

ER 21/22-03



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Presented By: Ellie Mayberry, President

Date: April 27, 2021

A Proposal to Adopt the Revised Bylaws

Short Title: A resolution to adopt the revised Bylaws presented by the Student Government Association Staff.

- Whereas, Article 8 of the Bylaws states that the procedure for “[amending] the Bylaws shall require a three-fifths majority for approval;” and
- Whereas, SGA states in its Preamble that we, the students of Arkansas State University, assume certain responsibilities and privileges of self-government; and
- Whereas, the Preamble also states that SGA is to promote democratic principles; and
- Whereas, in order to honor the promise and duty to the student body, this institution must have election code that has been approved by a representative body of the students; and
- Whereas, adding the election code to the Bylaws will allow the senate to vote to approve any changes to the election code; and
- Whereas, it is also important to have Bylaws that reflect current practices, including the addition of new senate appointed positions to the Constitution.

**BE IT THEREFORE RESOLVED BY THE STUDENT GOVERNMENT ASSOCIATION OF
ARKANSAS STATE UNIVERSITY THAT:**

The revised Bylaws presented by the Student Government Association Staff and outlined in the Bylaw Comparison sheet will be adopted by the Student Government Association to better reflect the current Constitution and to give the senate a stronger voice in the election process.

EMERGENCY CLAUSE:

In light of the upcoming recess for the summer term, this resolution shall be handled in an expedient manner and be put into effect immediately upon three-fifths approval of the Senate.

Pass

Logan Mitchell, Vice President

Fail

Ellie Mayberry, President

**BYLAWS
of the
Student Government Association Senate**

**ARTICLE 1
NAME**

- Section 1. Official Name:
- a. The official name of the representative body of delegates shall be the Student Government Association of Arkansas State University Senate.

**ARTICLE 2
OBJECTIVES**

- Section 1. Objectives of the SGA Senate:
- a. The creation of SGA policy, procedures, and code
 - b. The discussion of proposed legislation
 - c. The implementation of passed policy, procedures, and code
 - d. The designation of committee work and the assignment of committee tasks.
 - e. The support of events and projects of the SGA.
- Section 2. Public forum for the University:
- a. The SGA Senate shall serve as a public forum for discussion of student issues and concerns.
 - b. Any student, faculty, or staff member of Arkansas State University wishing to speak at a SGA meeting should notify the SGA Secretary at least two days in advance in order to be placed on the SGA meeting agenda.
 - c. Forum speakers will not be given Senate member rights at any time.
 - d. If forum speakers are present, they will be recognized according to placement on the agenda.

**ARTICLE 3
MEMBERS**

- Section 1. Membership:
- a. Members of the SGA Senate shall be all elected and appointed Senate members, the Vice-President of the SGA, and the appointed secretary and parliamentarian.
- Section 2. Attendance:
- a. No member shall have more than three absences from Senate meetings and events per term. The submission of a proxy shall count as half an absence.
 - b. Any member violating the attendance policy of the SGA Senate shall be removed from office.
- Section 3. Removal of Membership:
- a. Any member wishing to call for the removal of an SGA senator shall present formal written charges to the SGA Senate.
 - b. Impeachment procedures shall follow *Robert's Rules of Order*.
- Section 4. Member Eligibility:
- a. Any member who is expelled from office shall be ineligible for any SGA positions.
- Section 5. Filling of Vacant Senate Seats:
- a. Vacant positions on the Senate shall be publicized and opened at the next regular Senate meeting for any student from that classification to attend the meeting and seek the position.

- b. If a vacancy is not filled after one meeting, any student may attend the next meeting and seek the position. At that meeting if a student is selected and they are not from the classification, they serve as the At-Large Senator until the end of the term.

ARTICLE 4 OFFICERS

- Section 1. The SGA Senate shall elect the following officers:
 - a. President Pro Temp of the Senate.
 - b. Sergeant-at-Arms of the Senate.
 - c. Action Fund Commissioner of the Senate.
 - d. Campus Collaboration Commissioner
 - e. Continuation Commissioner
 - f. Excursion Chair
 - g. Local Government Representative
 - h. Sustainability Liaison
- Section 2. The SGA Senate has the authority to confirm the following officers nominated by the SGA President:
 - a. Secretary – with speaking rights
 - b. Parliamentarian – with speaking rights
 - c. Cultural Diversity Director
 - d. Public Relations Director
 - e. Chief of Staff
- Section 3. Speaker:
 - a. The Vice-President of the SGA shall serve as the speaker of all SGA meetings.
 - b. Impeachment procedures shall follow *Robert's Rules of Order*.
 - c. Upon impeachment, the President Pro Temp of the Senate shall preside as speaker.

ARTICLE 5 MEETINGS

- Section 1. Meeting types and provisions:
 - a. Meetings shall consist of the body of delegates, Speaker, Parliamentarian, SGA Secretary, and Sergeant-at-Arms.
 - b. The delegate body, the Speaker, or the student body may call constitutional conventions.
 - c. If the SGA President calls a special meeting or constitutional convention, the SGA President may preside as Speaker. In this event, the Speaker shall step down and will be given full delegate rights.
- Section 2. Quorum:
 - a. Quorum shall consist of a two-thirds majority of the delegate body.
 - b. If quorum is not present, no business shall be discussed and the meeting shall be called to adjournment.
- Section 3. Structure:
 - a. The speaker shall determine the structure of all SGA Senate meetings.
- Section 4. Voting:
 - a. All senators of the SGA Senate will be given voting rights.
 - b. In the event of a tie, the Speaker may reserve the right to vote.
 - c. If the Speaker refuses to vote and the vote remains tied, the question at hand will die.
 - d. All abstention voting shall be neutral in nature.

ARTICLE 6 COMMITTEES

- Section 1. Committee directors:
- a. All committee directors shall be selected by the President Pro-Temp from the active senators in the delegate body.
 - b. Changes in the committee shall be determined by the President Pro-Temp.
- Section 2. Committee Secretaries:
- a. Each committee shall elect a secretary.
 - b. Committee secretaries shall record every event of a committee meeting and submit typed records to the SGA Secretary for filing.
- Section 3. Committee Attendance:
- a. Attendance records will be taken at every committee meeting by the committee secretary and will be given to the SGA Secretary within 48 hours of the meeting.
- Section 4. Designated Committees:
- a. The following are, but not limited to, designated as official SGA Senate committees: Academic Affairs, Athletic Relations, Campus Life, Safety, and Parking, and Projects and Publicity
 - b. The Senate or the President may create/abolish a new committee at any time.
- Section 5. Committee Assignments:
- a. The President shall determine committee assignments and will be overseen by the President Pro Temp.
 - b. At any time, the President Pro-Temp may change the placement of members in committees.

ARTICLE 7 PARLIAMENTARY AUTHORITY

- Section 1. Parliamentary authority shall follow the SGA Constitution.

ARTICLE 8 AMENDMENTS TO THE BYLAWS

- Section 1. Procedure:
- a. Amendments to the Bylaws shall require a three-fifths majority for approval.
 - b. Amendments shall be presented in the form of a resolution.

ARTICLE 9 RULES

- Section 1. Rules of Order:
- a. Any legislation submitted to the SGA Senate shall be tabled for two weeks before being voted on.
 - b. A proper motion to suspend the rules must be made and approved by two-thirds vote of the Senate in order for a non-member of the Senate to speak.

ARTICLE 10 ELECTION CODE

Section 1. Overview:

- a. All campaign regulations will be in accordance with the Constitution of the Arkansas State University Student Government Association. The Student Government Association shall not endorse any candidate or any other electoral matter. Failure to comply with these regulations will result in Class One or Class Two offenses and could ultimately result in a candidate's removal from the election. All formal offenses will be reviewed by the Election Commission and appropriate action will be determined by this committee.
- b. The election commission shall present any recommended changes to the SGA Senate within two weeks of elections for consideration.

Section 2. Offenses:

- a. Class One Offenses
 - i. Committing a class one offense may result in:
 1. 1st offense: Verbal warning from the Election Commissioner
 2. 2nd offense: Written warning from the Election Commissioner
 3. 3rd offense: Fine of \$100
 4. Subsequent offenses: Fine of \$150 and considered disqualification
- b. Class Two Offenses
 - i. Committing a class two offense may result in:
 1. 1st offense: Fine of \$50
 2. 2nd offense: Fine of \$100
 3. 3rd offense: Fine of \$250 and considered disqualification

Section 3. Rules:

- a. Verbal campaigning can take place at any time. However, organized speaking engagements (classrooms, organizations, free speech areas) cannot take place until official campaigning begins. (*Class One Offense*)
- b. No videos, campaign-based GroupMe, or social media posting from any personal or organized accounts until official campaigning begins March 8, 2021 at 12:01am. These platforms include, but are not limited to privately acquired websites, Facebook, Twitter, Instagram, Snapchat, GroupMe, etc. (*Class Two Offense*)
- c. Campaign materials cannot be displayed until official campaigning begins at 12:01am. (*Class Two Offense*)
- d. Campaign expenses cannot exceed \$500 for candidates (T-Shirts not included). All campaign funds shall be documented, including the source of funds. Donated materials and their monetary value shall also be documented, including the source of the donation. The value of the donated materials must be counted against a candidate's campaign expenses. (*Class Two Offense*)
- e. No signs, posters, or banners may be used on campus (including Greek housing). (*Class Two Offense*)
- f. Individuals or groups may sponsor political rallies and the free speech areas may be used in accordance with ASU Freedom of Expression, of 1998. In all areas, use of voice amplification is prohibited. Use of music is determined by facility guidelines. (*Class One Offense*)
- g. No candidate may disseminate campaign materials or postings containing false or misleading information about a candidate, staff member, or Election Commission member. No person shall deface or contribute to the defacing of any campaign materials. (*Class Two Offense*)
- h. No paint or spray chalk of any kind will be allowed on any University property whatsoever. (*Class Two Offense*)

- i. The distribution of food, candy, or beverages is prohibited. *(Class Two Offense)*
- j. No individual gifts or trinkets valued at more than \$0.99 can be distributed. *(Class Two Offense)*
- k. All campaigning must take place at least 100 ft from the Reng Student Union and Library. No campaigning materials will be allowed in the Reng Student Union or Library at any time. Campaigning and materials will only be allowed in the Reng Student Union while attending Registered Student Organization meetings and/or events. *(Class One Offense)*
- l. Chalking will be allowed on sidewalks only. No chalking is to be done on any walls, steps or vertical surface. No chalking is to be done within 100 ft of the Reng Student Union or Library. *(Class One Offense)*
- m. No candidate may intentionally damage the character of another candidate, staff member, or Election Commission member with false information. Furthermore, any allegations that could be considered libel or slander will be brought to the Election Commission for review. *(Class Two Offense)*
- n. Creating polling sites is strictly prohibited. *(Class Two Offense)*
- o. Candidates must seek approval through the Office of University Housing before posting campaign materials in the residence halls. Documentation of approval must be shared with the Election Commission prior to posting. *(Class One Offense)*

Section 4. Additions:

- a. All fines must be paid by the close of voting. Failure to pay fines will result in removal from election.
- b. No Student Government Association resources and/or platforms may be used in the promotion of, advocacy for, or campaigning on behalf of or in coordination with any candidate or any other electoral matter on the ballot. General announcement, notification, or publication of an upcoming election is acceptable, and general statements of encouragement to vote in said election are also permissible.

