

The Florida International University Student Body Constitution

The 40th Session of the Student Body Senate

Florida International University

Miami, Florida

S.B. 04 025

The Constitutional Revision Act

IN THE SENATE


March 18, 2024

Constitutional Convention Chair Brian Levine, Student Body President Alexander P. Sutton, Executive Administrator Natalie Martinez, Senate President Kaily LaChapelle, Housing Senator Alexander Stone, Chief Justice Mia Rodriguez, SGC-MMC Vice President 2018-2019 Peter Hernandez, Student Body Vice President Santana Way, and Student Tracy Mussotte introduced the following bill, which was presented on the Senate floor

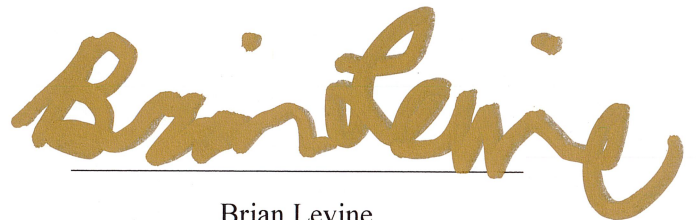
A BILL

To propose a revision to the Student Body Constitution, to be voted on by the student body.

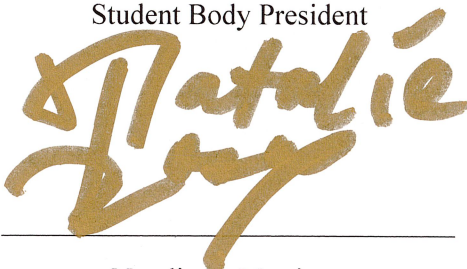
Be it enacted by the Senate of the Student Body at Florida International University assembled,



Alexander P. Sutton
Student Body President



Brian Levine
Constitutional Convention Chair



Natalie R. Martinez
Executive Administrator



Alexander P. Stone
Housing Senator

The Florida International University Student Body Constitution

Whereas, Executive Order 4-01 created the Constitutional Convention of FIU, which met throughout the Fall semester of 2023 and January and February of 2024, drafting a revision to the Student Body Constitution,

Whereas, The current Student Body Constitution was enacted on February 1, 2021, by authority of the Senior Vice President for Academic and Student Affairs,

Whereas, The current Student Body Constitution was amended on November 28, 2023, by the Amendments Streamlining Act, which passed a referendum of the student body, and provides for the way in which the Constitution may be amended,

Whereas, Article XIII of the current Student Body Constitution states that the way the Constitution may be “replaced is with the approval of three-fifths (3/5) of the students voting in a referendum election,”

Whereas, Article XIII of the current Student Body Constitution furthermore states that “Constitutional amendments may modify the text, body, and numbering of the document, and are not required to be added to the end of the document,”

Whereas, the Constitutional Convention ratified its final amendment proposal on Friday, February 2, 2024, and thereby submitted said amendment proposal to the Senate for a vote, through this bill,

Whereas, Best practice dictates revision and improvement to policies and procedures after having several years to observe any faults or inefficiencies in such policies and procedures, and amending the Constitution after 3 years is in line with best practice,

Whereas, with several amendments being made to various titles and positions within the Student Government Association, a set of implementation provisions is necessary to be enacted in addition to the revision of the Constitution, in order to resolve any ambiguities caused by changes to positions or titles,

Now, Therefore, the Senate of the Student Body submits the following Amendment Proposal to the Elections Board to be placed on the ballot as a referendum for the approval of the student body in a special election to be held on Tuesday, April 2, 2024, from 8AM to 8PM. The ballot shall contain the question: “Shall the Constitution be amended to adopt the revisions proposed by the Constitutional Convention?” with only two options: “yes” and “no”. Students will have the option of clicking a link to read the full text of the amendment.

Now Therefore, the Senate of the Student Body additionally enacts the implementation provisions enumerated after the amendment proposal contained in this bill. The implementation provisions are not part of the amendment proposal, but if the amendment proposal is adopted by the student body, then the implementation provisions shall dictate the manner and specificities by which the revisions to the Constitution shall take effect.

STUDENT GOVERNMENT ASSOCIATION



CONSTITUTION

The Florida International University Student Body Constitution

Preamble

We, the students of Florida International University, in order to form a more effective student government, provide for student governance, represent and defend students' rights and interests to the university, the community, and the government, provide a forum for student expression, establish services and organize events for the benefit of students, promote an environment free from discrimination, and ensure that students have control over all decisions that affect them, do ordain and establish this Constitution of the Student Body of Florida International University.

Article I

Establishment

Section 1 – Jurisdiction of Student Government

- A. All students by virtue of their registration at Florida International University are members of the student body and are granted all the rights and privileges of this Constitution.
- B. Members of the student body shall be subject to this Constitution, Student Government Association Statutes, Student Government Association rules and procedures, and all university rules and regulations.
- C. All students, Agencies, Bureaus, Registered Student Organizations, and all entities funded by Activity and Service Fee funds are subject to the jurisdiction of this Constitution, the Student Government Association, and all its statutes, rules, and regulations.

Section 2 – Branches of Government

- A. The powers of the Student Government Association shall be divided into the Legislative, Executive, and Judicial branches.
- B. Persons belonging to one branch shall not exercise any powers appertaining to any of the other branches unless otherwise stated herein.

The Florida International University Student Body Constitution

Article II

Student Bill of Rights

Section 1 – Rights Recognized by the SGA

- A. The Student Government Association (SGA) recognizes all rights guaranteed by the United States Constitution, the Florida Constitution and the laws of the United States and the State of Florida and the United Nations Universal Declaration of Human Rights.
- B. Students shall have the right to freedom of speech, expression, association, assembly, religion, and the right to petition their student government. SGA shall not restrict access to the facilities or funding necessary for the exercise of these rights.
- C. Students shall have the right to participate in student government. The SGA shall not restrict students' right to vote in elections, to attend and speak at SGA meetings, to take exception to SGA policies and actions, and to access all SGA information, except as provided by law.
- D. Students have a right to take exception to any decision, policy or view — academic or otherwise — of the University, and bring their grievances to the appropriate SGA official(s).
- E. The SGA recognizes the critical importance of having a free and independent student media. Accordingly, the SGA recognizes the freedom of the press and shall take no action that would censor or restrict the freedom of the University's independent student media to freely report and publish the news, freely publish editorials and opinions, and freely investigate the University, the SGA, and all student organizations.
- F. Students shall have the right to both procedural and substantive due process.
- G. The enumeration of specific rights in this section shall be in no way construed so as to deny other rights retained by the students.

Section 2 – Limits of the Student Government Association

The Student Government Association is limited by, and shall therefore not conflict with, the rights guaranteed by the United States and Florida Constitutions and State University System of Florida Board of Governors regulations.

The Florida International University Student Body Constitution

Section 3 – Prohibition on Discrimination

The Student Government Association and all organizations, departments, councils, Agencies, Bureaus, and all other student groups and university entities that fall under the jurisdiction, funding, activity, or agency of the Student Government Association, may not discriminate on the basis of race, creed, color, religion, age, disability, sex, sexual orientation, gender identity, self-expression, marital status, parental status, socioeconomic status, national origin, ethnicity, size, height, weight, political opinions, campus, organizational affiliations, veteran status or any other classification as provided by law or Student Body Statute.

Section 4 – Commitment to Diversity

The Student Government Association (SGA) embraces and strives to ensure that a diversity of cultures, races and ethnicities, genders, political and religious beliefs, physical and learning differences, and sexual orientations and identities is thriving in the SGA, on our campuses and within our community. The SGA values and embraces FIU's unique status as the largest minority-serving institution in the State of Florida, and the largest Hispanic Serving Institution in the United States.

Section 5 – Accessibility of the Student Government

Any member of the student body needing accommodation to attend or participate in any meeting, forum, or event of the Student Government is permitted and encouraged to request such accommodations. All reasonable accommodations shall be granted.

Section 6 – Civic Rights of the Student Body

- A. Students shall have the right to: vote for elected officials; Apply for and run for SGA offices; Submit Writs for Judicial Review to be considered by the Supreme Court, which shall include both grievances against SGA officials and/or petitions for legal review; Request meetings with Student Government Association officials; and to petition for the formation of an Executive Agency, Bureau, or Registered Student Organization.
- B. Students shall have the right to petition the Student Government Association and its members to express suggestions and/or concerns regarding student affairs, to request SGA money, and for any other reason enumerated by statute.
- C. Students shall have the right to call for a referendum for the following purposes: to propose amendments to the SGA Statutes or Constitution; to call for a Constitutional Convention; to recall an SGA official; and to hold a non-binding vote on a question facing the student body.
- D. The student body shall have the right to self-governance free of administrative interference.

The Florida International University Student Body Constitution

Article III

The Legislative Branch

Section 1 – Purpose

- A. The legislative powers of the student body shall be vested in the Student Body Senate of Florida International University.
- B. All officers of the Legislative Branch shall hold all powers and duties as prescribed by this Constitution and any other powers and duties as prescribed by the Student Body Statutes and the Senate Rules.

Section 2 – Composition of the Senate

- A. The Student Body Senate shall be comprised of:
 - 1. A number of students who shall be known as Student Senators.
 - 2. A Speaker of the Senate, elected from the membership of the Senate.
 - 3. A Speaker Pro Tempore of the Senate, elected from the membership of the Senate.
 - 4. A Finance Chair, elected from the membership of the Senate.
 - 5. A Senate Floor Leader, elected from the membership of the Senate.
 - 6. A number of committees, each of which shall have a Chair and Vice-Chair.
 - 7. The BBC Legislative Council, which shall have a Chair and Vice-Chair.
 - 8. A number of additional officers as determined by the Senate Rules and the Statutes.

Section 3 – Rules of Apportionment

- A. The numbers of apportionment shall be determined by the Elections Board in the Fall semester of every even numbered year according to the most accurate enrollment information available as per the most recent Fall enrollment numbers.
- B. The Elections Board shall determine the reapportionment and submit it by the end of October to the Supreme Court for review and approval to ensure its accuracy. The Supreme Court shall review and approve the reapportionment by the end of the Fall semester.
- C. Following the approval of the apportionment numbers, they shall be adjusted within this Constitution by the Chief Justice to reflect the most current apportionment.
- D. Apportionment for colleges shall be governed as follows:
 - 1. The number of Senators for each college shall be determined by dividing the enrollment number of the college, as determined by the most accurate enrollment information available as per the most recent Fall enrollment numbers, by 1500

The Florida International University Student Body Constitution

students, rounded to the nearest whole number. Each college shall be entitled to at least one Senator. Both undergraduate and graduate students may serve as a Senator representing their college.

2. This shall apply to all colleges and schools including the Honors College, except that it shall not apply to the College of Law nor the College of Medicine.

E. Apportionment for on-campus housing shall be governed as follows:

1. Campuses with only one on-campus housing unit shall be entitled one Housing Senator. Campuses with more than one on-campus housing unit shall be entitled one Housing Senator for every two on-campus housing units, rounded up to the nearest whole number.
2. Senators representing housing students shall be known as Housing Senators.

F. Apportionment for Lower and Upper Division senators shall be governed as follows:

1. Lower Division students shall be represented by 2 Lower Division Senators and Upper Division students shall be represented by 2 Upper Division Senators. These Senators shall be university-wide elected positions.

G. Apportionment for Graduate Senators shall be governed as follows:

1. The College of Medicine and the College of Law shall be entitled 1 Senator each to be called the "Law" or "Medicine" Senator, respectively.
2. There shall be five (5) Graduate Senators not belonging to the College of Medicine or College of Law to be called Graduate Senators.

H. Apportionment for the Online Senator Seat shall be as follows:

1. There shall be one (1) seat apportioned to Online students in the Student Senate, regardless of enrollment, to be called the Online Senator. The Online Senator shall be a fully online degree-seeking student (in a fully online program).

I. Apportionment for the BBC At-Large and FIU at I-75 seats shall be governed as follows:

1. There shall be five (5) Senators elected by the students of the Biscayne Bay Campus, to be called BBC At-Large Senators. There shall be 1 Senator elected by the students taking one or more classes at FIU at I-75, to be called the FIU at I-75 Senator.

The Florida International University Student Body Constitution

Section 4 – Current Apportionment

- A. The current apportionment of the Student Senate is as follows:
1. Chaplin School of Hospitality and Tourism Management (1)
 2. College of Arts, Sciences and Education (11)
 3. College of Business (6)
 4. College of Communication, Architecture + the Arts (3)
 5. College of Engineering and Computing (6)
 6. College of Law (1)
 7. Steven J. Green School of International and Public Affairs (3)
 8. Stempel College of Public Health and Social Work (1)
 9. Wertheim College of Medicine (1)
 10. Wertheim College of Nursing and Health Sciences (1)
 11. MMC Housing Senator (4)
 12. BBC Housing Senator (1)
 13. Lower Division Senator (2)
 14. Upper Division Senator (2)
 15. Graduate Senator (5)
 16. Honors College (1)
 17. Online Senator (1)
 18. Biscayne Bay Campus At-Large Senator (5)
 19. FIU at I-75 Senator (1)
- B. Final total of seats in the Senate: 56
- C. This section of the Constitution shall be updated by the Chief Justice based on the reapportionment conducted by the Elections Board and approved by the Supreme Court.

The Florida International University Student Body Constitution

Section 5 – Duties and Procedures of the Senate

- A. The Student Body Vice President shall be the ex-officio presiding officer of the Senate when no other officer is able to preside, but shall have no vote unless there is a tie.
- B. The Student Body Vice President shall chair the Senate until it chooses its Speaker, at which point the Student Body Vice President shall relinquish the chair to the Speaker.
- C. The Speaker and Speaker Pro Tempore shall be elected during the first meeting of the Senate.
- D. The Speaker of the Senate, as chair of the Senate, shall retain their voting rights and all other rights and privileges afforded to them as a Senator.
- E. The Senate shall elect a chair for all committees of the Senate, except the Graduate and Professional Student Committee and the BBC Legislative Council, and any other committee for which the Senate provides an alternate means for the selection of its chair.
- F. The positions of Speaker, Speaker Pro Tempore, Finance Chair, Floor Leader, and any committee chair shall be held by different persons.
- G. Provided the Senate is given forty-eight (48) hours' notice, the Speaker or a two-thirds (2/3) supermajority of the Senate may call for a special meeting of the Senate.
- H. The Student Senate shall be required to hold a minimum of two (2) Senate Sessions each Fall and Spring Semester at the Biscayne Bay Campus.
- I. The quorum of the Senate shall be set at a simple majority of the membership of the Senate, excluding all vacancies. The Senate may not transact any substantive business without the presence of a quorum.

Section 6 – Powers of the Senate

- A. Enact, by majority vote of the Student Body Senate, constitutional bylaws to be known as Student Body Statutes. The Senate may amend the Statutes through bills which shall require a simple majority to pass, except in specific occasions specified in this Constitution.
- B. Express the will and sentiments of the Student Body Senate through resolutions, which shall pass by a simple majority vote of the Senate, not subject to veto by the Student Body President.
- C. Advise and consent, by a simple majority vote of the Senate, to appointments made by the Student Body President according to constitutional requirement.
- D. Allocate student funds paid through the Activity and Service Fee.

The Florida International University Student Body Constitution

- E. Determine the rules of its proceedings, which shall be known as Senate Rules. These rules shall not override the quorum of the Senate, nor contradict the provisions of this Constitution or the Statutes. The Senate Rules may be enacted and amended by a bill which shall pass by a simple majority vote, not subject to veto by the Student Body President.
- F. Override vetoes of the Student Body President with a two-thirds (2/3) vote of the Senate, unless specified otherwise in this Constitution.
- G. Assemble in open meetings at frequent intervals for the deliberation of legislation and business of the Student Body.
- H. By a two-thirds (2/3) vote of the Senate, open an impeachment case at the Supreme Court against an SGA official or officials.
- I. Consider, amend, and pass the final Activity and Service Fee Budget for each year, presented by the Activity and Service Fee Budget Committee, by a two-thirds (2/3) vote of the Senate.
- J. Have the ability to remove a Justice of the Supreme Court, for cause, through a two-thirds (2/3) vote of the Senate and the approval of the Student Body President. Should the President veto the removal, the Senate may override the veto with a three-fourths (3/4) vote.
- K. Conduct audits of any organization or department receiving Activity and Service Fee funds to ensure compliance with the SGA governing documents.
- L. Subpoena SGA officials to the Senate floor or to Senate committees.
- M. Provide by statute for the manner and policies by which the Accumulated Cash Balance account shall be spent. The adoption of and amendments to such policy shall require a two-thirds (2/3) vote of the Senate.
- N. Provide by statute for the policies governing the subsidization for on-campus room rentals with Activity and Service Fee funds.
- O. Vote to authorize expenditures of the Student Government Budget not pertaining to any individual branch or official.
- P. Have the power to create lower courts for the Judicial Branch, and have the power to establish retention elections for Justices of the Supreme Court for an additional term after the expiration of their first term.
- Q. Establish rules and procedures for the discipline and removal of its own members, for cause and respecting due process. Should a Senator be removed from their position under a procedure established through the Statutes or Senate Rules, this removal may be appealed to the Supreme Court.
- R. Impose requirements, duties, penalties, censure, and removal on its own members.
- S. Elect a Clerk of the Senate to perform such duties as provided by the Senate Rules.

The Florida International University Student Body Constitution

Section 7 – Terms and Vacancies

- A. Senators shall be elected by plurality vote for a one (1) year term beginning on the first day of classes of the Summer semester at 12:00 p.m. and ending on the first day of classes of the next Summer semester at 12:00 p.m.
- B. In the case of a vacant Senate seat, the Senate may by simple majority elect a replacement to fill the seat for the remainder of the term, or may call an election to fill such vacancies. The Senate may institute regularly occurring elections to fill vacancies should it choose.

Section 8 – Executive Leadership of the Senate

- A. The Speaker of the Senate shall:
 - 1. Hereinafter be referred to as the “Speaker”; upon election, chair all Senate meetings, and be the chief administrative officer of the Legislative Branch.
 - 2. Be a Senator, selected by a simple majority vote of the Senate.
 - 3. Be the official voice of the Senate, and represent the Senate in all official matters.
 - 4. Shall serve on the Budget Committee and the University-Wide Council.
 - 5. Have the power to call additional meetings of the Senate as necessary with forty-eight (48) hours’ written notice to the Senate membership. Attendance in these cases is mandatory.
 - 6. Be an ex-officio non-voting member of all Senate committees and shall only serve an advisory role. They shall have all rights except voting. They shall be exempt from committee requirements.
 - 7. Be responsible for drafting the agenda of the Senate before each meeting.
- B. The Speaker Pro Tempore of the Senate shall:
 - 1. Assist the Speaker in their duties and shall assume the role of the Speaker of the Senate in the event of the Speaker’s absence, recusal, resignation, or removal.
 - 2. Be a Senator, selected by a simple majority vote of the Senate.
 - 3. In the absence of the Speaker, the Speaker Pro Tempore shall chair all Senate meetings and report on the business of the Senate to the University-Wide Council.
 - 4. Should the Speaker resign or be removed from office, the Speaker Pro Tempore shall assume the role of acting Speaker of the Senate until a new Speaker is elected. An election for the new Speaker must occur within two (2) Senate meetings of the date of resignation or removal.

The Florida International University Student Body Constitution

5. Be an ex-officio non-voting member of all Senate committees and shall only serve an advisory role. They shall have all rights except voting. They shall be exempt from committee requirements.
6. Shall serve on the Budget Committee and the University-Wide Council.
7. Be responsible for assisting Senators with the drafting of legislation.

C. The Senate Finance Committee Chair shall:

1. Hereinafter be referred to as the Finance Chair.
2. Be a Senator, selected by a simple majority vote of the Senate.
3. Chair the Finance Committee of the Senate.
4. Serve as Vice-Chair of the Budget Committee.

D. The Senate Floor Leader shall:

1. Be the Chair of the Internal Affairs Committee of the Senate.
2. Be a Senator, selected by a simple majority vote of the Senate.
3. Be in charge of managing the internal matters of the Senate.
4. Keep track of the individual requirements of the Senators, including attendance and office hours, working with the Attorney General and the Internal Affairs Committee.
5. Shall serve as a member of the University-Wide Council.

E. Committee Chairs shall;

1. Serve as the chief administrative officers of their respective committees.
2. Present a report to the Senate following each Senate committee meeting. In the absence of the Chair, the Vice Chair or any Senate committee member shall present the report.
3. Not chair more than one (1) Senate committee.
4. Not be the Speaker or Speaker Pro Tempore.
5. This section shall apply to the Chairs of all Standing and Ad-Hoc Committees of the Senate and the Chair of the BBC Legislative Council.

The Florida International University Student Body Constitution

Section 9 – Senate Committees

- A. The Standing Committees of the Senate shall be the Finance Committee, the Internal Affairs Committee, the Graduate and Professional Student Committee (GPSC), and all other committees which the Senate may ordain and establish through its Senate Rules.
- B. The Senate may from time to time propose and adopt Ad-Hoc committees on which Senators may serve. Ad-Hoc Committees can be created at the discretion of the Senate Speaker, or by a resolution which shall pass with a simple majority vote of the Senate, not subject to veto by the Student Body President.
- C. The Finance Committee shall:
 1. Be composed of a number of Senators specified in the Senate Rules. The Senate shall elect all members of the Finance Committee.
 2. Be chaired by the Finance Chair.
 3. Receive a budgetary allocation to be used for the following purposes: granting petitions for funding submitted by students or student groups; advocacy for the student body; programming, events, and initiatives; and all other purposes which the Senate shall deem appropriate.
- D. The Internal Affairs Committee shall:
 1. Be composed of a number of Senators specified in the Senate Rules. The Attorney General shall serve as an ex-officio non-voting member of the committee.
 2. Be chaired by the Floor Leader.
 3. Keep track of the requirements of all SGA members, including attendance to required meetings and office hours.
 4. Investigate allegations of malfeasance or nonfeasance.
 5. Make recommendations to the full Senate regarding the censure or removal of any SGA member found responsible of malfeasance or nonfeasance.
- E. The Graduate and Professional Student Committee (GPSC) shall:
 1. Have a membership composed of all graduate students serving in the Senate. The members of the GPSC shall elect a Chair and Vice Chair from amongst their members. During the GPSC's first meeting until it elects its Chair, the meeting will be temporarily chaired by the Speaker, or in their absence, the Speaker Pro Tempore.
 2. Receive a budgetary allocation that adequately funds the needs of the University's graduate student population. GPSC shall have the authority to expend their budget allocation in accordance with any policies and procedures it may adopt.

The Florida International University Student Body Constitution

Section 10 – The Biscayne Bay Campus Legislative Council

- A. The Biscayne Bay Campus (BBC) Legislative Council shall be composed of all Senators who are students of the Biscayne Bay Campus (BBC) as specified in this Constitution.
- B. The BBC Legislative Council shall be treated as a committee, but shall have certain exclusive powers. The BBC Legislative Council shall have the power to:
 - 1. Confirm appointments made by the Governor of the Biscayne Bay Campus.
 - 2. In the event that the offices of Governor and Lieutenant Governor of the Biscayne Bay Campus are vacant, the BBC Legislative Council may elect the Governor of the Biscayne Bay Campus by a simple majority vote of the BBC Legislative Council. In the absence of the Chair and Vice Chair, this meeting shall be chaired by the Speaker of the Senate, who shall have no vote.
- C. The BBC Legislative Council will elect its own Chair and Vice Chair. During the BBC Legislative Council's first meeting until it elects its Chair, the meeting will be temporarily chaired by the Governor, or in the Governor's absence, the Lieutenant Governor.

The Florida International University Student Body Constitution

Article IV

The Executive Branch

Section 1 – Purpose

The power to ensure that acts of the legislature are executed, advocate directly to administration, represent student interests, and to enforce Supreme Court decisions is vested in the Executive Branch.

Section 2 – Composition

- A. The Executive Branch shall be composed of the Student Body President, Student Body Vice President, the Comptroller, the Attorney General, the Chief of Staff, the Press Secretary, the President's Cabinet, the Presidential Staff, the Governor of the Biscayne Bay Campus, the Lieutenant Governor of the Biscayne Bay Campus, and the Governor's Cabinet.
- B. All officers of the Executive Branch shall hold all powers and duties as prescribed by this Constitution and any other powers and duties as prescribed by the Statutes.
- C. The term for the Student Body President shall be a one-year term beginning on the first day of classes of the Summer semester at 12:00 p.m. and ending on the first day of classes of the next Summer semester at 12:00 p.m.
- D. All members of the Executive Branch shall serve terms concurrent with the term of the Student Body President.
- E. All students appointed to a position in the Executive Branch by the Student Body President shall be confirmed by a simple majority vote of the Senate.

Section 3 – Duties and Procedures of Executive Branch Members

- A. The Student Body President shall:
 - 1. Act as chief executive of Student Government and chief administrator of the Executive Branch. As such, the President shall ensure that the acts of the legislature are executed.
 - 2. Set an agenda and conduct the business of executive meetings while presiding as chair of those meetings or designate a substitute for the fulfillment of this duty.
 - 3. Represent the interests of the students to the best of their ability directly to the administration and faculty, as well as serve on the FIU Board of Trustees as a voting member. The President shall also serve on the Florida Student Association board.

The Florida International University Student Body Constitution

4. Convene meetings of the full Student Government Association at the beginning of each semester to provide a report stating their major objectives and projects.
5. Be guaranteed the right to attend and report to Senate meetings, or send a designee to attend and report to Senate meetings in their place.
6. Appoint students to Student Government positions when in concurrence with the Constitution and Statutes.
7. Initiate Budget proceedings for the fiscal year and present the completed Activity and Service Fee Budget bill to the Senate.
8. Possess the power to remove any member of the Executive Branch, except for the Student Body Vice President, the BBC Governor and BBC Lieutenant Governor, the Governor's Cabinet, and the Comptroller.
9. Issue Executive Orders.
10. Serve as the chair of the SGA University-Wide Council.
11. Sign or veto bills passed by the Student Senate. Bills failing to acquire the President's signature or veto within five (5) University Business Days (Monday-Friday) from the confirmed receipt of the Bill by the President shall become law. A two-thirds (2/3) vote of the Senate shall be required to overturn a presidential veto. The President shall give the Senate a written explanation of their veto within five (5) University Business Days of issuing the veto; should the President fail to give written explanation to the Senate within the allotted time, the bill shall become law.
12. Create departments, commissions, or other bodies for an express purpose by Executive Order which shall be voluntary and not receive pay for membership or leadership.
13. Exclusively appoint students to university committees, including, but not limited to, the Technology Fee Advisory Council, any Student Fee Committee, and any other committee requiring student representation or SGA representative(s).
14. In extraordinary circumstances, convene a mandatory Senate meeting with forty-eight (48) hours' notice to the Senate.
15. Be entitled floor rights when present at the Senate.
16. Have the sole discretion, in consultation with the University-Wide Council, to distribute all of the tickets given to SGA for its suite in the stadium, as long as SGA maintains its contract with Athletics. The Student Body President has the sole power to invite any and all attendees to this suite for each athletic event, but must prioritize SGA members and Agency and Bureau leaders for invitations.
17. Appoint a number of Deputy Chiefs of Staff.

The Florida International University Student Body Constitution

18. Appoint the Comptroller, Attorney General, the Chief of Staff, the Press Secretary, and all other members of the Presidential Staff and the President's Cabinet.
19. Expense an exclusive budgetary line item, to be known as the Presidential Discretionary Line.
20. Be referred to in all official ceremonies, including commencement, as "the Student Body President."

B. The Student Body Vice President shall:

1. Fulfill the duties of the Student Body President in their absence.
2. Act as the ex-officio presiding officer of the Senate when no other officer is able to preside, and shall have no vote unless there is a tie.
3. Preside over the Senate until the Senate chooses a Speaker.
4. Serve as a liaison between the Legislative and the Executive branches.
5. Serve on the FIU Foundation Board of Directors.
6. Serve as a member of the Budget Committee, the University-Wide Council, and the President's Cabinet.
7. Assume any powers and responsibilities assigned to them by the Student Body President.
8. Be entitled floor rights when present at the Senate.
9. Appoint one (1) student as Deputy Chief of Staff to the Vice President.
10. Convene monthly meetings of the Council of Presidents, which shall be a Council composed of the Presidents of all Bureaus and chaired by the Student Body Vice President.

C. The Governor of the Biscayne Bay Campus shall:

1. Serve as a representative of the students of the Biscayne Bay Campus to the Executive Branch of Student Government.
2. Be advised in all matters of the Student Government impacting the Biscayne Bay Campus and FIU at I-75.
3. Serve as a representative and ambassador of Student Government to the Biscayne Bay Campus and FIU at I-75.
4. Expense an exclusive budgetary line item for the purpose of engaging, advocating, or supporting the Biscayne Bay Campus students, which shall have at least a quarter as much funds as the Presidential Discretionary line item.

The Florida International University Student Body Constitution

5. Issue and sign gubernatorial Executive Orders pertaining to the Biscayne Bay Campus or FIU at I-75.
6. Serve on the Biscayne Bay Campus Leadership Team meetings and all other similar campus specific meetings.
7. In the event of a vacancy, appoint a Lieutenant Governor of the Biscayne Bay Campus to be confirmed by a simple majority vote of the BBC Legislative Council.
8. Appoint a number of Staff Secretaries to be confirmed by a simple majority vote of the BBC Legislative Council. These positions shall comprise the Cabinet of the Governor of the Biscayne Bay Campus, hereinafter known as the Governor's Cabinet.
9. Possess the power to remove any member of the Governor's Cabinet, except for the Lieutenant Governor of the Biscayne Bay Campus.
10. Serve as the Chair of the Governor's Cabinet.
11. Serve on the Budget Committee and the University-Wide Council.
12. Be entitled floor rights when present at the Senate.
13. Appoint one (1) student as Deputy Chief of Staff to the BBC Governor, who shall be considered part of the Governor's Cabinet.

D. The Lieutenant Governor of the Biscayne Bay Campus shall:

1. Fulfill the duties of the BBC Governor in their absence.
2. Serve as a member of the Budget Committee, but shall cast no vote except in the Governor's absence.
3. Serve as a member of the University-Wide Council, but shall cast no vote except in the Governor's absence.
4. Serve as Vice-Chair of the Governor's Cabinet.
5. Assume any powers and responsibilities assigned to them by the BBC Governor.
6. Shall assume the position of Governor of the Biscayne Bay Campus in the event that the Governor leaves office before the end of their term.

E. The Comptroller shall:

1. Serve as the chief financial officer of the Student Government Association.
2. Become knowledgeable and abide by the SGA Finance Code.
3. Assist the Activity and Service Business Office in the management and disbursement of Activity and Service Fee funds.

The Florida International University Student Body Constitution

4. Serve as a non-voting member of the Finance Committee of the Student Senate.
5. Serve as Chair of the Budget Committee, but cast no vote except in the case of a tie.
6. Serve as a member of the University-Wide Council and the President's Cabinet.
7. Conduct audits of any organization or department receiving Activity and Service Fee funds to ensure compliance with the SGA Finance Code and governing documents of the Student Government Association.
8. Appoint one (1) student as Deputy Comptroller.
9. Approve or deny internal funding requests for the lines to which they have authority as authorized by statute.

F. The Chief of Staff shall:

1. Serve as the chief advisor to the Student Body President.
2. Manage and supervise the President's Cabinet.
3. Preside over the President's Cabinet in the absence or order of the President.
4. Serve on the University-Wide Council.
5. Assume any additional responsibilities assigned by the Student Body President.

G. The Attorney General shall:

1. Serve as the prosecutor at the Supreme Court for all cases they choose to bring before the Court and all cases they are tasked with prosecuting before the Court.
2. Keep up-to-date records of the attendance, office hours, and requirements of the members of the Student Government Association.
3. Serve as a legal advisor to the Student Body President.
4. Develop a deep understanding of the SGA Constitution, Statutes, and case law.
5. Draft advisory opinions on legal questions and the interpretation of governing documents at the request of the Student Body President.
6. Appoint one (1) student as Deputy Attorney General.
7. Provide written notice of all their prosecutorial actions to the parties involved, and to the Senate Speaker, the Chief Justice, and the Student Body President.
8. Serve as a member of the President's Cabinet.
9. Serve as an ex-officio non-voting member of the Senate Internal Affairs Committee.

The Florida International University Student Body Constitution

H. The Press Secretary shall:

1. Manage the communications and execution of SGA's public engagements.
2. Be responsible for managing SGA events, activities, and engagements.
3. Serve as the primary spokesperson for SGA to the independent student media, organize press releases, work with the independent student media, and be responsible for setting up interviews between all the branches of SGA and the independent student media.
4. Be responsible for the creation of all graphics and graphic media for SGA.

I. The President's Cabinet shall:

1. Be comprised of the President, the Vice President, the Chief of Staff, the Attorney General, the Comptroller, the Press Secretary, the Elections Commissioner, the Directors of every Executive Agency, the heads of any and all Departments and Commissions within the Executive Branch, and up to twenty (20) secretaries chosen and appointed by the Student Body President and confirmed by the Senate.
2. The responsibilities of each cabinet position are to be determined by the Statutes, with additional responsibilities given by the Student Body President .

Section 4 – Terms and Vacancies

A. Members of the Executive Branch shall serve terms of one (1) year.

1. No person shall hold the office of President for more than two (2) terms. In the case that a person succeeds or is appointed to the presidency and serves for more than half a term, they may hold the office of President for exactly one (1) additional term.

B. In the case of resignation or removal of the Student Body President, the order of succession will be as follows:

1. Student Body Vice President
2. Speaker of the Senate
3. Speaker Pro Tempore of the Senate
4. Governor of the Biscayne Bay Campus
5. Comptroller
6. Chief of Staff

C. Should the position of Student Body Vice President be vacant, the President shall appoint a Vice President to be confirmed by a simple majority vote of the Senate.

D. In the event that order of succession is exhausted, the Senate shall convene to elect a Student Body President by a two-thirds (2/3) vote of the Senate.

The Florida International University Student Body Constitution

Article V

The Judicial Branch

Section 1 – Purpose

The Judicial Power of the Student Body shall be vested in the Judicial Branch, which shall be composed of the Supreme Court, a Student Advocate, the Elections Board, and all such lower courts as the Senate may ordain and establish.

Section 2 – Composition of the Supreme Court

- A. The Supreme Court shall be composed of five (5) Justices, one of whom shall serve as Chief Justice. The remaining Justices shall be known as Associate Justices.
- B. The Chief Justice shall be chosen by a vote of the members of the Supreme Court annually in the Summer A semester. Until this election takes place, the most senior member of the Court shall serve as Acting Chief Justice.
- C. The Supreme Court shall require the presence of at least three (3) Justices in order to constitute a quorum. The Court may not transact any substantive business without a quorum.
- D. All decisions of the Court shall be made by simple majority vote of those present.

Section 3 – Procedures of the Supreme Court

- A. The Supreme Court shall meet at least once a week when there is business before the Court, and at least once a month if there is no business before the Court. The Court shall also meet whenever deemed necessary by the Chief Justice.
- B. All official meetings of the Judicial Branch, except private deliberations of the Court, shall be open to the public.
- C. Cases heard by the Supreme Court may be initiated by a Writ for Judicial Review, a two-thirds (2/3) vote of the Senate, or by any other procedure established by the Statutes.
- D. When a Writ has been filed, the Court shall review it and determine its validity. A Writ shall become a case if deemed valid by at least one third of the Justices present at the meeting, and the Court shall set a date for the hearing. The Court shall not disclose deliberations that lead to its rulings. No Justice may submit, or influence the submission of a Writ.
- E. Members of the Court must attend an annual judicial branch training in the Summer semester. The Judicial Branch is not prevented from convening or exercising its powers before this training has occurred.

The Florida International University Student Body Constitution

Section 4 – Jurisdiction

- A. The Supreme Court shall have jurisdiction over cases or conflicts dealing with:
 - 1. Violations of this Constitution, the Statutes, and documents within SGA jurisdiction.
 - 2. Misfeasance, malfeasance, or nonfeasance by an SGA official as defined by the governing documents of the Student Government Association.
 - 3. Misfeasance or malfeasance pertaining to Activity and Service Fee funds.
 - 4. Interpretation of any provision of: this Constitution; the Student Body Statutes; the Constitutions, Bylaws, and other rules governing all Bureaus and Registered Student Organizations; and any other governing documents.
 - 5. Conflicts arising within Executive Agencies, Bureaus, or Registered Student Organizations, concerning violations of their governing documents or concerning the censure and/or removal of their members.
 - 6. The removal or censure of officials under the jurisdiction of Student Government.
 - 7. All other areas of jurisdiction authorized to the Court by the Statutes.
- B. The jurisdiction of the Supreme Court may be delegated to lower courts or other Student Government entities, as shall be specified in the Statutes, but the Supreme Court shall have appellate jurisdiction over all courts and entities to which its jurisdiction was delegated.

Section 5 – Powers of the Supreme Court

- A. Issue binding interpretations of any provision(s) of this Constitution, the Statutes, and all documents within the jurisdiction of Student Government.
- B. Repeal statutes that conflict with or violate the United States Constitution, the Florida Constitution, Federal law, Florida State Statutes, or this Constitution.
- C. Issue binding injunctions upon entities or individuals that fall under the Court's jurisdiction.
- D. Subpoena students or pertinent information for the purpose of testimony during hearings. Any Student Government official who refuses a subpoena will be found in malfeasance.
- E. Censure and/or remove SGA officials from office upon the outcome of a hearing.
- F. Must hear any and all cases against SGA officials impeached by a two-thirds (2/3) vote of the Senate. The Court may acquit, censure, or convict and remove the impeached official.
- G. Hear appeals on matters pertaining to elections violations.
- H. Hear appeals on the decisions made in any lower court, tribunal, Executive Agency, or other entity as specified in the Statutes.

The Florida International University Student Body Constitution

Section 6 – Recusal

- A. Justices must recuse themselves from participating in hearings for the following reasons:
 - 1. If they are active members of an organization of which the accused is also a member
 - 2. If they are biological relatives of the accused
 - 3. If they are in a romantic relationship with the accused
- B. Should a student submit a specific conflict of interest of the Justice that does not fall within the enumerated parameters, the Court shall vote to accept or deny the request of recusal.

Section 7 – Terms and Vacancies

- A. All Justices shall be appointed by the Student Body President and confirmed by the Senate with a two-thirds (2/3) vote.
- B. Justices shall be appointed for a two-year term, which shall last for six consecutive semesters, including the semester of appointment and Summer semesters. Justices are not limited to a number of terms. In the final semester before the expiration of a Justice's term, the Justice may opt to request re-confirmation to another two-year term, which shall be confirmed by a two-thirds (2/3) vote of the Senate without needing to be re-appointed by the President.
- C. Justices shall not hold an elected SGA office until they have ceased to be a Justice for at least one full semester; the Senate may remove this requirement with a two-thirds (2/3) vote.
- D. Clerks are appointed by the Chief Justice and serve a one-year term. There shall be up to three (3) clerks of the court.
- E. In the case of a vacancy on the Court, the Student Body President shall within twenty (20) University Business Days appoint a new Justice to be confirmed by a two-thirds (2/3) vote of the Senate.
- F. Members of the Elections Board shall serve a one-year term concurrent with the term of the Student Body President.
- G. The Student Advocate shall be appointed by the Student Body President and confirmed by the Senate by simple majority vote.
- H. The Student Advocate shall serve a one-year term concurrent with the term of the nominating Student Body President.

The Florida International University Student Body Constitution

Section 8 – Duties of the Judicial Branch

- A. The Chief Justice shall:
 - 1. Be responsible for the creation of the judicial docket.
 - 2. Be the chair of all Supreme Court proceedings; or in their absence, the Court shall be chaired by the designee of the Chief Justice or the most senior member of the Court.
 - 3. Retain their vote on all judicial proceedings.
- B. All Justices of the Court shall:
 - 1. Have the ability to vote on judicial business in cases and Writs.
 - 2. Be a non-partisan, impartial arbiter of all matters before the Court.
 - 3. Develop a deep understanding of the SGA Constitution, Statutes, and case law.
- C. The Student Advocate shall:
 - 1. Serve as the representative of a student in all cases brought against them, if requested by the student.
 - 2. Serve as the representative of an accused student in their absence from court.
 - 3. Develop a deep understanding of the SGA Constitution, Statutes, and case law.

Section 9 – The Elections Board

- A. Shall be composed of five Elections Board Members, one of whom shall serve as the Elections Commissioner and another of whom shall serve as the Deputy Elections Commissioner. They shall all be considered members of the Judicial Branch.
- B. Shall be headed by the Elections Commissioner, who shall serve as the chief administrator of the Elections Board and an ex-officio member of the President's Cabinet.
- C. Shall be in charge of running free and fair general and special elections, as well as making the results available to the public.
- D. Shall ensure that all provisions of the Elections Code are enforced.
- E. Shall possess the sole and exclusive power to remove candidates from the ballot or declare a candidate ineligible, subject to appeal to the Supreme Court. If a candidate is held to be ineligible, the candidate must be informed of this within 24 hours of the receipt of such information. Any student found to not be qualified may challenge their disqualification at the Supreme Court.

The Florida International University Student Body Constitution

Section 10 – Due Process

- A. All students shall have the right to due process, which shall include the following rights:
 - 1. To a speedy and public hearing.
 - 2. To be informed at least 72 hours prior to the hearing, of the charges brought against them and the hearing process.
 - 3. To be given a date, time, and location for the hearing.
 - 4. To challenge the participation of any participant on the basis of a conflict of interest or bias that may impair a fair and impartial hearing.
 - 5. To refrain from providing self-incriminating testimony.
 - 6. To provide witnesses.
 - 7. To receive written notification regarding the outcome of the case.
 - 8. To appeal the decision in writing within seven (7) University Business Days of the receipt of the hearing decision.
- B. SGA officials, and/or group(s) of officials shall not be censured and/or removed except for malfeasance, nonfeasance, permanent inability to perform official duties, or conviction of a Federal or State felony.
 - 1. Malfeasance shall be defined as committing a wrongful or unjust act, and any other action that the Statutes or this Constitution stipulate to be malfeasance.
 - 2. Nonfeasance shall be defined as the neglect or failure of a person to do some act which they ought to do or are required to do.
- C. Changes to this Constitution, the Statutes, and all rules and regulations may not take effect retroactively. No student shall be penalized for any action which would not have been a violation of the governing documents at the time the action was taken.
- D. The statute of limitations on all offenses shall be one year from the date of offense.
- E. No student shall be charged for the same incident twice.

The Florida International University Student Body Constitution

Article VI

Qualifications

Section 1 – Purpose

The following qualifications shall be required of appointed and elected positions to run for and apply for office. SGA officials shall continue to meet the requirements of their respective positions in order to hold office.

Section 2 – Qualifications for all Student Government Officials

- A. Be a degree-seeking, registered student.
- B. Run for and hold only one office at a time.
- C. Be under no academic or disciplinary sanctions as detailed in the Student Conduct and Honor Code or individual University College.
- D. Maintain no less than a 2.5 cumulative grade point average (GPA) and a 2.0 semesterly grade point average (GPA) where applicable.
- E. Students that do not have a grade point average (GPA), on account of being in their first semester of their undergraduate or graduate degree program at FIU, shall be exempt from the GPA qualifications for only that semester.
- F. Each undergraduate student holding office shall maintain a minimum of nine (9) undergraduate credit hours each Fall and Spring semester; in their last semester before graduation, they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours.
- G. Each graduate student holding office shall maintain a minimum of six (6) graduate credit hours, or a minimum of three (3) dissertation credit hours while working on their dissertation, for each Fall and Spring semester; in their last semester before graduation, they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours.

Section 3 – Qualifications for Legislative Branch Officials

- A. Each Senator shall be registered to the specific school, college, campus, class level, or housing units that they represent.
- B. Lower Division Senators must have passed less than 60 credits at the time of election qualification or appointment. Should they pass 60 credits after their election qualification or appointment, this will not disqualify them from remaining in their position.
- C. Upper Division Senators must have passed at least 60 credits at the time of election qualification or appointment.

The Florida International University Student Body Constitution

Section 4 – Qualifications for Executive Branch Officials

- A. Candidates for the offices of Student Body President and Vice President must meet the following qualifications by the date they register to run: they shall have attended FIU for a minimum of four complete academic semesters, which may include summer semesters; and they shall have achieved at least sophomore standing.
- B. Candidates for the office of Student Body President shall have held at least one SGA position for at least one hundred and twenty (120) consecutive days by the first day of registration for general elections, except in the case the President succeeds to office.
- C. The Governor of the Biscayne Bay Campus and the Lieutenant Governor of the Biscayne Bay Campus must be students belonging to the Biscayne Bay Campus as per this Constitution.

Section 5 – Qualifications for Representing the Biscayne Bay Campus

- A. All students representing the Biscayne Bay Campus in an elected or appointed position (BBC At-Large Senators, the Governor of the Biscayne Bay Campus, the Lieutenant Governor of the Biscayne Bay Campus, and the members of the Governor's Cabinet) are required to be a student belonging to the Biscayne Bay Campus.
- B. A student of the Biscayne Bay Campus is defined as: a student who is living on-campus at the Biscayne Bay Campus, or who is taking at least twenty percent (20%) of their classes at the Biscayne Bay Campus.
- C. For purposes of representation, the FIU Engineering Center shall be designated to be part of the Modesto A. Maidique Campus, and FIU at I-75 shall be designated to be part of the Biscayne Bay Campus.
- D. Classes in the following programs, regardless of modality, shall be considered classes at the Biscayne Bay Campus: Hospitality Management Program, Marine Sciences Program, Journalism + Media Program, Marketing, Health Services Administration, Accelerated BSN (Nursing), Creative Writing, Broadcast Media, Global Strategic Communications, Mass Communications, and any program offered by the Chaplin School of Hospitality and Tourism Management.
- E. The above list of programs shall be provided by the administration of the Biscayne Bay Campus and updated in this Constitution as needed, with the approval of the Supreme Court, to reflect the most accurate course and program offerings at the campus.

Section 6 – Qualifications for Representing FIU at I-75

- A. All students representing FIU at I-75 in the Senate shall be a student of FIU at I-75.
- B. A student of FIU at I-75 is defined as a student taking at least one class at FIU at I-75.

The Florida International University Student Body Constitution

Section 7 – Verification of Qualifications

- A. Any student who applies for any position will have their qualifications verified by the SGA Advisor. If, after ten (10) University Business Days from when the student applied, the verification has not been completed, the student will be presumed qualified and may be appointed.
- B. Any student found not qualified may appeal their disqualification at the Supreme Court.

The Florida International University Student Body Constitution

Article VII

Internal Committees

Section 1 – The University-Wide Council

The University-Wide Council shall convene regularly as determined by the Student Body President. It shall advise on and discuss all matters relating to the functions of the entire Student Government or Student Body as a whole, and report the business of each governmental branch. The University-Wide Council shall by default have no powers outside of those of its individual membership, except those powers given to it by statute or enumerated in this Constitution.

Section 2 – Composition of the University-Wide Council

1. The Student Body President
2. The Student Body Vice President
3. The Comptroller
4. The Governor of the Biscayne Bay Campus
5. The Speaker of the Senate
6. The Speaker Pro Tempore of the Senate
7. The Senate Floor Leader
8. The Chair of the Graduate and Professional Student Committee
9. The Lieutenant Governor of the Biscayne Bay Campus (Non-voting member)
10. The Chief of Staff (Non-voting member)
11. The Chief Justice (Non-voting member)

Section 3 – Internal Procedure of the University-Wide Council

- A. University-Wide Council meetings shall be open to the student body.
- B. Minutes for all University-Wide Council meetings shall be taken by the Chief of Staff; in the absence of the Chief of Staff, the Chief Justice shall take minutes; and in the absence of both the Chief of Staff and the Chief Justice, the Student Body President shall appoint another member of the Council to take minutes.

The Florida International University Student Body Constitution

- C. The Chair of the University-Wide Council shall be the Student Body President. In the absence of the Student Body President, the Student Body President may appoint a member of the Council to serve in this role.
- D. The University-Wide Council shall take all actions through simple majority vote.
- E. The procedures for University-Wide Council meetings will be determined by the Student Body President and sent to the individual members no later than the second meeting of the Council. Alterations to these procedures must be sent by the Student Body President at least twenty-four (24) hours before the start of the next University-Wide Council meeting.
- F. The University-Wide Council shall keep a record of all votes it takes.
- G. The quorum for a University-Wide Council meeting shall be established by the presence of at least five voting members.
- H. For a University-Wide Council meeting to be considered in order, the Student Body President must have informed all members no later than twenty-four (24) hours prior to the start of the meeting of the date, time, and place of the meeting.

Section 4 – The Activity and Service Fee Budget Committee

- A. The purpose of the Activity and Service Fee Budget Committee, hereinafter referred to as the Budget Committee, shall be to draft and present the SGA Activity and Service Fee Budget bill for the next fiscal year, for approval by a two-thirds (2/3) vote of the Senate, not subject to veto by the Student Body President.
- B. The composition of the Budget Committee shall be as follows: The Student Body President; The Student Body Vice President; The Speaker of the Senate; The Speaker Pro Tempore of the Senate; The Chair of the Graduate and Professional Student Committee; The Governor of the Biscayne Bay Campus; the Lieutenant Governor of the Biscayne Bay Campus, who shall cast no vote except in the absence of the Governor; The Chair of the Senate Finance Committee, who shall be the vice chair of the Budget Committee; and the Comptroller, who shall be the chair of the Budget Committee but cast no vote except in case of a tie.
- C. All entities funded by the Budget Committee shall be funded on an annual basis. The Budget Committee may not approve any allocation of funding that lasts beyond one fiscal year. No organization, entity, or department shall be base-funded by the Budget Committee. All entities funded by the Activity and Service Fee are required to annually request an allocation from the Budget Committee each year in order to receive an allocation for the following fiscal year.
- D. The Activity and Service Fee Budget shall be approved by a simple majority vote of the committee members contributing to quorum, a two-thirds (2/3) vote of the Senate, and signed by the University President or their designee.

The Florida International University Student Body Constitution

- E. Quorum for the committee shall be established at a simple majority of the membership of the committee.
- F. All substantive votes taken by the committee shall be conducted by a simple majority of members contributing to the quorum.
- G. In the case that the Senate, the University President, or their designee does not approve the proposed budget, the budget shall be sent back to the Budget Committee. The Budget Committee shall edit and re-propose the budget until it is approved by the Senate and signed by the University President or their designee.
- H. The Student Government Association budget shall be completed by the SGA currently in office for the succeeding SGA. The budget shall be completed and submitted to the University President or their designee no later than the last week of March unless exception is offered by the University President or their designee.
- I. Any funds left over from the Student Government Association budget shall go into the Accumulated Cash Balance account unless otherwise specified by proviso in the budget.
- J. The Comptroller shall be the Chair of the Budget Committee but shall cast no vote unless there is a tied vote of the other members of the committee. The Vice Chair of the Budget Committee shall be the Chair of the Senate Finance Committee.
- K. All meetings of the Budget Committee shall be open to the student body.

The Florida International University Student Body Constitution

Article VIII

Executive Agencies

Section 1 – Purpose

- A. The Student Government Association is the governing council of the student body, and as such, is the final authority in matters of student governance.
- B. Executive Agencies, hereinafter referred to as Agencies, are administrative divisions of the Executive Branch of the Student Government Association, established by statute. As such, they are not separate from the Student Government Association and must abide by all SGA statutes, rules, and Executive Orders that may be issued.
- C. Agencies shall exist to provide goods and/or services to the student body, acting on behalf of the Student Government Association to provide a function beneficial to the student body funded by Activity and Service Fees.
- D. There shall be established individual Agencies to fulfill at least the following functions: the organizing of year-round programming and events; the promotion of institutional affinity and Panther Pride; the coordination of festivities leading up to and during Homecoming Week; and the registration of Registered Student Organizations.
- E. Agencies shall have their creation, purpose, and structure approved by the Student Government Association.

Section 2 – Jurisdiction

- A. As part of SGA, Agencies fall under the jurisdiction of SGA.
- B. Officers of Agencies are members of the Executive Branch of the Student Government Association. They shall be beholden to all requirements set by the Constitution and Statutes.

Section 3 – Duties and Procedures

- A. Each Agency shall be governed by its own section of the SGA Statutes which delineates the specific function and structure of the Agency. Agencies shall not have separate constitutions or bylaws; as subdivisions of the Student Government, all Agencies are governed only by the governing documents of SGA and cannot establish their own governance structures. However, they shall have the authority to issue regulations governing their domain of focus, with the consent of the Student Body President through Executive Order.
- B. Each Agency shall be led by a Director, who shall be appointed by a process established in the Statutes and who must be confirmed by a simple majority of the Senate.

The Florida International University Student Body Constitution

- C. The Director of each Agency is a member of the President's Cabinet and is required to attend weekly meetings of the President's Cabinet.
- D. The Director of each Agency shall be the chief administrator of the Agency.
- E. The Director of each Agency shall submit to the Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by the Agency in that semester.
- F. The Senate may amend any rule established by an Agency through a bill passed by a simple majority vote.

The Florida International University Student Body Constitution

Article IX

Bureaus and Registered Student Organizations

Section 1 – Purpose

- A. Bureaus are student organizations which serve specific identity groups within the student body, including, but not limited to: race; religion; ethnicity; sexual orientation; gender identity; disability; academic major; academic college or school; culture; affinity; social group; or any other purpose as approved by the Student Government Association.
- B. Registered Student Organizations, hereinafter referred to as RSOs, are all student organizations whose registration has been approved by the Student Government Association through the designated Executive Agency tasked with that responsibility.

Section 2 – Creation

- A. Bureaus are created by SGA through the Student Body Senate.
 - 1. The Senate may create a Bureau through a bill, which shall contain the purpose, structure, and constitution of the proposed Bureau. The bill must pass by a simple majority vote and be signed by the Student Body President, whose veto on such a matter may be overturned by a two-thirds (2/3) vote of the Senate.
- B. RSOs are created by SGA through the Executive Agency that has been designated to handle the creation and registration of RSOs.
 - 1. The process for the creation and registration of RSOs shall be delineated in the statutes. The Executive Agency tasked with carrying out this process must operate according to the procedures established by the Statutes, and shall be beholden to Executive Order(s) issued by the Student Body President.

Section 3 – Jurisdiction

- A. Bureaus and RSOs shall fall under the jurisdiction of the Student Government.
- B. Officers of Bureaus shall be considered SGA officials and shall be beholden to all requirements set forth in this Constitution and the Statutes.
- C. The remuneration of the officers of all Bureaus shall be determined by each individual Bureau and shall be paid out of the organization's own account.

The Florida International University Student Body Constitution

Section 4 – Constitutions

- A. All Bureaus and RSOs shall be governed according to their own individual Constitutions, which may be amended in accordance with the amendment procedures each organization has established. The Constitutions of every Bureau and RSO must not conflict with the provisions established by this SGA Constitution and the SGA Statutes.
- B. The Constitution of each Bureau must be read and approved by the Senate before the creation of the Bureau.
- C. The Constitution of each RSO must be read and approved by the Executive Agency tasked with the creation and registration of RSOs, before the creation of the RSO.
- D. The Senate may amend the Constitution of any Bureau or RSO through a bill which must pass with a two-thirds (2/3) vote of the Senate and the signature of the Student Body President, whose veto on such a matter may be overturned with a three-fourths (3/4) vote.
- E. The Constitution of every Bureau and every RSO must contain text that clearly states that the organization falls under the jurisdiction of the Student Government Association.
- F. The Constitution of every Bureau and every RSO must contain text that clearly states that all officers of the organization may be removed from their position by the Judicial Branch of the Student Government Association. Organizations may, in addition, establish parallel procedures for an internal process of removal.
- G. The Constitution of every Bureau and every RSO must contain text that establishes procedures for how to appeal a decision made by the organization's leadership to the Judicial Branch of the Student Government Association.

Section 5 – Duties and Procedures

- A. Each Bureau shall:
 - 1. Elect a President of their organization, to be the organization's chief administrator.
 - 2. Send their President to monthly meetings of the Council of Presidents called by the Student Body Vice President.
 - 3. Submit to the Student Body President, at least once a semester, a detailed report on the actions taken by the Bureau in that semester.
 - 4. Abide by the Student Government Constitution and Statutes.
 - 5. Submit a budget request to the Budget Committee to be approved or adjusted, and expended by the organizational structure within the Bureau.
- B. Each RSO shall:
 - 1. Abide by all regulations and frameworks set forth by the Statutes.

The Florida International University Student Body Constitution

Article X Elections

Section 1 – Process

- A. General and special elections shall be decided by plurality vote.
- B. General elections shall take place the second week after Spring Break, on the Tuesday and Wednesday of that week. The general elections shall run concurrently for the offices of Student Body President and Vice President, Governor of the Biscayne Bay Campus, Lieutenant Governor of the Biscayne Bay Campus, and all Senate seats. In the absence of a Spring Break, elections shall be held the Tuesday and Wednesday of the 10th week of the Spring Semester. This date may be changed by a two-thirds (2/3) vote of the Senate, or by necessity with the consent of a simple majority vote of the University-Wide Council.
- C. The Student Body President and Vice President shall run on one ticket.
- D. Senators must be elected from the membership of the college, campus, housing unit, or grade levels which they represent.
- E. All positions up for election shall include the option of write-in candidacies.

Section 2 – Elections Code

- A. The Statutes shall include an Elections Code, and all SGA elections shall be run according to the Elections Code.
- B. The Elections Board shall be responsible for enforcing the Elections Code.
- C. Changes to the Elections Code made within 30 days of the general elections date shall require a two-thirds (2/3) vote of the Senate, and changes to the Elections Code during the week of voting in a general election are prohibited.

Section 3 – Petitions for Referendum Elections

- A. Members of the student body have the right to petition the student government for a referendum. Referendums may be held for the following purposes: to propose amendments to the Statutes or the Constitution; to call for a Constitutional Convention; to recall an SGA official; and to hold a non-binding vote on a question facing the student body.
- B. A petition for referendum must be signed by at least 250 students or by a number of students totaling at least fifteen (15) percent of the number of students that voted in the previous general election, whichever is less.
- C. Additional procedures governing petitions for referendum may be established by statute.

The Florida International University Student Body Constitution

Article XI

Remuneration

Section 1 – Remuneration for SGA Officials

- A. The Student Body President shall receive annually an amount of \$15,000.
- B. The Student Body Vice President shall receive annually an amount of \$12,500.
- C. The Governor of the Biscayne Bay Campus and The Speaker of the Senate shall receive annually an amount of \$10,000.
- D. The Comptroller, The Chief Justice, The Speaker Pro-Tempore of the Senate, and The Chief of Staff shall receive annually an amount of \$7,500.
- E. The Lieutenant Governor of BBC shall receive annually an amount of \$3,000.
- F. The Attorney General, the Press Secretary, Associate Justices, Deputy Chiefs of Staff, The Deputy Comptroller, The Elections Commissioner, The Senate Floor Leader, and the Student Advocate shall receive annually an amount \$1,500.
- G. The Chairs of all Standing Committees of the Senate, and the Chair of the BBC Legislative Council, shall receive annually an amount of \$800, 400 dollars per the Fall and Spring semesters. The Vice Chairs of all Standing Committees of the Senate and of the BBC Legislative Council shall receive annually an amount of \$700, 350 dollars per the Fall and Spring semesters.
- H. Senators (excluding those mentioned above), members of the Governor's Cabinet, Secretaries of the President's Cabinet, and the Deputy Attorney General shall receive annually an amount of \$500, 250 dollars per the Fall and Spring semesters.
- I. All positions not specified above shall receive annually an amount of \$200, 100 dollars per the Fall and Spring semesters.
- J. Members or appointed individuals of SGA holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- K. Hours and wages for SGA positions will be distributed according to the allocation of funds to the emolument line of SGA. Should this line be depleted, it may be replenished from the Accumulated Cash Balance account.
- L. Remuneration for SGA officials shall not be decreased during their term in office.
- M. Additional SGA positions enumerated or created by statute may be added to this Article with a two-thirds (2/3) vote of the Senate, and the consent of the Student Body President, without necessitating a Constitutional Amendment process.

The Florida International University Student Body Constitution

Article XII

Constitutional Amendment Process

Section 1 – Constitutional Amendment Proposals

- A. All constitutional amendment proposals shall be submitted to the Elections Board and shall then be put on the ballot for the next general or special election, as determined by the Senate. The Elections Board shall not have veto power over amendment proposals.
- B. Amendment proposals may only be submitted to the Elections Board in three ways:
 1. A petition, signed by at least 250 students or by a number of students totaling at least fifteen (15) percent of the number of students that voted in the previous general election, whichever is less.
 2. A constitutional amendment bill initiated by the Senate. Such bills must acquire a two-thirds ($2/3$) vote of the Senate, after which it shall be presented to the Student Body President for approval or veto. Should the Student Body President veto the bill, the Senate may overturn the veto with a three-fourths ($3/4$) vote.
 3. An amendment proposal submitted to the Senate by a Constitutional Convention, as outlined in Article XIII of this Constitution. Such amendment proposals shall be provided to the full Senate by the Constitutional Convention, and must acquire the consent of the Senate by a simple majority vote of the Senate, not subject to veto by the Student Body President.
- C. Constitutional amendment proposals must be ratified by the student body, either in a general election or in a special election scheduled by the Senate. They must pass by a three-fifths ($3/5$) majority of those voting in order to be enacted, and shall take effect at the time specified in the bill or petition.
- D. This Constitution may not be substantively amended without a student body referendum.
- E. The only way that this Constitution may be repealed or replaced is with the approval of three-fifths ($3/5$) of the students voting in a referendum election scheduled by the Senate.
- F. This Constitution shall be the supreme law of the Student Government Association. No statute, rule, policy, or action may conflict with the express will of this document.
- G. Constitutional amendments may modify the text, body, and numbering of the document, and are not required to be added to the end of the document.
- H. Changes made to the Statutes shall take effect immediately, unless otherwise specified.
- I. This Constitution and the Statutes shall immediately be made available in an editable format to any SGA member upon request.

The Florida International University Student Body Constitution

Article XIII

Constitutional Conventions

Section 1 – Establishment of Conventions

- A. A Constitutional Convention shall be held every ten years, beginning in the Summer semester of 2030. The Convention will be held under the purview of this Constitution and the Student Body Statutes. The purpose of this Convention will be to re-evaluate and revise this Constitution. The Convention shall achieve a consensus in adopting proposed amendments or revisions to the SGA Constitution through a simple majority vote.
- B. Conventions can additionally be called at any time. This can be done through a two-thirds (2/3) vote of the Senate, or through a petition signed by at least 250 students or by a number of students totaling at least fifteen (15) percent of the number of students that voted in the previous general election, whichever is less.

Section 2 – Members of Constitutional Conventions

- A. The Convention shall be composed of a minimum of 9 members, including:
 - 1. The Student Body President, or their designee who must be a member of the Executive Branch
 - 2. The Speaker of the Senate, or their designee who must be a member of the Legislative Branch
 - 3. The Chief Justice, or their designee who must be a Justice of the Supreme Court (this person shall be a non-voting member of the Convention)
 - 4. Three Senators not serving on the University-Wide Council, elected by the Senate
 - 5. Three members of the Student Body who are not currently serving as members of the Student Government Association, at least one of whom has never served as a member of the Student Government Association.
 - i. The Student Body President, the Speaker of the Senate, and the Chief Justice shall each have the sole discretion to appoint one member of the student body who is not currently serving as a member of SGA.
- B. The Student Body President, the Speaker of the Senate, and the Chief Justice (or their respective designees) must reasonably broadcast openings within the Convention to the entire student body and thereupon conduct applications and screenings of the applicants.
- C. The Convention may choose through a simple majority, once all 9 seats are filled, to expand the number of individuals within the Convention, but must retain an odd number of total members in doing so.

The Florida International University Student Body Constitution

Section 3 – Convention Leadership

The Student Body President or their designee will temporarily chair the Constitutional Convention until the Convention elects its Chair. The Leadership of the Convention shall include the Chair, the Vice Chair, and the Secretary of the Convention, all of whom will be elected by a simple majority of the Convention. Rules of Procedure of the Convention will be drafted by the Chair and adopted by a simple majority of the Convention.

Section 4 – Convention Proposals

- A. The Convention shall adopt its final amendment proposal(s) by a simple majority vote of the Convention after the conclusion of its deliberation and drafting process.
- B. Upon adoption by the Convention, amendment proposal(s) shall be provided to the full Senate for its consent by a simple majority vote, not subject to veto by the Student Body President.
- C. Should the Senate consent to the amendment proposal(s), they shall be submitted to the Elections Board and shall be placed on the ballot for the next general or special election for a referendum of the student body. The Convention may specify the date(s) on which the referendum for its amendment proposal(s) shall take place.
- D. Amendment proposal(s) that pass by a three fifths (3/5) majority of those voting shall be enacted, and shall take effect at the time specified in the amendment proposal.

Section 5 – Convention Meetings

- A. The times, dates, and locations of meetings shall be publicly available, widely promoted, and provided to the independent student media.
- B. All meetings of the Convention shall be open to the public, and allow for public comment.
- C. All votes shall be decided by a simple majority vote of the members of the Convention.

The Florida International University Student Body Constitution

Implementation Provisions

Upon ratification, this amendment shall take effect in accordance with the amendment implementation provisions listed below:

Amendment Implementation

Section 1. This amendment shall take effect on May 1, 2024.

Section 2. Effective immediately, the Student Government Association is authorized to enact legislation for the addition, modification, amendment, and/or repeal of any Student Body Statutes necessary or desirable for the implementation of this amendment, with such changes to become effective at the same time as this amendment (May 1, 2024).

Section 3. Elected Positions

- A. Any person elected in the Spring 2024 election as a Lower Division Senator of the Modesto Maidique Campus (MMC) shall be designated a Lower Division Senator effective on the first day of classes of the Summer 2024 semester at 12:00pm.
- B. Any person elected in the Spring 2024 election as an Upper Division Senator of the Modesto Maidique Campus (MMC) shall be designated an Upper Division Senator effective on the first day of classes of the Summer 2024 semester at 12:00pm.
- C. Any person elected in the Spring 2024 election as either a Lower Division Senator of the Biscayne Bay Campus (BBC) or an Upper Division Senator of the Biscayne Bay Campus (BBC) shall be designated a Biscayne Bay Campus At-Large Senator on the first day of classes of the Summer 2024 semester at 12:00pm.
- D. Any position established as an elected position under this amendment but for which no one was elected in the Spring 2024 election nor designated under this section shall be considered vacant on the first day of classes of Summer 2024 semester at 12:00pm and be filled in accordance with the provisions of the Constitution for such vacant positions. (This includes, but is not limited to, the Lieutenant Governor of the Biscayne Bay Campus, Lower Division Senator, Upper Division Senator, Biscayne Bay Campus At-Large Senator, and the FIU at I-75 Senator.)

The Florida International University Student Body Constitution

Section 4. Term of Office



- A. The term of office for all persons elected in Spring 2024 election shall be a one-year term beginning on the first day of classes of the Summer 2024 semester at 12:00 p.m. and ending on the first day of classes of the Summer 2025 semester at 12:00 p.m.
- B. The term of office for members of the Executive and Legislative Branch serving for the 2023-2024 academic year shall end on the first day of classes of the Summer 2024 semester at 12:00 p.m.
- C. The term of office for Justices of the Supreme Court (including the Chief Justice) in office at the time this amendment is ratified shall be extended to two years, which shall last for six consecutive semesters, starting with the semester of the Justice's appointment and including Summer semesters.
- D. The Chief Justice shall serve as Chief Justice until the Supreme Court elects a Chief Justice during the 2024 Summer A Semester in accordance with the Constitution.

Section 5. The Student Government Association shall have the power to address any unanticipated implementation issues by appropriate legislation.

The Florida International University Student Body Constitution

Senate Bill Transmission Form

This bill is presented by the Senate of the Student Body at Florida International University. It is presented by the Senate President Pro-Tempore and affixed with the signature of the Senate President. Both the Senate President and the Senate President Pro-Tempore affirm that the information presented below is accurate and that the bill has successfully passed in the Senate of the Student Body. The bill is presented on this day and at this hour for signature or veto.

<i>SB 04 025</i>			
Date Introduced:	2/16/2024		
Committees Assigned:	(1) Graduate and Professional Student Committee (2) Rules and Administration Committee		
Vote in GPSC: <i>2/16/2024</i>	7 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
Vote in Rules: <i>2/20/2024</i>	4 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
Vote on the Senate Floor: <i>3/25/2024</i>	19 <i>For</i>	1 <i>Against</i>	2 <i>Abstaining</i>
			
_____ Signature of the Senate President	_____ Signature of the Senate President Pro Tempore		

The Florida International University Student Body Constitution

Presidential Signature of a Senate Bill

On this day, at this time, and in this place, the Senate of the Student Body at Florida International University does hereby present this bill to the desk of the President of the Student Body for signature or veto. The Senate has passed this bill and all its accompaniments, in accordance with the Constitution and Statutes of the Student Government Association at Florida International University. It is presented in good faith, whereas the officers of the Senate have affixed their signatures to affirm that the bill has followed due procedure and is valid. The Senate will await your decision.

SB 04 25



Kaily LaChapelle, Senate President



Tiara Campbell, Senate President Pro-Tempore



Karina Hernandez, Senate Floor Leader



Alexander P. Sutton, Student Body President

