STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

THIS CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF THE STATE UNIVERSITY OF NEW YORK, COLLEGE AT POTSDAM, IS HEREBY ORDAINED AND ESTABLISHED TO ADVOCATE FOR THE NEEDS, EDUCATIONAL VALUES, UNITY, INTERESTS, AND GOALS OF ITS CONSTITUENCY, THE STUDENTS. IN ORDER TO DO THIS, THE ASSOCIATION MUST REMAIN ACCOUNTABLE TO ITS MEMBERSHIP.

ARTICLE I – NAME AND PURPOSE

Section 1. The name of this organization shall be the Student Government Association (SGA) of the State University of New York (SUNY), College at Potsdam, New York.

Section 2. The purpose of the Association shall be to promote the educational well being of its membership through the recognition of academic, cultural, recreational, social, and athletic programs. The Association shall also serve as the representative voice of the student body in all college affairs.

ARTICLE II – MEMBERSHIP

Section 1. All SGA fee-paying students at SUNY Potsdam, New York, shall be members of the Association and shall be accorded the privileges, duties and responsibilities pertaining thereto. Participation in funded activities may be limited to those persons paying a student activity fee.

ARTICLE III – REPRESENTATIVE BRANCH

Section 1. The representative power of the Student Government Association shall be vested in the Student Assembly and Student Senate hereby referred to as the Assembly and the Senate, respectively.

Section 2. Members of the Association shall be apportioned into districts for the purpose of representation. For members living on or off campus, Assembly representatives shall be elected by and from the constituencies, one (1) seat for each one hundred (100) students living in a district;

A. In the event that there are less then one hundred (100) students in a district they will be eligible for one (1) seat.

Section 3. Each recognized organization shall be represented by one (1) member of the Senate. This seat shall be filled by the Treasurer or analogous position of the organization, elected according to the procedures set forth in their organization’s constitution. If the Treasurer or analogous position is
unable to regularly attend, the seat shall be filled by a member of that organization’s Executive Board.

Section 4. The term of office for all Assembly representatives shall commence at the first Assembly meeting of the fall semester, or, if they are appointed, at the meeting in which they are appointed. The term of office shall expire each year on the day of Commencement.

Section 5. Each Representative shall have one (1) vote in the house in which he/she is a member;

A. No Representative may be a member of the Senate and the Assembly concurrently.

Section 6. A majority of the Assembly and Senate shall constitute a quorum, respectively.

Section 7. One (1) seat in the Assembly shall be reserved for the All Greek Council (AGC) (or successor) President who will serve as a non-voting member of the Assembly. In the case that the President is unable to attend SGA meetings a member of the AGC executive board may attend in his or her place.

Section 8. The Secretary of the Association shall keep a record of its proceedings and publish them weekly;

A. The votes of the members of the Assembly may be entered into the record upon direction of the President of the Assembly or at the desire of one-fifth (1/5) of the Assembly;

B. The votes of the members of the Senate may be entered into the record upon direction of the President of the Senate or at the desire of one-fifth (1/5) of the Senate.

Section 9. Every piece of legislation that passes the Assembly and/or the Senate shall be presented to the President of the Association before it becomes law. If the President approves the piece, he or she will sign it; if he or she vetoes it, the piece shall be returned to the house(s) in which it passed at their next regular meeting (s) during which they shall record the objections and proceed to reconsider the piece. If the President of the Association has not informed the Assembly and/or the Senate of his or her disapproval of any piece before the second regular session of the house(s) in which it passed after initial passage, such piece will become law without the President’s signature;
A. In the event that a bill fails in one house and passes in the other the bill will be returned to the house in which it failed for reconsideration with a 2/3 vote for passage.

Section 10. The Representative Branch shall have the power to:

A. Lay and collect a student activity fee for the regular academic year as per SUNY mandatory Fee Guidelines;

B. Nominate candidates for the executive offices of the Association;

C. Effect all measures which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution of the SGA;

D. Establish budgetary procedures and assume responsibility for preparation and approval of the Association budget for the next fiscal year. This budget shall be considered by the Assembly and the Senate as a legislative bill and shall follow normal bill procedures.

Section 11. The Assembly shall have the power to:

A. Consider and approve the appointment of any and all committee representatives as listed in the Bylaws of Assembly;

B. Determine the rules of the Assembly’s procedures;

C. Censure and/or expel its members upon the concurrence of three-quarters (3/4) of the Assembly;

D. Override Presidential appointments by a two-thirds (2/3) vote;

E. Approve or defeat all pieces of legislation regarding financial grants, allocation of funds, and movement of monies to and from the Association’s budget;

F. Approve or defeat all pieces of legislation regarding law, amendments to this Constitution and all constitutions subsidiary to this Constitution, and matters of regulation within this Association.

Section 12. The Senate shall have the power to:

A. Determine the rules of the Senate’s procedures;

B. Censure and/or expel its members upon the concurrence of three-quarters (3/4) of the Senate;
C. Approve or defeat all pieces of legislation regarding financial grants, allocation of funds, and movement of monies to and from the Association’s budget;

D. Approve or defeat all pieces of legislation regarding amendments to this Constitution;

E. In the event that the SGA budget is considered Seriatim, Senate members shall not vote on their organizations budget, however, they may vote on the budget of the Association as a whole.

Section 13. The Assembly and Senate shall entertain legislative motions from within their own membership.

**ARTICLE IV – EXECUTIVE BRANCH**

Section 1. The executive power of the Student Government Association shall be vested in the President of the Association, who, with the Vice President, Treasurer, Comptroller, and Secretary shall comprise the SGA Executive Board.

Section 2. The Executive Cabinet shall consist of the SGA Executive Board, the student appointed Foundation Board Representative, the Chair of each Standing Association Committee, the Parliamentarian, as defined in the Bylaws, and shall be chaired by the Vice President or their designee;

A. The Executive Cabinet shall serve as an advisory board for the Association;

B. The Executive Cabinet shall review the performance of SGA Executive Board members who have been allowed to serve on other Executive Boards of the Association.

Section 3. The members of the Executive Board and the Executive Cabinet shall steer general SGA policy.

Section 4. The term of office for the President, Vice President and Secretary shall be one (1) year, beginning at the first regular session of the Assembly following their election. The term of office of the Treasurer shall be two (2) years, the first year as Comptroller, the second as Treasurer. The Comptroller will assume office at the first regular session of the Assembly following election.

Section 5. Duties of officers:
A. The President of the Association shall:

1. Nominate, by and with the advice and consent of the Executive Cabinet, all committee representatives of the Association as listed in the Bylaws of the Representative Branch;

2. Deliver the State of the Association address at least once per semester as he or she shall deem necessary;

3. Convene the Assembly and/or Senate on extraordinary occasions;

4. Serve as the Chair of President’s Council, which shall convene no less than once per semester;

5. Appoint members of the Association to the Assembly;
   A. All potential appointees shall express their interest to the President of the Association and shall sit a mandatory two (2) consecutive meetings;
   B. All appointees shall be subject to two-thirds (2/3) vote of approval from the Assembly;

6. Hire/dismiss with the advice and consent of the Executive Board, any and all professional personnel necessary for the maintenance of the central office, pending two thirds (2/3) approval by the Assembly;

7. Ensure that the rules, regulations, and policies of the Association are faithfully executed;

8. Represent SGA as liaison to the campus-wide community;

9. Appoint one (1) Parliamentarian for the Association

10. Schedule, and hold, no fewer than ten (10) office hours per week during the academic year;

11. Serve as SUNY Potsdam Student Representative to College Council and attend all meetings of the College Council;

12. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor). If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

13. Attend all Assembly meetings (exceptions will be made in extraordinary circumstances);
14. Not hold any executive office in any organization within the Association;

B. The Vice President of the Association shall:

1. Preside over Assembly as the President of Assembly;

2. Preside over joint meetings of the Representative Branch;

3. Assume the office or duties of the President of the Association in the event of absence, disability, resignation, or death of the President;

4. Serve as Chair of Election Committee and serve as initial chair of all Association Committees, appointing a Chair from within the committee by the third regular meeting of said committee;

5. Be responsible for coordinating and supervising the Assembly committees representing SGA by Chairing the Executive Cabinet;

6. Schedule, and hold, no fewer than ten (10) office hours per week during the academic year;

7. Convene the Assembly on extraordinary occasions;

8. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor) as deemed necessary by SUNY Student Assembly. If unable to attend meetings, a representative will be appointed at the discretion of the Executive Board;

C. The Treasurer of the Association shall:

1. Oversee all financial transactions and care for the revenue and assets of the Association to include a yearly audit of the funds of the SGA and all its subsidiary organizations;

2. Prepare and deliver such financial reports as requested by the Assembly, the Senate and/or President of the Assembly or Senate;

3. Establish/or and supervise a uniform system of financial management for all organizations and agencies of the Association;

4. Preside over the Senate for the fall semester as President of the Senate;

5. Prepare the Comptroller to assume the duties of the Treasurer;
6. Oversee refunds of the student activity fee;

7. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year;

8. Convene the Senate on extraordinary occasions;

9. Represent SUNY Potsdam as a voting member of the SUNY Student Assembly (or successor) as deemed necessary by SUNY Student Assembly. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

10. Attend all Assembly and Senate meetings (exceptions shall be made under extraordinary circumstances);

11. Not hold any executive office in any organization within the Association;

D. The Comptroller of the Association shall:

1. Assist the Treasurer in his/her duties;

2. Assume the office of Treasurer in the event that the office is vacated;

3. Preside over the Senate for the Spring Semester as President of the Senate;

4. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year, five (5) of which must coincide with those of the Treasurer;

5. Participate in the preparation of a comprehensive calendar containing information regarding the activities, events, and programs of all recognized organizations, and all major events, activities, and programs sponsored by the Association or the College;

6. Serve as financial historian for all SGA organizations;

7. Serve as Chair of the Public Relations Committee of Assembly;

8. Keep records regarding all recognized organizations, and as such:
9. Shall keep an accurate, updated list of officers of each organization;

10. Shall periodically check the status of all organizations to verify which are active and which inactive;

11. Shall keep updated inventory of all SGA property;

12. Prepare and deliver such reports to the Executive Board, the Executive Cabinet, the Assembly, and the Senate as they may request regarding recognized organizations;

13. Represent SUNY Potsdam in the SUNY Student Assembly (or successor) as deemed necessary by SUNY Student Assembly. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

14. Attend all Assembly and Senate meetings (exceptions shall be made under extraordinary circumstances);

15. Not hold any executive office in any organization within the Association;

E. The Secretary shall:

1. Act as Clerk of the Association and as such record the minutes of the Assembly and Senate meetings;

2. Prepare any and all materials for Assembly and Senate meetings (bills, resolutions, constitutions, etc.);

3. Establish and/or maintain a uniform system of clerical management for the Association;

4. Assist in central office tasks;

5. Schedule, and hold, no fewer than ten (10) office hours per week during the regular academic year;

6. Represent SUNY Potsdam in the SUNY Student Assembly (or successor) as deemed necessary by SUNY Student Assembly. If unable to attend meetings a representative will be appointed at the discretion of the Executive Board;

7. Attend all Assembly and Senate meetings (exceptions shall be made under extraordinary circumstances);
8. Serve as the Historian of the Association;

9. Maintain an electronic copy of all current SGA recognized organizational constitutions;

F. Potsdam College Foundation Board Representative shall:

1. Be appointed by the President of the Association with the approval of the Executive Director of the Potsdam College Foundation;
   a. Upon appointment by the President of the Association, the candidate’s name will be submitted for approval to the Assembly;

2. Serve as a member of the SGA Executive Cabinet and must attend any and all cabinet meetings;

3. Attend a minimum of one (1) Assembly meeting per semester and one (1) Senate meeting per semester, and as requested by the Executive Board, Assembly, or Senate;

4. Attend all Potsdam College Foundation Board meetings;

G. The President Pro Tempore of Assembly shall:

1. Assume the office or duties of the Vice President of the Association in the event of absence, disability, resignation, or death of the Vice President;

2. Serve as Chief Justice of the Student Supreme Court;

H. The President Pro Tempore of the Senate shall:

1. Preside over the Senate in the event that the Treasurer and Comptroller are unable to do so;

2. Serve as Associate Chief Justice of the Student Supreme Court;
   a. Preside over meetings of the Judicial Branch if the President Pro Tempore of the Assembly is unable to do so;

I. The Sergeant-at-Arms of Assembly shall:

1. Eject a member of the Assembly from a meeting at the direction of a two-thirds (2/3) vote of the Assembly, or by the presiding officer with a majority vote of the Assembly;
J. The Sergeant-at-Arms of Senate shall:

1. Eject a member of the Senate from a meeting at the direction of a two-thirds (2/3) vote of the Senate, or by the presiding officer with a majority vote of the Senate;

K. The Parliamentarian shall:

1. Serve as advisor to the Association on parliamentary procedures;
2. Serve as chair of Constitution Committee;
3. Attend all meetings of the Representative Branch;
4. Be confirmed by a two-thirds (2/3) vote of the Representative Branch.

Section 6. Vacancies of Office:

A. In the event that the office of Vice President is vacated, the President Pro Tempore of the Assembly shall assume the Vice Presidency. The Assembly, at their discretion, may choose to direct the Executive Board to hold a new Vice Presidential election;

B. In the event both offices of the President of the Association and Vice President are vacated, the Executive Board shall administer the office of the President. The Executive Board shall choose a chairperson from among themselves who shall preside on their behalf with the consent of the Assembly until an election is held;

C. In the event that the office of the Comptroller is vacated, the Vice President shall supervise a special election to fill the vacancy for the duration of the term. The special election shall take place no later than three (3) Assembly meetings after the office is vacated;

1. In the event that the office of the Comptroller is vacated between January and March, inclusively and the office of Treasurer is filled, then the executive board may elect to leave the position vacated until regular elections;

D. In the event that the office of Secretary is vacated, the Vice President shall supervise a special election to fill the vacancy for the duration of the term. The special election shall take place no later than three (3) Assembly meetings after the office is vacated.
Section 7. There may exist the offices of Executive Assistant to the President and/or Vice President;

A. These offices shall be appointed by the President of the Association or Vice President, respectively;

B. The Executive Assistants to the President of the Association and Vice President shall assist their respective officers in the execution of executive functions.

ARTICLE V - OATH OF OFFICE

Section 1. Oath of office:

A. All Executive Board Members, before taking office, must be administered following oath of office:

I do solemnly swear that I will faithfully execute the office of (appropriate title) of the Student Government Association and will to the best of my ability, preserve, protect, and defend the constitution of the Student Government Association of the State University of New York at Potsdam;

B. The oath of office shall be administered by the presiding Chief Justice before the entire Representative Branch.

ARTICLE VI – JUDICIAL BRANCH

Section 1. The judicial power of the Association shall be vested in the Student Supreme Court.

Section 2. In the event that a subsidiary organization or member of the Association has an internal problem they may bring their case to the Student Supreme Court. The Student Supreme Court will also convene for the purpose of providing judgment in issues dealing with interpretation of SGA documents, and those of any subsidiary organization, disciplinary actions, the impeachment of officers and/or the removal of appointed Association representatives and/or Executive Board Members.

Section 3. All complaints must be submitted in writing.

Section 4. Powers of the Student Supreme Court shall include:

A. Judicial Review of all SGA Documents and those of all subsidiary organizations. Judicial review is the power of the court to annul the acts
of the Executive and/or the Representative Branches where it finds them incompatible with SGA documents, and/or practices;

B. *Mandamus* - Here defined as the power to order any agent of the Executive or Representative Branches of SGA, or of any agency directly associated with SGA, or of any candidate for SGA office, to perform a task which, in the judgment Student Supreme Court, is mandated by the Constitution of the SGA, the By-laws of the SGA or legislation of SGA;

C. *Injunction* - Here defined as the power to order any agent of the Executive or Representative Branches of SGA, or of any agency directly associated with SGA, or of any candidate for SGA office, to cease a practice which, in the judgment of the Student Supreme Court, is in violation of the Constitution of SGA, the By-laws of SGA or legislation of SGA;

D. *Contempt* - shall be defined here as the failure of any agent of the Executive or Representative Branches of SGA, or of any agency directly associated with SGA, or of any candidate for SGA office, to comply with the orders of the Student Supreme Court. This may result in further charges, dismissal of duties, revocation of recognition, or monetary fine.

**Section 5.** Duties of the Student Supreme Court shall be:

A. To investigate infractions of SGA rules and regulations by recognized, funded, and budgeted organizations, as well as the Association itself;

B. To decide punitive measures to be taken in the event of rule or policy violation up to revocation of recognition and/or office, they may impose any combination of sanctions deemed necessary;

C. To provide interpretation of SGA rules and regulations when confusion over interpretation arises;

1. The interpretation of the court cannot be appealed;

2. The Student Supreme Court, however, may re-evaluate any decision at any time with a simple majority vote of the Justices;

**Section 6.** The Student Supreme Court shall meet at least once per semester;

**Section 7.** The Student Supreme Court shall have final jurisdiction on any matter concerning the Student Government, as well as any subsidiary committee or organization within the Association.
Section 8. Violations of the Student Code of Rights, Responsibilities and Conduct shall be delegated to the Campus Judicial System.

Section 9. The Student Supreme Court shall consist of a Chief Justice and eight (8) members of the Association who will be justices, two (2) of whom are Assembly members, three (3) of whom are Senate members, one of whom includes the President Pro Tempore of the Senate, and three (3) Association members who are not in the Representative Branch or SGA Executive Board members. These shall be appointed by the Chief Justice and approved by the Houses of the Representative Branch by two-thirds (2/3) vote respectively;

A. Chief Justice:

1. The President Pro Tempore of the Assembly shall be the Chief Justice;
   a. In the event that the Vice President is under consideration for impeachment the President Pro Tempore of Assembly may not serve as Chief Justice;
   b. If the President Pro Tempore of Assembly is unable to serve as Chief Justice, the President Pro Tempore of the Senate shall serve as Chief Justice;

2. The duties of the Chief Justice shall be:
   a. Investigate initial petitions to the Student Supreme Court or appoint a designee among the other eight (8) justices to do so;
   b. Schedule hearings for petitions accepted by the Student Judicial Court;
   c. Preside over all meetings of the Student Supreme Court, except in cases of bias;
   d. Serve as a voting member of the Student Supreme Court;
   e. Hold a minimum of two (2) office hours per week;
   f. Designate a justice to compile and publicly issue the Student Supreme Court decisions upon completion of hearings;
   g. Administer the Oath of Office to newly elected SGA officials;

B. The Associate Chief Justice shall:
a. Serve as Historian of the Student Supreme Court;

b. Assist the Chief Justice in their duties;

c. Preside over meetings of the Student Supreme Court in the absence of the Chief Justice;

d. Serve as a voting member of the Student Supreme Court;

e. Attend all meetings of the Judicial Branch, except in cases of bias, or by the excusal of the Chief Justice.

C. The Associate Justices shall:

a. Serve as voting members of the Student Supreme Court;

b. Attend all meetings of the Judicial Branch, except in cases of bias, or by excusal of the Chief Justice.

ARTICLE VII – ELECTIONS

Section 1. Eligibility

A. Candidates for elective office within the Association shall:

1. Be full time, SGA fee-paying students attending SUNY Potsdam;

2. Be in good academic standing, i.e. must not be on either academic warning or probation at any point during the semester in which the election is held;

3. Be in good judicial standing, i.e. must not be on either judicial probation or warning at any point during the semester in which the election is held;

B. Executive Board candidates shall:

1. Have been a full time, SGA fee paying student at the College, completing at least one (1) semester prior to the semester in which the election is held;

2. Not be planning to apply for graduation, nor intend to take part in an exchange, or internship of twelve (12) credits or more, program or student teaching during their term of office.
Section 2.  Nominations for District Assembly Seats

A. All candidates shall have met the eligibility requirements as set forth in Sec. 1A;

B. Each candidate must submit a nominating petition containing not less than twenty-five (25) signatures of district residents. This petition must be submitted to the SGA office no later than close of business five (5) business days prior to the election;

1. Petitions shall be made available to prospective candidates via the SGA Office beginning on the first class day of the fall semester, and ending at close of business on the day on which petitions are due, as per Art. VI, Sec. 2B;

C. A candidate shall be notified of the acceptance or rejection of a petition not later than two (2) business days following its submission, the first counted day being the first business day following its submission;

1. If a petition is accepted, the candidate may begin campaigning immediately upon notification in accordance with the Kirchner-Allen Act (or subsequent document);

2. If a petition is denied, the potential candidate must be notified, in addition to the provisions set forth in Sec. 2C of this article, not later than two (2) business days following the submission deadline. A revised petition may be submitted up until close of business, three (3) business days following the submission deadline. Any such resubmitted petition shall be acted upon, and notification regarding its acceptance or denial made within one (1) business day of submission;

3. No petition shall be acted upon subsequent to the third business day following the submission deadline;

D. In all cases except denied petitions, notification of acceptance shall be made not later than two (2) business days following the submission deadline;

E. Notification shall be made by telephone, or in person. Additional notification may be provided for by statute. All notification shall be the responsibility of the election committee, or its designee.

Section 3.  Nominations for Executive Board Seats
A. Candidate nominations shall be governed by Sec. 2 of this article, with the following adjustments and additions:

1. Nominating petitions shall contain no less than sixty (60) signatures of Association members, and must be submitted to the SGA office no later than close of business five (5) business days prior to the day of the first scheduled election;

2. In lieu of a nominating petition, Assembly or Senate may nominate any eligible Association member. Assembly and Senate nominations shall be made during the three (3) meetings of the Assembly or Senate, respectively, prior to the date of the election.

Section 4. Campaigning

A. All Candidates shall free to run their own campaign in accordance with established SGA rules and guidelines.

B. The Association, in order to promote an open, honest, and meaningful exchange of views during the course of any official election, shall recognize three (3) general categories of campaign methods. They are:

1. Word of mouth. This category shall include, but is not limited to, a candidate or member of their staff verbally engaging an individual or group with the content of such engagement primarily concerned with any issue related to the campaign;

2. Public printed material. This category shall include, but is not limited to, any material printed by, or on behalf of, a candidate or member of their staff expressly for use in an official election;

3. Mass media. This category shall include, but is not limited to, newspapers, radio, television, computer transmissions (ex. Facebook, AIM, MySpace, Blogs, etc.), and other such broadcasts directed specifically at large numbers of Association members expressly for the purpose of soliciting potential voters in an official election;

C. The Association shall not restrict, or in any way discourage, the use of any campaign method provided it complies with college, state, and federal guidelines and statutes governing said material and media;

D. Candidates shall be notified by the Elections Committee, in writing, within five (5) business days if there is a complaint concerning campaign materials, otherwise materials shall be considered acceptable.
E. All Candidates shall be required to officially endorse their materials in a campaign by initialing all materials.

Section 5. Voting

A. District Assembly elections shall take place on the third Monday class day of the fall semester;

1. Seats shall be assigned to candidates receiving the highest number of votes in their district. In the case of a tie, a new election shall take place no later than three (3) days following the first election involving only those candidates whose vote totals matched;

B. Executive Board elections shall be held on the first full week of classes in April ending no later then the Assembly meeting time that week;

1. In the case that there are more than two (2) candidates running for any one office, that office will run-off in a primary, ending no later than 5:00pm on the Monday immediately preceding the regular elections;

2. The two (2) candidates who receive the highest number of votes for each office involved in the primary will advance to the regular election;

C. Polling places

1. Polling place for the election of Assembly representatives shall be at the discretion of the Vice President;

2. Polling places for both Executive Board and special elections shall be provided for by the Elections Committee;

D. Conspicuous public notice of election results shall be made within one (1) week of conclusion of ballot tabulations. Exceptions may be made in the case of a contested election;

1. All candidates shall be notified within twenty-four (24) hours of the conclusion of ballot tabulations;

E. Notification in all cases shall be made in accordance with Sec. 2E of this Article;

F. Defeated Assembly candidates will be kept on file and shall be notified of a vacancy in his or her district and will be appointed to that
seat by the President of the Association following two (2) meeting observations with the approval of the Assembly;

1. In the event that an Assembly seat becomes vacant, and two (2) or more district members express an interest in filling it, a special election shall be held under the auspices of the Vice President or designee to fill the seat for the remainder of the term. This election shall be held no later than two (2) weeks after the seat becomes vacant. Should the seat remain vacant after two (2) weeks have passed, the President of the Association, with Assembly confirmation, may appoint a substitute Assembly representative for the duration of the term;

G. Votes cast for persons who are not members of the Association, or who are not eligible to hold office as per Sec. 1 of this article shall be declared void, and shall not be counted for the purpose of determining the number of votes needed to constitute a majority;

H. Handwritten votes cast for persons who are members of the Association and eligible to hold office shall be counted towards the total number of votes needed to constitute a majority;

I. All students shall be given the option of abstention from any SGA election for any elected position.

Section 6. Appeal and Adjudication

A. Members of the Association reserve the right to file a written complaint regarding any aspect of an election. Said complaint shall be filed no later than close of business, three (3) business days following the close of polls, at the SGA Office;

1. Matters filed herein shall be adjudicated by the Election Committee, and may result in the admonishment, monetary fine, or disqualification of one or more candidates and/or may result in the dismissal of the general elections, causing another election to be held;

a. The Election Committee shall take verbal and/or written testimony from both the person(s) making a complaint, and the person(s) against whom said complaint is made. The committee reserves the right to determine the manner and form under which testimony is taken in all cases not specifically provided for by statute;
B. Matters filed in accordance with Sec. 6A of this Article shall be guaranteed the right of appeal to the Student Supreme Court in a timely, efficient manner;

1. Appeals shall be made in writing and filed with the Chair of Elections Committee not later than two (2) business days following the resolution of the original action;

2. Appeals shall be made in accordance with the aforementioned sections and shall be heard by the Elections Committee;

3. Appeals to the decisions of the Election Committee shall be heard by the Student Supreme Court.

ARTICLE VIII – STANDING RULES FOR IMPEACHMENT

Section 1. Any member of the Association may lodge a complaint.

Section 2. Lodging a complaint:

A. If a complaint is lodged against any member of the Association, including the Executive Board of SGA, or any subsidiary organization, excepting the Chief Justice, it shall be made to the Chief Justice of the Association;

B. If complaint is against the Chief Justice of the Association, it shall be made to the Associate Chief Justice of the Association.

Section 3. Complaint shall be brought before Representative Branch if it concerns any member of the Executive, Representative, or Judicial Branches of the Association, other complaints shall be delegated to the Student Supreme Court;

A. The Representative Branch shall vote to decide whether to begin Impeachment Proceedings, by referring the complaint to the Student Supreme Court;

B. A two-thirds (2/3) vote of those present is necessary for passage;

C. If the Assembly dismisses the charges, the Petitioner shall be guaranteed one (1) appeal to their decision.
Section 4. If passed, the Chief Justice shall convene the Student Supreme Court to review the case.

Section 5. The Student Supreme Court has fifteen (15) business days to investigate charges. Investigations must be concluded within this time period, but are not only limited to SGA Business hours. Investigations shall include, but are not limited to:

A. Documentation (e.g.: missing office hours, incident reports);
B. Interviews (to be observed by third party if requested by the accused);
C. Investigation will be conducted in accordance with the SUNY Potsdam Student Code of Conduct.

Section 6. The Student Supreme Court shall present its findings to the Representative Branch at a public meeting following the fifteen day investigation period along with a recommendation.

A. If recommendation is for removal from office, it will come in the form of a Resolution of Removal.

Section 7. A Resolution of Removal must be tabled for one (1) week for the Assembly and the Senate to review.

Section 8. The Resolution of Removal must be passed by at two-thirds (2/3) vote of the Assembly and a 2/3 vote of the Senate.

ARTICLE IX – PARLIAMENTARY AUTHORITY


ARTICLE X – AMENDMENTS

Amendments to this Constitution shall require a two-thirds (2/3) affirmative vote of the Assembly, a two-thirds (2/3) affirmative vote of the Senate, and a two-thirds (2/3) vote of the Association who participate in the referendum.

ARTICLE XI – SUPREMACY CLAUSE
This Constitution shall be the supreme law by which the members of the Student Government shall abide except in those cases in conflict with the Student Code of Rights, Responsibilities and Conduct.

ARTICLE XII – AFFIRMATIVE ACTION CLAUSE

There shall be no discrimination on the basis of race, ethnicity, color, national origin, sex, gender, gender identity, gender expression, sexual orientation, age, disability, political affiliation, marital status, veteran's status, or religious affiliation within this organization.

ARTICLE XIII – DISSOLUTION CLAUSE

Should the Student Government Association of SUNY at Potsdam, New York dissolve, all remaining assets, after payment of outstanding liabilities, shall be delegated to the Potsdam College Foundation and shall be used solely for SUNY Potsdam student scholarships.

ARTICLE XIV - FACULTY ADVISOR

Section 1. There must exist the position of Faculty/Staff Advisor to the Student Government Association.

Section 2. This advisor shall be chosen by majority vote of the outgoing Executive Board of SGA.

Section 3. The advisor may be removed by a majority vote of the Representative Branch of SGA.

ARTICLE XV – HAZING

Hazing in any form is strictly prohibited. Hazing is considered an interference with personal liberty, and includes any act of domination by any students over others which may lead to physical or emotional injury and discomfort. Hazing involving forced consumption of alcohol or drugs for the purpose of initiation or affiliation with any organization is specifically prohibited by SGA and SUNY Potsdam.