

The Student Constitution of Emory University

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

Article I: Authority

SECTION 1: DERIVATION OF AUTHORITY

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

SECTION 2: THE STUDENT GOVERNMENT ASSOCIATION

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

Article II: Student Rights and Responsibilities

SECTION 1: ENUMERATION OF RIGHTS

This Constitution affirms the following rights for the members of the Emory University Student Body:

- A. The right of academic freedom.
- B. The right to free speech and press.
- C. The right to practice and choose freely a religion.
- D. The right to assemble freely and peacefully.
- E. The right to petition the Student Government and the University Administration for a redress of grievances.
- F. The right to be secure against unreasonable searches and seizures.
- G. The right of freedom from discrimination by any student organization or division of the University on the basis of race, age, religion, national origin, gender, marital status, sexual orientation, veteran status, or physical disability.
- H. The right to equal protection under this Constitution, under laws of organizations chartered by the SGA, and under regulations within the University.
- I. The right to due process under the regulations of the SGA and the University.
- J. The right to fair and equal treatment for all students charged with any violation of rules governing students, and the right to a fair hearing regarding those accusations.
- K. The right to request and be granted a hearing before a body in which peers are included when charged with a violation of the Honor Codes, Conduct Codes, the Student Constitution, the rules of the SGA or any organizations chartered thereunder, or any other University regulations.
- L. The right to appeal any judicial decision on the basis of interpretation, procedure, new evidence, or violation of rights.
- M. The right to organize into formal groups in order to focus upon particular ideas, activities, and objectives, subject to the provisions of this Constitution and the guidelines set forth by the Student Government Association Legislature.
- N. The right to choose freely those officials of the Student Government Association whom this Constitution grants the student body the right to select and to vote freely on any referenda placed before the student body for consideration.

SECTION 2: STUDENT RESPONSIBILITY

It shall be the responsibility of every student of Emory University to obey the Honor Code and Conduct Code of his or her school, as well as the provisions of this Constitution and the rules of the Student Government Association.

SECTION 3: STUDENT GOVERNMENT ASSOCIATION RESPONSIBILITY

The SGA shall serve as an advocate for the students of Emory University, shall ensure that their rights are respected, shall act as the official voice of the student body, shall represent the students' interests in all matters, and shall enact legislation with these goals in mind.

Article III: The Student Government Association

SECTION 1: BRANCHES OF GOVERNMENT AND DIVISION OF POWERS

The Student Government Association shall consist of three separate and equal branches, the Legislative Branch, the Executive Branch, and the Judicial Branch. No member of a group within these branches may for any reason infringe on the rights and powers imparted to one of the other branches.

SECTION 2: LEGISLATIVE, EXECUTIVE, AND JUDICIAL POWER

- A. All legislative powers herein granted shall be vested in the Legislature of the Student Government Association.
- B. All executive powers herein granted shall be vested in the President of the Student Government Association.
- C. All judicial powers herein granted shall be vested in the Constitutional Council of the Student Government Association, as well as the other bodies described in this document as constituting the Judiciary, or those bodies later ordained and established by the Legislature pursuant to the rules governing such an action.

Article IV: The Legislature and the Legislative Branch

SECTION 1: THE MEMBERSHIP

- A. The Legislature shall consist of thirty-nine (39) Members or Legislative Representatives to the Student Government Association (Legislators), who shall each be apportioned one vote.
- B. Four (4) of these Legislators shall be designated as Representatives-at-Large.
- C. The remaining thirty-five (35) legislative seats, those of the Divisional Representatives, shall be apportioned to the schools of the university by determining the percentage of full-time and part-time students within each school, as classified by Divisional Councils, as a fraction of the entire student body of these the University.
- D. Each school shall have at least one (1) representative regardless of its student population, and no one Divisional Council may constitute a majority of representatives.
- E. Apportionment of seats shall take place during the term in which elections are to be held, and shall take place once every term.

SECTION 2: THE PRESIDING OFFICER

The presiding officer of the Student Legislature shall be the Speaker of the Student Legislature.

- A. The Speaker may only vote when so-doing will impact the outcome.
- B. In the absence of the Speaker of the Legislature, or in the case of inability to fulfill his or her duties, the Ranking Member shall serve as Speaker.
- C. The Speaker of the Legislature shall be elected by the Legislature from any Member of the Legislature. The Speaker must be elected with a majority of those present. In the event that no candidate receives more than half of all votes cast, the top two contenders proceed to a runoff.
- D. The Ranking Member shall be the Member of the Legislature who has served the greatest number of terms as a Legislative Representative. In the event that more than one (1) legislator qualifies for this position a runoff will occur in the Legislature until one (1) of the candidates receives a majority of the votes.

SECTION 3: THE POWERS OF THE LEGISLATURE

The Legislature shall have the following powers:

- A. To establish its own rules of procedure.
- B. To choose additional presiding officers and its other officers.
- C. To enact all legislation necessary and proper to promote the general welfare of the Student Body and the University.
- D. To create and oversee any and all legislative committees, both ad hoc and standing, which are necessary to promote the welfare of the students.
- E. To form Divisional Councils, pursuant to Article IX of this Constitution.
- F. To impeach and try members and officers of the Executive or Judicial Branch by a vote of at least two-thirds (2/3) of the total number of seats filled in the Legislature.
- G. To expel any Member of the Legislature and remove all other individuals from office, including student organizations.

- H. To override a veto by the President of the SGA by a two-thirds vote of the total Membership of the Legislature (requires at least 26 votes).
- I. To lay, collect, and distribute a Student Activity Fee (SAF), as approved by the Board of Trustees of Emory University.
- J. To determine and approve the monetary policy and budgetary guidelines of the Student Government Association and all organizations established and chartered thereunder.
- K. To approve the annual budgets of the Divisional Councils, the SGA, and all organizations chartered thereunder.
- L. To charter and recognize student organizations.
 - 1. The power to approve charters may be proxied, including but not limited to its Divisional Councils, as determined by law of the Legislature; nevertheless the Legislature shall retain at all times the ultimate power to grant or deny a charter.
 - 2. Oversight of the chartering process may be proxied to the President or Members of the Cabinet by law of the Legislature.
- M. To advise and consent to the appointments of the President or any other appropriate officer, as it so may later decide by law.
- N. To oversee all elections. The power to oversee directly the elections process may be proxied to a board of elections or various boards of elections in a manner seen fit by the Student Legislature. Nevertheless, the Legislature shall retain at all times the ultimate power and duty to ensure the equity of all elections.
- O. To approve all expenditures of the SGA.

SECTION 4: LEGISLATIVE MEETINGS

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

Article V: The President and the Executive Branch

SECTION 1: THE PRESIDENT

The President of the SGA shall hold sole executive authority under this Constitution, and shall have the assistance of at least a Cabinet in fulfilling his or her duties.

SECTION 2: THE LINE OF SUCCESSION

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

SECTION 3: THE MEMBERSHIP OF THE CABINET

The President, by and with the advice and consent of the Student Legislature, shall appoint the Members of the Cabinet, except for the Vice President for Programming who shall be elected, as provided within this Constitution. The Cabinet shall consist of the following executive branch officers, in order of precedence:

- 1. The Vice President for Communications
- 2. The Vice President for Finance
- 3. The Attorney General
- 4. The Vice President for Programming
- 5. The Vice President for Alumni Relations.

Membership of the Cabinet may only be changed by an amendment to this Constitution.

SECTION 4: THE EXECUTIVE AUTHORITY

All non-elected members and officers serve at the pleasure of the President of the SGA.

SECTION 5: THE POWERS OF THE EXECUTIVE BRANCH AND CABINET

The President and Members of the Cabinet have the following powers:

- A. To oversee those duties and individuals to which they are granted jurisdiction by this Constitution or by further act of the Legislature.
- B. To create and directly supervise any inferior office necessary to carry out their duties and responsibilities, subject to the approval of the Legislature.
- C. To make permanent appointments to those offices under their jurisdiction, subject to the approval of the Legislature.

- D. To consult with the President on matters of policy.

SECTION 6: THE PROSCRIBED POWERS

The holders of the following offices are hereby granted the right to exercise the following powers:

- A. The President may veto any bill passed by the Legislature, provided such a veto shall be exacted within thirteen days after such a bill is placed in the executive offices.
- B. The Treasurer shall have oversight power over all divisional and organizational financial accounts, expenditures, and budgets so as to enforce the monetary policy of the SGA.

Article VI: The Constitutional Council and the Judiciary

SECTION 1: THE JUDICIAL BODIES

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

SECTION 2: JURISDICTION AND COMPOSITION OF THE JUDICIAL BODIES

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

SECTION 3: JUDICIAL AUTHORITY IN PUNISHMENT

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

SECTION 4: THE CONSTITUTIONAL COUNCIL

The supreme judicial council herein established shall be the Constitutional Council. This body shall:

- A. Hear and decide questions of the constitutionality of any actions taken under the provisions and jurisdiction of this Constitution, and have original and appellate jurisdiction over such questions.
- B. Hear and decide questions of the constitutionality and equity of any university action which affects the rights of any student or group thereof, and have original and appellate jurisdiction over such questions.
- C. Have appellate jurisdiction over those cases heard by other Judicial Bodies.
- D. Consist of the same number of Members (the Justices) as there are Academic Deans of the various schools of Emory University.
- E. Be headed by a Chief Justice, who shall be one of the Members of the Council.
- F. To establish rules of procedure for the Council, subject to the approval of the Legislature.

Article VII: SGA Membership and Student Participation

SECTION 1: MEETINGS AND DOCUMENTATION

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

SECTION 2: SELECTION OF THE OFFICERS

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

- A. The President of the SGA shall:
 - 1. Be a student enrolled at Emory University.
 - 2. Have and maintain at least a cumulative grade point average (GPA) to graduate from his or her school of enrollment.
 - 3. Serve a term that will begin upon taking the affirmation of office, and conclude when his or her successor takes the Affirmation of Office: "I do solemnly affirm that I will faithfully execute the Office of the President of the Student Government Association, and will to the best of my ability, preserve, protect and defend the Student Constitution of the Emory University." The Affirmation to Presidents-elect may only be administered by the Chief Justice of the SGA or the most senior Associate Justice of the Constitutional Council. The

- legislative session shall correspond to this term.
4. Be elected by all the students of the University.
- B. The Executive Vice President, Vice President for Programming, and each Representative-at-Large of the SGA shall:
1. Be students enrolled at Emory University.
 2. Have and maintain at least a cumulative grade point average (GPA) to graduate from his or her school of enrollment.
 3. Be elected to a term corresponding to that of the President.
 4. Be elected by all the students of the University.
- C. All other Members of the Cabinet shall:
1. Be students enrolled at Emory University.
 2. Have and maintain at least a cumulative grade point average (GPA) to graduate from his or her school of enrollment.
 3. Be appointed by the President, by and with the advice and consent of the Student Legislature.
 4. Serve a term corresponding to that of the President.
- D. Each Justice of the Constitutional Council shall:
1. Be a student at Emory University.
 2. Be appointed by the President, by and with the advice and consent of the Student Legislature. In making appointments of Justices, the President shall to the best of his or her ability ensure representation from among the various academic divisions of Emory University, provided that no each division is guaranteed representation on the Constitutional Council and that Justices shall be selected primarily on the basis of ability and experience. The President shall have the right to instruct the Heads of Divisional Councils in abetting him or her in such efforts and shall report to the Student Legislature his or her efforts in searching for candidates. At no point shall a majority of the Justices have been enrolled in the same division, defined as all students represented by a recognized divisional council, at the time of their appointment.
 3. Serve a term corresponding to his or her time of enrollment at Emory University.
- E. The Chief Justice of the Student Government Association shall:
1. Be a member of the Constitutional Council.
 2. Be appointed by the President, by and with the advice and consent of the Legislature, based on seniority and ability.
 3. Serve a term of one year.
 4. Serve no more than one term.
- F. Each Divisional Representative shall:
1. Be a student in the school that he or she represents, for the duration of his or her term.
 2. Have and maintain at least a cumulative grade point average (GPA) to graduate from his or her school of enrollment.
 3. Be chosen in a manner determined by the Divisional Council whose students he or she represents.
 4. Meet all other qualifications determined by the Divisional Council whose students he or she represents.
 5. Represent the entire Divisional Council, unless the Divisional Council has designated class representation, under the conditions determined by law of the Student Legislature.
 6. Serve a term corresponding to that of the President and serve until his or her successor takes office.
- G. The Secretary of the SGA shall:
1. Be a student enrolled at Emory University.
 2. Have and maintain at least a cumulative grade point average (GPA) to graduate from his or her school of enrollment.
 3. Be appointed by the President, in consultation with the Speaker of the Legislature and the Chief Justice of the SGA, by and with the advice and consent of the Legislature.
 4. Serve a term corresponding to his or her time of enrollment at Emory University.
 5. Once appointed and confirmed, the Secretary may either be removed by impeachment or by unanimous concurrence of the President of the SGA, Speaker of the Legislature, and the Chief Justice of SGA.
 6. Be considered an officer of all three branches of the SGA.
- H. The holders of all other offices later created shall:
1. Be chosen in a manner determined by the Legislature.
 2. Be responsible to the Legislature, if a legislative office, or the President or a Member of the Cabinet, if an executive office, or the Constitutional Council, if a judicial office, not granted autonomous authority by Constitutional Amendment.

Article VIII: The Duties of Officers of the SGA

SECTION 1: DUTIES OF ALL OFFICERS OF THE SGA

All members and officers of the Student Government Association of Emory University and individuals commissioned by the SGA of Emory University shall preserve, protect, and defend this Constitution and the rights of all students of Emory University, shall at all times act in an honorable and truthful manner, shall conduct in good faith and to the best of their abilities those duties prescribed to them, and obey the rules and regulations of the Student Government Association. The Affirmation of each office shall be written and administered in a manner decided by the Legislature, except for the Office of the President, which is provided within this Constitution.

SECTION 2: POWERS AND DUTIES OF THE PRESIDENT

The President of the Student Government Association shall:

- A. Enforce the provisions of this Constitution and the laws of the Student Legislature.
- B. Be the President of the Student Body.
- C. Represent the student body of Emory University and be its official spokesperson.
- D. Address the Student Legislature concerning the state of the SGA, student body, and University and make official recommendations from these measurements to the Student Legislature.
- E. Have a Chief of Staff, approved in a manner decided by the Student Legislature.
- F. Make appointments to fill all vacant positions in the Student Legislature, Constitutional Council or its inferior courts, or Executive Branch, and all other Officers, whose appointments are not herein otherwise provided for, and which shall be established by law. But, the Student Legislature may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the Judicial Bodies of SGA, the Members of the Cabinet, or in the Heads of Establishments, such as Executive Agencies and Divisional Councils.
- G. Have power to fill up all vacancies that may happen in between the meetings of the Student Legislature, by informing the Student Legislature and Members of the Cabinet, until the Student Legislature shall convene, subject to further regulation enacted by law of the Student Legislature.
- H. Have the power to convene the Student Legislature, the Constitutional Council, Establishments, or Student Groups from time to time when he or she shall deem it necessary.
- I. Have the power to veto any bill passed by the Student Legislature, provided such a veto shall be exacted within thirteen (13) days after such a bill is placed in his or her office by the Student Legislature.

SECTION 3: DUTIES OF THE EXECUTIVE VICE PRESIDENT

The Executive Vice President of the Student Government Association shall:

- A. Succeed to the office of President in the event that the President leaves office.
- B. Upon written communication from the President, shall perform the duties of the President, until he or she shall hear otherwise from him or her. Such communications shall also be made to the Student Legislature, Members of the Cabinet, Constitutional Council, and Heads of Establishments to become effective.
- C. Upon a determination by a two-thirds vote of the membership of the Legislature (requires at least 26 votes), shall act as President under extenuating circumstances.

SECTION 4: DUTIES OF THE ATTORNEY GENERAL

The Attorney General of the Student Government Association shall:

- A. Be fully informed as to the activities of all judicial organizations under the jurisdiction of the SGA and brief the Student Legislature and the President and Executive Branch when necessary.
- B. Provide for students information on judicial procedures under the jurisdiction of the SGA and the rights of students therein, and on offenses and punishments as defined by appropriate bodies.
- C. Advise the SGA and all organizations chartered thereunder as to the constitutionality of their procedures and actions.
- D. Represent the SGA in cases brought against it.
- E. Carry out investigations into matters of constitutionality and adherence to the rules of the SGA.

SECTION 5: DUTIES OF THE VICE PRESIDENT FOR COMMUNICATIONS

The Vice President for Communications of the Student Government Association shall:

- A. Coordinate all public relations materials and publicity for the Student Government Association and act as the official spokesperson for the Executive Branch.
- B. Advise the President on issues of policy and implementation.
- C. Oversee the Associate Vice President for Communications of the SGA.

- D. The Associate Vice President for Communications serves for one term, the following term advancing to the position of Vice President for Communications.

SECTION 6: DUTIES OF THE VICE PRESIDENT FOR FINANCE

The Vice President for Finance of the Student Government Association shall:

- A. Administer and supervise the financial affairs of the SGA and all organizations chartered thereunder, including but not limited to divisional and organizational financial accounts, expenditures, and budgets so as to enforce any monetary policy of the SGA.
- B. Maintain all necessary financial records for the SGA and organizations chartered thereunder.
- C. Assist the President in preparing the annual SGA budget proposal.
- D. Serve as liaison between student organizations and the University accounting offices.
- E. Prepare a budget for annual SGA expenditures and submit it to the Legislature.

SECTION 7: DUTIES OF THE VICE PRESIDENT FOR PROGRAMMING

The Vice President for Programming of the Student Government Association shall:

- A. Advise the SGA about the programming and social needs of the student body.
- B. Maintain communications with the Heads of social programming within Divisional Councils and all other entities he or she may find necessary or as later decided by law of the Student Legislature.
- C. Serve as the Head of the Student Programming Council, an executive agency that shall carry out university-wide programming.

SECTION 8: DUTIES OF THE VICE PRESIDENT FOR ALUMNI RELATIONS

The Vice President for Alumni Relations of the Student Government Association shall:

- A. Attend all meetings of the Emory Alumni Board as a voting member and serve on one of its committees.
- B. Report to the SGA on developments of the Emory Alumni Board and other issues related to student-alumni relations.
- C. Oversee the Associate Vice President for Alumni Relations of the SGA, who is also a voting member of the Emory Alumni Board.
- D. The Associate Vice President for Alumni Relations serves for one term, the following term advancing to the position of Vice President for Alumni Relations.

SECTION 9: DUTIES OF THE SECRETARY

The Secretary of the Student Government Association shall:

- A. Serve as the Director of Internal Records, Historian, and Archivist of the SGA.
- B. Command all deputy secretaries and clerks of any branch the SGA, under the regulations provided by law of the Legislature.
- C. Maintain the official roster of of the SGA, Heads of Establishments, and all other individuals later determined by the President or by law of the Student Legislature.
- D. Maintain the official record of the Legislative, Executive, and Judicial Branches of the SGA, as prescribed by law of the SGA or Rule or Order of each respective branch.
- E. Provide administrative support to members, officers, and committees of the SGA.
- F. Oversee transition efforts.
- G. Oversee the Order of Precedence, as established by the President.

Article IX: Divisional Councils and Student Groups

SECTION 1: ESTABLISHMENT OF DIVISIONAL COUNCILS

From time to time, the Student Legislature may by law form or abolish Divisional Councils which shall:

- A. Be entities directly formed under the SGA for the purpose of representing schools or career path(s) within schools, with the responsibility limited to the same constituency represented therein.
- B. Consult and work with the deans and other appropriate administration and faculty members and committees on all such matters.
- C. Administer all respective funds in accordance with SGA procedures.
- D. Be subject to the rules and regulations contained within this Constitution and all further laws enacted by the Student Legislature, as well as to the decisions of the Constitutional Council and other judicial bodies established herein.

SECTION 2: LIMITATIONS OF STUDENT GROUPS

All student groups shall be required to

- A. Submit their constitutions and bylaws to the Student Legislature for approval. The power of approval of such documents may be proxied to the Divisional Council or Executive Agency that issued student group's charter on behalf of the SGA in a manner determined by law of the Legislature; nevertheless the Legislature shall retain at all times the ultimate power to award or deny a charter.
- B. Be subject to the rules and regulations contained within this Constitution and all further laws, regulations, and rules enacted by the Legislature, as well as to the decisions of the Constitutional Council and other judicial bodies established herein.

Article X: Amendments to this Constitution

The body of this Constitution, once ratified, may be revised. Amendments may be made by the following methods:

- A. Passage by a simple majority of students voting in a campus referendum conducted by the Student Legislature at the direction and initiative of two-thirds of the Membership of the Student Legislature (requires at least 26 votes) and after the approval of the University Senate of Emory University.
- B. Passage by two thirds of the students voting in a special referendum conducted by the SGA. The President of the SGA shall direct that such a referendum be held upon receipt of a written petition initiated by a student calling for such an amendment and signed by ten percent of the total population of the student body. The referendum shall then be approved by the University Senate of Emory University.

Revision History (beginning with Constitutional Amendments of 2014)

- 04/06/2014: Incorporated amendments approved in a referendum conducted between March 31, 2014 and April 2, 2014 pursuant to Resolution 47sl35, "Constitutional Amendments of 2014."