. Bowden, sent the President of the University, Sanford S. Atwood, revisions to a draft of this Constitution. An original draft of this Constitution was approved by the University Senate on March 11, 1969 and became effective on the same date, as President Atwood had “delegated authority [to the University Senate] in these matters.” On March 12, 1969, President Atwood gave his “personal approval and support” and informed the Executive Committee of the Board of Trustees on March 20, 1969 of “[t]his action.” Therefore, the Student Government Association is formed by the University and is also recognized by Article V of the University Bylaws. This Constitution shall be the ultimate authority in the exercise of power by and on behalf of the Student Body of Emory University. During the academic year 2016;2017, the Student Government Association executed a reorganization which provided for the self determination of both graduate and undergraduate student populations at Emory University.

### **SECTION 2: THE STUDENT GOVERNMENT ASSOCIATION**

Undergraduate student governing authority shall be vested in the Student Government Association (SGA) under the provisions of this Constitution.

## **Article II: Student Rights and Responsibilities**

### **SECTION 1: ENUMERATION OF RIGHTS**

1. This Constitution affirms the following rights for the members of the Emory University Undergraduate Student Body:
  - A. The right of academic freedom.
  - B. The right to free speech and expression, including the freedom of the press.
  - C. The right to assemble freely and peacefully.
  - D. The right to petition the Student Government Association and the University Administration for a redress of grievances.
  - E. The right to due process under the regulations of the SGA and the University.
  - F. The right to be secure against unreasonable searches and seizures.

G. The right of freedom from discrimination by any student organization or division of the University based on race, age, religion, national origin, gender, marital status, sexual orientation, veteran status, or physical disability.

H. The right to equal protection under this Constitution, under laws of organizations chartered by the SGA, and under regulations within the University.

I. The right to fair and equal treatment for all undergraduate students charged with any violation of rules governing undergraduate students, and the right to a fair hearing regarding those accusations.

J. The right to request and be granted a hearing before a body in which peers are included when charged with a violation of the Honor Codes, Conduct Codes, the undergraduate Student Constitution, the rules of the SGA or any organizations chartered thereunder, or any other University regulations.

K. The right to appeal any judicial decision under the authority of the SGA or its divisional councils, on the basis of procedure, new evidence, or violation of rights.

L. The right to organize into formal groups in order to focus upon particular ideas, activities, and objectives, subject to the provisions of this Constitution and the guidelines set forth by the Student Government Association Legislature.

M. The right to choose freely those officials of the Student Government Association whom this Constitution grants the undergraduate student body the right to select, and to vote freely on any referenda placed before the undergraduate student body.

#### **SECTION 2: STUDENT RESPONSIBILITY**

It shall be the responsibility of every student of Emory University to obey the Honor Code and Conduct Code of their College, and the obligation of every undergraduate student to respect the provisions of this Constitution and its subsidiary documents.

#### **SECTION 3: STUDENT GOVERNMENT ASSOCIATION RESPONSIBILITY**

The SGA shall serve as an advocate for the undergraduate students of Emory University, ensure that their rights are respected, act as the official voice of the undergraduate student body, represent the undergraduate students' interests in all matters, and collaborate with the Graduate Student Government Association (GSGA) on matters of university-wide importance.

### **Article III: The Student Government Association**

#### **SECTION 1: BRANCHES OF GOVERNMENT AND DIVISION OF POWERS**

1. The Student Government Association shall consist of three separate and equal branches, the Legislative Branch, the Executive Branch, and the Judicial Branch. No SGA member, for any reason, may infringe on the powers and responsibilities vested in the other branches of SGA.

### **Article IV: The Legislature and the Legislative Branch**

#### **SECTION 1: COMPOSITION OF THE LEGISLATURE**

1. The Legislature of the Student Government shall consist of 16 members, representing the four undergraduate colleges of Emory University: The College of Arts and Sciences, The Roberto C. Goizueta Business School, The Nell Hodgson Woodruff School of Nursing, and Oxford College.
2. Eight of the seats shall be evenly divided, with two seats given to: The College Council, the Goizueta BBA Council, the Emory Student Nurses Association, and the Oxford College Student Government Association.
3. The other eight seats will be distributed proportionally according to the student population of each college.
  - A. The D'Hondt method will be used to allocate seats based on student population.
  - B. The results of the apportionment process may be appealed to the Constitutional Council, who shall have the authority to delay spring elections by no more than one week while an appeal is pending.
  - C. It is possible that a college be awarded zero of these following eight seats.
4. It shall be the responsibility of each divisional council to fill the awarded seats for their college.

#### **SECTION 2: THE PRESIDING OFFICER**

1. The presiding officer of the Student Legislature shall be the Speaker of the Student Legislature.
  - A. The Speaker may only vote when doing so will impact the outcome.
2. In the absence of the Speaker of the Legislature, or in the case of inability to fulfill their duties, the Ranking Member shall serve as Speaker.
3. The Ranking Member shall be the Member of the Legislature who has served the greatest number of terms as a Legislative Representative
4. The Speaker of the Legislature shall be elected by the Legislature and be a Member of the Legislature.
5. All additional procedures for the election of the Speaker and the Ranking member shall be enumerated in the Code

#### **SECTION 3: THE POWERS OF THE LEGISLATURE**

1. The Legislature shall be granted following powers:
  - A. To establish its own rules of procedure.
  - B. To choose additional presiding officers.
  - C. To enact all legislation necessary and proper to promote the general welfare of the undergraduate student body and the university.

D. To create and oversee any and all legislative committees, both ad hoc and standing, which are necessary to promote the welfare of the undergraduate student population.

E. To form new Divisional Councils as needed.

F. To impeach and try officers of the Executive, Judicial, or Legislative branch.

G. To override a veto by the President of the SGA by a two-thirds vote of the total Membership of the Legislature.

H. To lay, collect, and distribute a Student Activity Fee (SAF), as approved by the Board of Trustees of Emory University.

I. To determine and approve the monetary policy and budgetary guidelines of the Student Government Association and all organizations established and chartered thereunder.

J. To approve the annual budgets of the Divisional Councils, the SGA, and all organizations chartered thereunder.

K. The power to charter and renew Executive Agencies

L. To advise and consent to the appointments of the President or any other appropriate officer.

M. To oversee all elections. The power to oversee directly the elections process may be proxied to a board of elections in a manner seen fit by the Student Legislature. Nevertheless, the Legislature shall retain at all times the ultimate power and duty to ensure the equity of all elections.

N. To approve all expenditures of the SGA.

#### **SECTION 4: LEGISLATIVE MEETINGS**

1. The Speaker of the Legislature shall designate the time and place of meetings of the Student Legislature.
2. Legislative Meetings shall be held at least five (5) times during the fall and spring semesters.

#### **SECTION 5: PUBLIC SCRUTINY AND ACCOUNTABILITY**

1. Decisions undertaken by the Legislature concerning Issues of Significance shall be subject to public scrutiny. 'Issues of Significance' shall be defined as follows:
  - A. Changes of any kind to this Constitution.
  - B. Changes to the Student Activity Fee
2. The Legislature shall host a public forum in which the Issue of Significance shall be discussed and debated. The forum shall:
  - A. Be attended, at minimum, the author of the legislation concerning an Issue of Significance, and the President of each Divisional Council or their designee.
  - B. Be on the campus of Emory University.
  - C. Be accessible to those not physically present, whether by live broadcast on the internet, conference call, or similar means that

allows real time participation in the forum without being physically present.

3. The legislature shall notify the student body of the legislative meetings in which the issue will be addressed

## **Article V: The President and the Executive Branch**

### **SECTION 1: THE PRESIDENT**

1. The President is the chief presiding officer of the executive branch and is responsible for the appointment and oversight of their cabinet.

### **SECTION 2: THE LINE OF SUCCESSION**

1. Executive Vice President
2. Speaker of the Legislature
3. Ranking Member of the Legislature

### **SECTION 3: THE MEMBERSHIP OF THE CABINET**

1. The President, by and with the advice and consent of the Student Legislature, shall appoint the Members of the Cabinet, as provided within the SGA Code.

### **SECTION 4: THE EXECUTIVE AUTHORITY**

1. All Non-Elected members of the Executive Branch may be dismissed by the President.
2. If a dismissed officer feels that their dismissal in any way violates their constitutionally enumerated rights, they may appeal the decision with the Constitutional Council.

### **SECTION 5: THE POWERS OF THE CABINET**

1. The Members of the Cabinet shall be granted the following powers:
  - A. To perform the duties of which they are granted by this Constitution
  - B. To create and directly supervise any inferior office or committee necessary to carry out their duties and responsibilities, subject to approval of the Legislature.
  - C. To make appointments to those offices or committees.
  - D. To consult with the President on matters of policy.

### **SECTION 6: THE PROSCRIBED POWERS**

1. The holders of the following offices are hereby granted the constitutional right to exercise the following powers:
  - A. The President may veto any bill passed by the Legislature, provided such a veto shall be enacted within thirteen days after the bill is placed in the executive offices.
  - B. The VP of Finance shall have oversight power over all divisional and organizational financial accounts, expenditures, and budgets so as to enforce the monetary policy of the SGA.

## **Article VI: The Constitutional Council and the Judiciary**

### **SECTION 1: THE JUDICIAL BODIES**

The Judicial Branch (the Judiciary) shall include the following Judicial Bodies: The Constitutional Council and any Judicial councils of the recognized Divisional Councils.

### **SECTION 2: JURISDICTION AND COMPOSITION OF THE JUDICIAL BODIES**

The jurisdiction, composition, and selection of membership of the Judicial Bodies, unless herein specified, shall be specified in their respective constitutions. Each judicial body shall establish and publish its own procedures.

### **SECTION 3: JUDICIAL AUTHORITY IN PUNISHMENT**

The Judicial Bodies established herein shall have full discretionary authority to recommend punishments for offenses within their jurisdiction to the appropriate Academic or Personnel Dean and the SGA President and Legislature.

### **SECTION 4: THE CONSTITUTIONAL COUNCIL**

1. The supreme judicial council herein established shall be the Constitutional Council. This body shall:
  - A. Hear and decide questions of the constitutionality of any actions taken under the provisions and jurisdiction of this Constitution and have original and appellate jurisdiction over the decisions of inferior judicial bodies.
  - B. Hear and decide questions regarding the constitutionality and equity of any university action which affects the rights of any Undergraduate student or group thereof and have original and appellate jurisdiction over such questions.
  - C. Be headed by a Chief Justice, who shall be one of the members of the Constitutional Council.
  - D. To establish rules of procedure for the Council.

## **Article VII: SGA Membership and Undergraduate Student Participation**

### **SECTION 1: MEETINGS AND DOCUMENTATION**

The SGA shall be a public and open body, participation in whose proceedings shall not be denied any Undergraduate student. All meetings of the Student Legislature shall be open, and the dates, times, and locations of such meetings shall be announced. The papers of the SGA shall be considered public records.

### **SECTION 2: SELECTION OF THE OFFICERS**

All Members and Officers shall meet the requirements of their office at the time of their election or appointment and throughout their terms of office. The following are the qualifications and requirements for each office and may only be changed by an amendment to this Constitution:

1. The President of the SGA shall:
  - A. Be an Undergraduate student enrolled at Emory University.
  - B. Have and maintain at least a cumulative grade point average (GPA) to graduate from their school of enrollment.
  - C. Serve a term that will begin upon taking the affirmation of office, and conclude when their successor takes the Affirmation of Office: "I

do solemnly affirm that I will faithfully execute the Office of the President of the undergraduate Student Government Association, and will to the best of my ability, preserve, protect and defend the undergraduate Student Constitution of the Emory University.” The Affirmation to Presidents elect may only be administered by the Chief Justice of the SGA or the most senior Associate Justice of the Constitutional Council. The legislative session shall correspond to this term.

- D. Be elected by all the Undergraduate students of the University.
2. The Executive Vice President shall:
  - A. Be undergraduate students enrolled at Emory University.
  - B. Have and maintain at least a cumulative grade point average (GPA) to graduate from their school of enrollment.
  - C. Be elected to a term corresponding to that of the President.
  - D. Be elected by all the Undergraduate students of the University.
3. All other Members of the Cabinet shall:
  - A. Be Undergraduate students enrolled at Emory University.
  - B. Have and maintain at least a cumulative grade point average (GPA) to graduate from their school of enrollment.
  - C. Be appointed by the President, by and with the advice and consent of the Student Legislature.
  - D. Serve a term corresponding to that of the President.
4. Each Justice of the Constitutional Council shall:
  - A. Be an Undergraduate student at Emory University.
  - B. Be appointed by the President, by and with the advice and consent of the Student Legislature. In making appointments of Justices, the President shall to the best of their ability ensure representation from among the various academic divisions of Emory University, provided that no each division is guaranteed representation on the Constitutional Council and that Justices shall be selected primarily on the basis of ability and experience. The President shall have the right to instruct the Heads of Divisional Councils in abetting him or her in such efforts and shall report to the Student Legislature their efforts in searching for candidates.
  - C. Serve a term corresponding to their time of enrollment at Emory University.
5. The Chief Justice of the Student Government Association shall:
  - A. Be a member of the Constitutional Council.
  - B. Be appointed by the President, by and with the advice and consent of the Legislature, based on seniority and ability.
  - C. Serve a term of one year.
  - D. Serve no more than one term.
6. Each Divisional Representative shall:
  - A. Be an Undergraduate student in the school that they represent for the duration of their term.
  - B. Have and maintain at least a cumulative grade point average (GPA) to graduate from their school of enrollment.
  - C. Be chosen in a manner determined by the Divisional Council whose students they represent.
  - D. Meet all other qualifications determined by the Divisional Council whose students they represent.



- E. Represent the entire Divisional Council, unless the Divisional Council has designated class representation, under the conditions determined by law of the Student Legislature.
  - F. Serve a term corresponding to that of the President and serve until their successor takes office.
8. The holders of all other offices later created shall:
- A. Be chosen in a manner determined by the Legislature.
  - B. Be responsible to the Legislature, if a legislative office, or the President or a Member of the Cabinet, if an executive office, or the Constitutional Council, if a judicial office, not granted autonomous authority by Constitutional Amendment.

## **Article IX: Divisional Councils and Student Groups**

### **SECTION 1: ESTABLISHMENT OF DIVISIONAL COUNCILS**

1. From time to time, the Student Legislature may by law form or abolish Divisional Councils which shall:
- A. Be entities directly formed under the SGA for the purpose of representing their college.
  - B. Consult and work with the deans and other appropriate administration and faculty members and committees on all such matters.
  - C. Administer all apportioned funds in accordance with SGA procedures.
  - D. Be subject to the rules and regulations contained within this Constitution and all further laws enacted by the Student Legislature, as well as to the decisions of the Constitutional Council and other judicial bodies established herein.

## **Article X: Amendments to this Constitution**

1. The body of this Constitution, once ratified, may be revised. Amendments may be made by the following methods:
- A. Passage by a simple majority of Undergraduate students voting in a campus referendum conducted by the SGA at the direction and initiative of two thirds of the membership of the SGA Legislature.
  - B. Passage by two thirds of the Undergraduate students voting in a special referendum conducted by the SGA. The President of the SGA shall direct that such a referendum be held upon receipt of a written petition initiated by an Undergraduate student calling for such an amendment and signed by ten percent of the total population of the Undergraduate student body.