

**CONSTITUTION**  
**The Metropolitan State College of Denver**  
**Student Government Assembly**

**Preamble**

We, the students of The Metropolitan State College of Denver (Metro State), hold true that active and judicious participation in all aspects of our education is attainable, beneficial and necessary, and do hereby establish a student government that will represent and advocate on behalf of students with Metro State administration, faculty and staff, be responsive to student concerns, ideas and needs, and actively work to ensure that we, the student body of Metro State, are justly and proactively recognized and represented with fairness and equity in all aspects of the Metropolitan State College of Denver. All students are members of the Student Government Assembly and our interests, needs, and desires shall be represented by students elected to the Student Government Assembly.

**Article I – Name**

The name of this organization shall be the Metropolitan State College of Denver Student Government Assembly (SGA).

**Article II – Constituency**

The SGA shall represent all students currently enrolled at Metro State. All currently enrolled students shall have the right to be active participants in the SGA as per this Constitution.

**Article III – Authority of the Constitution**

This Constitution is the governing document authorized by the student body of Metro State. All of the articles, sections, and provisions in this Constitution shall be enforced by the student body and the SGA.

**Article IV – Objectives**

The following objectives shall serve as a directional force for the SGA:

1. Collaborate in the shared governance of Metro State by maximizing student participation in policy making, decision making, and administrative oversight that directly or indirectly affects students. Uphold the letter and the intent of the Board of Trustees Shared Governance policy in collaboration with college administration.
2. Develop and maintain a representative student government at Metro State.
3. Be the official voice through which student opinions, concerns and ideas may be expressed to internal and external constituencies.
4. Promote the educational experience and opportunities of the student body by

- working to expand student participation and involvement on their campus.
5. Coordinate activities, communication, and services of general benefit to students.
  6. Protect the individual rights and freedoms of students.
  7. Oversee the activities related to student fee assessment and allocation.
  8. Monitor the activities of the faculty and administration while protecting the best interests of the students.
  9. Acknowledge all official student organizations.
  10. Maximize the student experience in academic and nonacademic pursuits.
  11. Receive, investigate, and take action on student complaints, concerns, and problems within the scope of its authority.

## **Article V – Declaration of Rights**

### **Section 1 - Basic Rights for all students**

1. Freedom of Speech, Religion, and the Press  
The right of religious freedom and to present their ideas on any subject without penalty or censorship with the exception of endangerment to life, property, or intrusion upon the equal rights of others.
2. Dissenting Opinions  
The right to take reasoned exception to views offered as part of academic curriculum or non-academic functions without fear of repercussion, to be graded solely on academic performance, and to be protected against prejudice or arbitrary evaluation.
3. Forming Organizations  
The right to organize, join, and take part in any organization for, but not limited to, intellectual, religious, social, economic, or cultural purposes, subject to reasonable regulation.
4. Demonstration  
The right to organize and participate in orderly, non-violent demonstrations on and off campus.
5. Hearing Speakers  
The right to invite and hear speakers of their choice on subjects that interest them.
6. Use of Facilities  
The right to use campus facilities for meetings and other activities subject to procedures and regulations.
7. Petitioning  
The right to petition the proper authority for changes in faculty, administration, curriculum, and institutional policy, without fear of retribution.
8. Raising and Seeking Funds  
The right, subject to reasonable regulation, of any recognized student organization to raise and seek monies on campus.

9. Information  
The right to obtain truthful and full information, upon inquiry, on the reasons for any college policy affecting them, the adoption proceedings of said policy, and the options by which it may be changed.
10. Privacy of Records  
The right to privacy of their academic, non-academic, disciplinary, and financial records with the right of personal examination of such records.
11. Due Process  
The right to judicial due process, including the accused being informed of the nature and cause of the accusation, a speedy and impartial hearing, confrontation of plaintiff and witnesses, have compulsory process for obtaining witnesses in his or her defense, counsel, presumption of innocence, and an appeal. The accused shall not be tried twice for the same offense nor be forced to testify against him or herself nor be subject to unusual or excessive punishment.
12. Suits  
The right, if aggrieved, to bring suit within the regular judiciary system for any punitive violation of rights.
13. Discrimination  
The right, as a student of Metro State, to enjoy all these rights, all other rights, and all benefits as outlined by the institution, without regard to, but not limited to, race, gender, color, religion, national or ethnic origin, age, physical capability, political ideology, socio-economic status, marital status, veteran status, sexual orientation or parental status.

## **Section 2 - Rights Pertaining to Student Government**

1. Democratic Governance  
The right to organize and maintain a democratic form of representative student government which shall be in charge of overseeing student affairs, participate in the assessing and allocating of student fees, and involving itself in the formation of college policy.
2. Election of Student Representation  
The right to choose student government officials through a student election process.
3. Student Judiciaries  
The right to an independent and impartial judiciary through which students and student organizations may bring forth actions.
4. Appeals  
The right to appeal proposed fee increases to the student government and the administration in accordance with the Institutional Fee Plan.
5. Formulation of Amendments and Initiatives  
The right to refer constitutional amendments, referendums and initiatives to the student body through the proper election process per Article XIII of this Constitution.

6. Open Meetings
 

Every meeting of the SGA shall be open to all students of Metro State, except when convening in Executive Session pursuant to Colorado Revised Statutes (C.R.S.) 24-6-402(3)(a)(II,III), for the purpose of: (1) Conferring with its attorney, regarding a dispute that is the subject of a pending or imminent court action (II); (2) discussing matters required to be kept confidential by federal or state law, or by legislative lobbying rules (III); or, (3) holding private the academic status or history of a student (III). Also, pursuant to C.R.S. 24-6-402(3)(b)(II), the SGA may not go into executive session for the purpose of: (1) Discussing the appointment of any persons (II); or, (2) discussing the termination, discipline, or other management of persons affiliated with SGA (II).
7. Freedom of information
 

In order to ensure open and responsible information sharing, all documents and actions of the SGA, not dealing with student grievances or legally protected information, shall be open and available to the public.

## **Article VI – Executive Branch**

### **Section 1 – Composition**

The Executive Branch shall be composed of, but not limited to, a President, Vice President, Student Trustee, and two (2) Student Advisory Committee to the Auraria Board (SACAB) Representatives.

{Revised in accordance with Amendment VII}

### **Section 2 – Terms of Office**

1. The office of President and Vice President, shall serve a term from June 1 of the Election year to May 31 of the following year.
2. The Office of Student Trustee and SACAB Representatives shall serve a term from July 1 of the election year to June 30 of the following year according to the appropriate C.R.S as outlined in Article X section 1 of this Constitution.
3. The SACAB Representatives and the Student Trustee shall be required to attend any mandatory training sessions and will receive an additional month of compensation if this training falls before their elected term begins.

{Revised in accordance with Amendment IV}

### **Section 3 – Presidential Succession**

If the Offices of the President, Vice President, Speaker, or Speaker Pro-Tempore become vacant, the following procedures shall be enacted:

- The Vice President shall become President.
- The Speaker Pro-Tempore shall become Acting Vice President.
- The Acting Speaker Pro-Tempore of the Senate shall be elected in accordance with Senate bylaws.
- The Acting Vice President and Pro-Tempore of the Senate shall remain in said positions until a permanent Vice President or Pro-Tempore can be appointed or elected.

- The President shall nominate a candidate for Vice President. The senate shall confirm or reject the nomination at the next Senate meeting.

#### **Section 4 – Presidential Powers**

1. The President shall have the power of veto as outlined in Article VII section 6.
2. The President shall make all appointments to vacant SGA positions.
3. The President in cooperation with the Senate shall assemble an annual appropriated budget with fiscal accounting residing within the Executive Branch.
4. The President shall represent the Student Government Assembly to all internal and external constituencies in a manner consistent with the duties and responsibilities of this office.
5. The President shall have discretionary authority to appoint or remove students at-large to campus-wide committees and vacant executive staff positions in accordance with established SGA policies.
6. The President shall enforce the Constitution and the Articles of Bylaws according to the powers vested in this Constitution and subsequent Articles of Bylaws.
7. Be the Chief Executive of the SGA and shall be responsible for fulfilling the duties outlined in the bylaws.
8. The President shall deliver a State of the Assembly message at the opening session of the Senate each semester via an open forum and state the accomplishments of the current administration to the student body at the end of each semester.
9. The President shall have the power to appoint Executive Staff as necessary pursuant to Article IX.  
{Revised in accordance with Amendment VIII}

#### **Section 5 – Oath of Office**

Each officer of the Executive Branch shall give the following oath before entering office: “I do solemnly swear (or affirm) that I will faithfully execute the office of (insert name of office) of the Metropolitan State College of Denver Student Government Assembly, and will to the best of my ability, uphold, protect and defend in spirit and action the Constitution and policies of the Student Government Assembly.”

#### **Section 6 – Oath for Non-SGA Appointees**

Each student at large appointed to committees, boards, etc shall give the following oath before entering the position:

“I do solemnly swear (or affirm) that I will faithfully represent in spirit and action the interests, needs, and desires of the student body to the best of my ability and hold true to the intent and policies on shared governance.”

#### **Section 7 – Cooperation**

The President and Executive Branch shall work in conjunction with and in cooperation with the Legislative Branch and Judicial Branch to ensure:

1. The Student Government Assembly represents the interests, needs, and desires of the student body in all campus and college operations, activities, and decision making processes.
2. Efficient and productive operations and processes of the Student Government Assembly in carrying out the provisions set forth in this Constitution.

### **Section 8 – Fiscal Responsibility**

The SGA in maintaining its own budget shall follow and abide by all state and college fiscal rules in receiving, allocating, and appropriating funds.

### **Section 9 – Compensation**

Elected Executive Branch officers shall receive a compensation for their services while in office to be ascertained by policy. If removed from office compensation shall cease upon date of removal.

## **Article VII – Legislative Branch**

### **Section 1 – Composition**

The body of the Legislative Branch shall be the Senate. Beginning with the 2009-2010 term of office, and in each subsequent term, the Senate shall consist of ten (10) Senators. The SGA shall make every effort to include and involve students of all class standings to create a legislative branch comprised of a diverse range of students.

{Revised in accordance with Amendments I, VII, and VIII}

### **Section 2 – Terms of Office**

All Legislative Branch terms shall last from June 1 of the election year to May 31 of the following year.

### **Section 3 – Senate Leadership**

1. The Senate shall elect from among themselves a Speaker of the Senate who shall:
  - Be the Speaker of the Senate and presiding officer over the Senate and shall cast the deciding vote when the Senate is tied on any given matter.
  - Be the official spokesperson for the Student Senate on any matter before the Executive Branch and/or the Student Court.
  - Appoint Senators to standing and non-permanent sub-committees of the Senate,
  - Serve as the Speaker and presiding officer over the Senate according to the most current edition of Robert’s Rules of Order.{Reformatted in accordance with Amendments V and VIII}
2. The Senate shall elect among themselves a Speaker Pro Tempore of the Senate to act in absence of the Speaker at Senate or Executive Committee meetings.  
{Revised in accordance with Amendments V and VIII}

#### **Section 4 – Legislation Approval Process**

Every order, policy, or bill the Senate passes shall be presented to the President for approval before it becomes official Student Government Assembly policy.

1. If the President approves he/she shall sign it, but if not he/she shall veto the policy and return it, with objections back to the Senate. The President must make the reasons for the veto known to the Senate at the time the veto is announced. This notification shall take the form of a typed memo distributed to each SGA member by the President. The Senate shall enter the objections on their record, and proceed to reconsider it.
2. The Senate may override and enact legislation vetoed by the President with a two-thirds (2/3) majority vote of the Senate.
3. If any policy presented to the president is not returned back to the Senate with objections within one Senate meeting, it shall become official policy, in like manner as if he/she had signed it

#### **Section 5 – Legislative Powers**

1. Review all formal complaints brought forth by students or student organizations as a matter for SGA concern.
2. Senators may introduce new legislation by sponsoring a bill, which shall be presented at any SGA Senate meeting for approval or dismissal.
3. Review, enact, repeal and/or amend any legislative matters of policy affecting members of the student body and their welfare.
4. Review, enact, repeal and/or amend any legislative matters of policy affecting operational guidelines of SGA.
5. Each Senator shall have one vote. Abstentions shall be discouraged.
6. The Senate shall have the power to approve all SGA bylaws, legislation, policies, and procedures necessary and appropriate for executing the powers vested by this Constitution in the Student Government Assembly, or in any department or officer thereof, with approval of the President.
7. The Senate shall have the power to approve Presidential appointees as it deems necessary, in accordance with established policies.
8. The Senate shall have the power to make committees and have the power to appoint people to those Senate committees.
9. Approve the next fiscal year's SGA budget presented by the President.
10. The Senate shall adopt a procedure by which all presidentially approved or veto overridden policies, legislation or motions are stored in one central depository. This central depository may be located in more than one location. All materials shall be posted to the depository one day after final approval.
11. The Senate shall have the power to remove any officer of the Student Government Assembly from their positions with by a two-thirds (2/3) vote for violations of the Constitution and/or policies of the Student Government Assembly.

{Revised in accordance with Amendment VIII}

#### **Section 6 – Cooperation**

The Senate and Legislative Branch shall work in conjunction with and in cooperation with the Executive Branch and Judicial Branch to ensure:

1. The Student Government Assembly represents the interests, needs, and desires of the student body in all campus and college operations, activities, and decision making processes.
2. Efficient and productive operations and processes of the Student Government Assembly in carrying out the provisions set forth in this Constitution.

### **Section 7 – Executive Session**

The Senate shall have the right to Executive Session as outlined in Article V, section 2.6.

### **Section 8 – Public Record**

The Senate shall keep a Senate Journal of its proceedings, and shall publish the record, except for Executive session. The yeas, nays and abstentions of the members of the Senate on any vote shall be recorded in the public journal.

### **Section 9 – Oath of Office**

Each Senator shall give the following oath before entering office:

“I do solemnly swear (or affirm) that I will faithfully execute the office of Senator of the Metropolitan State College of Denver Student Government Assembly, and will to the best of my ability, uphold, protect and defend in spirit and action the Constitution and policies of the Student Government Assembly.”

### **Section 10 – Quorum**

A simple majority of Senators shall constitute a quorum to conduct business during fall, spring, and summer semesters. The winter term is part of the spring semester. No official business shall take place without quorum.

### **Section 11 – Compensation**

Elected Legislative Branch officers shall receive a compensation for their services while in office to be ascertained by policy. If removed from office, compensation shall cease upon date of removal.

## **Article VIII – Judicial Branch**

### **Section 1 – Composition**

1. The body of the Judicial Branch shall be the Student Court.
2. The Student Court shall consist of a Chief Justice and four Associate Justices.
3. The Student Court justices shall be appointed by the President.
4. The Justices may not hold any other office or position within the SGA.
5. The Chief Justice shall be appointed by the President. The Chief Justice shall be appointed from among the sitting justices.  
{Revised in accordance with Amendments III and VIII}

### **Section 2 – Terms**

Each Justice of the Student Court shall serve during good standing until the conclusion of his/her studies at Metro State. Appointments to Student Court staff positions shall expire at the discretion of the Court.

{Revised in accordance with Amendment III}

### **Section 3 – Jurisdiction**

1. The judicial power of the Student Government Assembly shall be vested in one Student Court and in such inferior Courts as the Senate may from time to time ordain and establish.
2. The Student Court shall narrowly define this Constitution and all provisions within.
3. All rulings by the Student Court are final and binding upon the SGA and shall be duly enforced by the President and adhered to by the Senate and all other governmental entities.
4. The Student Court shall have jurisdiction over matters regarding disputes and interpretations of the SGA Constitution, bylaws, policies, and legislation, as well as any other matters referred to it by the Senate or College.
5. The Student Court shall have jurisdiction on disputes between student organizations and disputes between students and student organizations only to be enacted and enforced in agreement with the college.

{Revised in accordance with Amendment VIII}

### **Section 4 – Oath of Office**

Each Justice of the Student Court shall give the following oath prior to entering office: "I, (Name of Justice) do solemnly affirm that I will administer justice in the highest form of judicial review without respect to persons or bias. I will faithfully and impartially discharge and perform all the duties incumbent upon me as a Justice of the Student Court under the Constitution of the Metropolitan State College of Denver Student Government Assembly."

### **Section 5 - Purpose**

The Student Court shall act as the highest judicial authority of the Metro State Student Government Assembly with honor and dignity. The purpose is to provide judicial review and decisions for any and all matters brought forth within their jurisdiction. The Court will provide this service in an impartial and honorable manner to all who shall seek it.

### **Section 6 – Executive Session**

The Student Court shall have the right to Executive Session as outlined in Article V, section 2.6.

{Revised in accordance with Amendment VIII}

### **Section 7 – Cooperation**

The Judicial Branch shall work in conjunction with and in cooperation with the Executive Branch and Legislative Branch to ensure:

1. The Student Government Assembly represents the interests, needs, and desires of the student body in all campus and college operations, activities, and decision making processes.
2. Efficient and productive operations and processes of the Student Government Assembly in carrying out the provisions set forth in this Constitution

## **Article IX - Staff**

### **Section 1 – Executive Staff**

1. The president may hire executive staff as allowed for by the annual budget, SGA policies, and policies of the Metropolitan State College of Denver.
2. All executive staff positions must have a detailed job description approved by the Senate before applications may be accepted.
3. The President may eliminate staff positions with Senate approval.
4. The President shall have the authority to terminate executive staff.  
{Revised in accordance with Amendments VII and VIII}

### **Section 2 – Contractual Employment**

The SGA shall have the ability to procure employees on a contractual basis in accordance with college hiring practices. Contract employees shall be retained for project-oriented duties only. These shall include, but not be limited to, matters of legislative, financial or research based projects.

{Revised in accordance with Amendment VII}

## **Article X – Qualifications for Office**

### **Section 1 – Qualifications for Executive Branch Officers**

1. Must be a Metro State student in good standing, as defined by the Student Conduct Code enumerated in the Student Handbook.
2. Must have and maintain at least a 2.5 cumulative GPA.
3. Must be enrolled in a minimum of six (6) credit hours from Metro State per semester during Fall and Spring.
4. Must be available for meetings and fulfill required office hours for their entire term, including summer.
5. Must be able to attend all mandatory training sessions.
6. The President must have earned at least 18 (18) credit hours from Metro State at the time of running for office.
7. The Vice President must have earned at least twelve (12) credit hours from Metro State at the time of running for office.
8. The Student Trustee, in addition to qualifications enumerated in Section 1 of this Article, must adhere to C.R.S. 23-54-102 (3) and the Board of Trustees policy manual.

*C.R.S. 23-54-102 (3): A full-time junior or senior student at Metropolitan state college of Denver, elected by the student body at large, shall fill the tenth office as a member of the board of trustees. The term of said office shall be one year, beginning July 1, 2002, and beginning July 1 each year thereafter. The elected student office shall be advisory, without the right to vote and without the right to attend executive sessions of the board of trustees, as provided by section 24-6-402, C.R.S. The elected student member of the board of trustees shall have resided in the state of Colorado not fewer than three years immediately prior to election. As used in this subsection (3), "full-time student" shall have the same definition as "full-time equivalent student" used by the joint budget committee of the general assembly.*

9. The two SACAB Representatives, in addition to qualifications enumerated in Section 1 of this Article, must adhere to C.R.S. 23-70-102(c)(I) and current SACAB bylaws.

*C.R.S. 23-70-102 (c)(I): An advisory committee of six members who are full-time students shall be elected, two from each of the student bodies of each of the three institutions governed by the Auraria board, and it shall elect one of its members to fill one office on the Auraria board to serve for one term beginning July 1. Said elected office shall be advisory, without the right to vote. The elected member of the board shall have resided in the state of Colorado not less than three years prior to his election.*

{Revised in accordance with Amendments IV and VIII}

## **Section 2 – Qualifications for Legislative and Judicial Branch Officers**

1. Must be a Metro State student in good standing, as defined by the Student Conduct Code enumerated in the Student Handbook.
2. Must have and maintain at least a 2.0 cumulative GPA.
3. Must be enrolled in a minimum of six (6) credit hours from Metro State per semester during Fall and Spring.
4. Legislative Branch Officers must be available to attend meetings and fulfill required office hours during Fall and Spring semesters.
5. Must have earned at least six (6) credit hours from Metro State at the time of running for office.

{Revised in accordance with Amendments IV and VIII}

## **Section 3 – Qualifications for Executive Staff**

1. Must be a Metro State student in good standing as defined by the Student Conduct Code enumerated in the Student Handbook.
2. Must have and maintain at least a 2.0 cumulative GPA.
3. Must be enrolled in a minimum of six (6) credit hours from Metro State per semester during Fall and Spring terms.
4. Must have earned at least six (6) credit hours from Metro State at the time of application.

{Revised in accordance with Amendments VII and VIII}

## **Section 4 – Longevity**

All Executive and Legislative officers of the SGA must be able to fulfill their entire term of office. Those planning to graduate more than two months before the end of the term of office to which they are being appointed or elected shall be considered ineligible. This shall not apply to student-at-large appointments to SGA or college wide committees.

{Revised in accordance with Amendments IV, VII, and VIII}

# **Article XI – Elections**

## **Section 1 – Election Commission**

1. The Election Commission shall have the duty of running all elections which include the spring SGA general elections, special elections, referenda, constitutional amendments, or student proposals and initiatives.
2. The Election Commission shall be composed of five (5) students.
3. The Election Commission shall be appointed by the President, with the confirmation of a two-thirds (2/3) vote of the Senate.
4. The Chair shall be appointed by the President with a two-thirds (2/3) confirmation vote by the Senate. The Chair shall be appointed from among the sitting commissioners if possible.

## **Section 2 – Petitions for Candidacy**

Students who wish their names on the ballot for the office of SGA President, Vice President, Student Trustee, or SACAB Representative shall circulate petitions and secure not less than one-hundred (100) signatures from the student body. Students who wish their names on the ballot for the office of Senator shall circulate petitions and secure not less than fifty (50) signatures from the student body. Signatures shall be accompanied by student identification numbers for the purposes of verification pursuant to Election Commission Bylaws.

## **Section 3 – Elected Positions**

The President, Vice President, Student Trustee, both SACAB Representatives, and all Senators shall be elected by a vote of the student body. The President and Vice President shall be chosen jointly by the casting by each voter of a single vote applicable to both offices. Any presidential or vice presidential candidate shall pre-qualify for an election and run until a cutoff date of two weeks prior to the election. Should a candidate for one of the above named offices not have an equally qualified running mate by the cutoff date, then said candidate will be disqualified from the election with no penalties to their running in future elections or for alternative offices.

{Revised in accordance with Amendment IX}

## **Section 4 – General Elections**

All General Elections shall be conducted during the spring semester. The timeline shall be developed by the Election Commission and submitted as an information item only to the officers of the Executive, Legislative, and Judicial Branch.

## **Section 5 – Certification of Votes**

The votes cast by the student body in general elections shall be certified and made final by no later than the last business day of each May.

{Revised in accordance with Amendments II and VIII}

## **Section 6 – Inauguration**

The elected officers of both Executive and Legislative Branches shall be inaugurated and sworn into office prior to beginning any term of service.

{Revised in accordance with Amendments II and VIII}

## **Section 7 – Agreement of Attendance**

1. Before the first day of voting in any election, each student seeking an elected position in the SGA must sign an Agreement of Attendance, which will include all of the dates and times of meetings and events they will be required to attend. This may include summer training sessions, regular meetings, SGA retreats, or any other known events.
2. The Executive Branch shall provide a full list of required meetings and events to the election commission at least one week prior to the date the Election Commission begins accepting petitions for candidacy, provided that the Election Commission gives sufficient notice.

{Revised in accordance with Amendments IV and VIII}

## **Article XII – Removal from Office**

### **Section 1 – Removal Authority**

The Senate shall have the power to remove any officer from their positions with by a 2/3 vote for violations of the Constitution and/or policies of the Student Government Assembly. A Senator may not vote in the matter of their own removal.

### **Section 2 – Removal Procedure**

The Senate shall have the sole power to establish a process and procedure for removal hearings. Any change to this process shall not take effect less than 60 days after it is passed.

### **Section 3 – Ineligibility**

Any officer removed from their position by a vote of the Senate shall be ineligible to hold any position in SGA for one calendar year after removal. The Senate may, by a vote of two-thirds, remove such ineligibility.

{Revised in accordance with Amendment VIII}

## **Article XIII – Referendum and Amendments**

### **Section 1 – Referendum**

1. Special elections in the form of referendum, initiative, or recall on specific issues shall be called by a two-thirds (2/3) vote of the Senate or by petition containing the signatures of a minimum of ten (10) percent of the term full-time equivalent (FTE) student body population stating the specific issues to be resolved.
2. A referendum shall consist of a single question such that a student may vote either “yes” or “no.”
3. The referendum question shall have the exact wording of the petition or motion initiating the election. All details of referendum questions shall be publicized for at least ten (10) full school days before the elections are held.

### **Section 2 – Proposal procedure**

Proposals for amending or replacing this Constitution can be made by the Student Government Assembly or students-at-large. Proposals can go to the student body for a vote:

1. After a two-thirds (2/3) majority vote of the Senate and approval of the President.
2. After students-at-large desiring proposals to go to the student body for a referendum election have fulfilled the referendum petition requirements as outlined in Section 1 of this Article.

### **Section 3 – Elections**

When a two-thirds (2/3) majority vote of the Senate and approval of the President or a referendum petition signed by ten (10) percent of the student body is obtained, proposals shall be voted on through special or general elections. Proposals shall contain a

reasonable date by which such elections should be held for student body approval. Appropriate Election Commission Bylaws shall govern these elections and proceedings.

**Section 4 – Adoption**

Referendum, initiatives or amendments or replacement of this Constitution shall be adopted by majority approval of those voting students (half plus one).

**Section 5 - Dates of Approval, Amendments, and/or Revision of this Constitution**

This Constitution shall be noted as to the date of approval, amendment, and/or revision at the bottom of this document.

**ARTICLE XIV – RATIFICATION**

This Constitution, when duly ratified, shall supersede all previous Constitutions.

*Adopted by majority vote of the Metro State student body in December 2004.*

**Amendment I**

*(Adopted by majority vote of the Metro State student body on April 27, 2007.)*

Article VII, Section 1 of the Constitution of the Student Government Assembly is hereby amended to read as follows: The body of the Legislative Branch shall be the Senate. The Senate shall consist of fifteen (15) Senators. The SGA shall make every effort to include and involve students of all class standings to create a legislative branch comprised of a diverse range of students. The structure of the Senate shall reside within the Senate Bylaws. Changes to the Senate structure shall only be made at the final Senate session of the term. Changes shall take effect following subsequent to one (1) full Senate term. The structure and any approved changes shall be based upon an equal representation formula.

**Amendment II**

*(Adopted by majority vote of the Metro State student body on April 27, 2007.)*

Article XI, Section 6 of the Constitution of the Student Government Assembly is hereby amended to read as follows: The votes cast by the student body in general elections shall be certified and made final by no later than the first business day of each May. The Election Commission, by an authorized vote, may extend the certification deadline not beyond a reasonable time. Timelines for non-general elections shall be determined by appropriate Election Commission Bylaws.

**Amendment III**

*(Adopted by majority vote of the Metro State student body on May 2, 2008.)*

**Section 1** – Article VIII, Section 1, sub-section 2 of the Constitution of the Student Government Assembly is hereby amended in its entirety to read as follows: The Student Court shall consist of a Chief Justice and four Associate Justices.

**Section 2** – Article VIII, Section 2 of the Constitution of the Student Government Assembly is hereby amended in its entirety to read as follows: Each Justice of the Student Court shall serve during good standing until the conclusion of his/her studies at Metro State. Appointments to Student Court staff positions shall expire at the discretion of the Court.

**Section 3** – Upon the ratification hereof, the sitting Justices of the Student Court shall immediately transition into the term of service herein set forth, and the *Judicial Branch Bylaws* shall immediately be updated to reflect all portions of this amendment. Those portions of any other Student Government Assembly bylaws, policies, or legislation found to be inconsistent herewith shall be invalid to the extent of the inconsistency.

### **Amendment IV**

*(Adopted by majority vote of the Metro State student body on May 2, 2008.)*

The following Articles and Sections of the SGA Constitution are hereby amended as follows:

#### ARTICLE X

*(Section 3 – Longevity)*

1. All Executive, Legislative and Judicial Branch officers of the SGA must be able to fulfill their entire term of office. Those planning to graduate more than two months before the end of the term of office to which they are being appointed or elected shall be considered ineligible. This shall not apply to student-at-large appointments to SGA or college wide committees.

*(Section 1 – Qualifications for Executive Branch Officers)*

2. Must be available for meetings and fulfill required office hours for their entire term, including summer. This requirement shall be subject to the emergency or unplanned absence excusal process outlined in the SGA Policy Manual.

3. Must be able to attend all mandatory training sessions. This requirement shall be subject to the emergency or unplanned absence excusal process outlined in the SGA Policy Manual.

*(Section 2 – Qualifications for Legislative and Judicial Branch Officers)*

4. Legislative Branch Officers must be available to attend meetings and fulfill required office hours during Fall and Spring semesters. This requirement shall be subject to the emergency or unplanned absence excusal process outlined in the SGA Policy Manual.

## ARTICLE VI

### *(Section 2 – Terms of office)*

5. The SACAB Representatives and the Student Trustee shall be required to attend any mandatory training sessions and will receive an additional month of compensation if this training falls before their elected term begins.

## ARTICLE XI

### *(Section 9 – Agreement of Attendance)*

6. Before the first day of voting in any election, each student seeking an elected position in the SGA must sign an Agreement of Attendance, which will include all of the dates and times of meetings and events they will be required to attend. This may include summer training sessions, regular meetings, SGA retreats, or any other known events.

7. The Executive Committee shall provide a full list of required meetings and events to the election commission at least one week prior to the date the Election Commission begins accepting petitions for candidacy, provided that the Election Commission gives sufficient notice.

## **Amendment V**

*(Adopted by majority vote of the Metro State student body on May 2, 2008.)*

The following Articles and Sections of the SGA Constitution are hereby amended as follows:

## ARTICLE VI

### *(Section 3 – Executive Committee)*

1. The Executive Committee shall be composed of the President, Vice President, Student Trustee, SACAB Representatives, Speaker of the Senate, and elected Senate leadership, as defined in the Executive Committee Bylaws. The Executive Committee may appoint additional ex officio members representing other college wide constituencies.

## ARTICLE VII

### *(Section 3 – Standing Committees)*

2. Each committee within the Senate shall have a chair who will hold responsibility for the execution of the responsibilities and duties charged to that committee. The means for deciding this chair shall reside in the Senate Bylaws.

3. The section of the constitution listing the standing committees and their responsibilities shall be removed and replaced with: “The Senate shall have standing committees whose charge and responsibilities shall be established in the Senate Bylaws or by Senate action.”

*(Section 5 – Senate Leadership)*

4. The Senate shall elect among themselves a Speaker Pro Tempore of the Senate to act in absence of the Speaker at Senate or Executive Committee meetings.

5. The Speaker of the Senate shall appoint, with majority confirmation of the Senate, other leadership positions as established by the Senate Bylaws or by Senate Action. If the Senate fails to confirm the Speakers appointment, the Senate shall elect the position from among themselves by simple majority.

### **Amendment VI**

*(Adopted by majority vote of the Metro State student body on May 2, 2008.)*

The following Articles and Sections of the SGA Constitution are hereby amended as follows:

#### **ARTICLE IX**

*(Section 1 – Administrative Assistants)*

The SGA may have paid Administrative Assistants who shall be appointed by the President with two-thirds (2/3) confirmation by the Senate.

The Administrative Assistants shall be removed by the same process by which they were appointed with just cause.

### **Amendment VII**

*(Adopted by majority vote of the Metro State student body on September 26, 2008.)*

The following Articles and Sections of the SGA Constitution are hereby amended as follows:

#### **ARTICLE VI**

*(Section 1 – Composition)*

The Executive Branch shall be composed of, but not limited to, a President, Vice President, Student Trustee, and two (2) Student Advisory Committee to the Auraria Board (SACAB) Representatives.

*[\$4 deleted; subsequent sections of Article VI renumbered in accordance with the deletion of §4]*

#### **ARTICLE VII**

*(Section 1 – Composition)*

The body of the Legislative Branch shall be the Senate. Beginning with the 2009-2010 term of office, and in each subsequent term, the Senate shall consist of ten (10) Senators. The SGA shall make every effort to include and involve students of all class standings to

create a legislative branch comprised of a diverse range of students. The structure of the Senate shall reside within the Senate Bylaws.

## ARTICLE IX

### *(Section 2 – Executive Staff)*

1. The president may hire executive staff as allowed for by the annual budget, SGA policies, and policies of the Metropolitan State College of Denver.
2. All executive staff positions must have a detailed job description approved by the Senate and be included in the Policy Manual before applications may be accepted.
3. All executive staff positions with approved job descriptions must be filled in within 30 days.
4. The President may eliminate staff positions with Senate approval.
5. The President shall have the authority to terminate executive staff.

### *(Section 3 – Contractual Employment)*

## ARTICLE X

### *(Section 3 – Qualifications for Administrative Assistants and Executive Staff)*

1. Must be a Metro State student in good standing as defined by the Student Conduct Code enumerated in the Student Handbook.
2. Must have and maintain at least a 2.0 cumulative GPA.
3. Must be enrolled in a minimum of six (6) credit hours from Metro State per semester during Fall and Spring terms.
4. Must have earned at least six (6) credit hours from Metro State at the time of application.

### *(Section 4 – Longevity)*

## **Amendment VIII**

*(Adopted by majority vote of the Metro State student body on April 17, 2009.)*

The following Articles and Sections of the SGA Constitution are hereby amended as follows:

## ARTICLE VI

*[\$3, §5, and §10 deleted; remaining sections of Article VI renumbered in accordance with said deletions.]*

### *(Section 6 [renumbered as Section 4] – Presidential Powers)*

2. The President shall make all appointments to vacant SGA positions.

5. The President shall have discretionary authority to appoint or remove students-at-large to campus-wide committees and vacant executive staff positions in accordance with established SGA policies.
9. The President shall have the power to appoint Executive Staff as necessary pursuant to Article IX.

## ARTICLE VII

*[\$3, §4, and §13 deleted; remaining sections of Article VII renumbered in accordance with said deletions.]*

### *(Section 1 – Composition)*

The body of the Legislative Branch shall be the Senate. Beginning with the 2009-2010 term of office, and in each subsequent term, the Senate shall consist of ten (10) Senators. The SGA shall make every effort to include and involve students of all class standings to create a legislative branch comprised of a diverse range of students.

### *(Section 5 [renumbered as Section 3] – Senate Leadership)*

*["with a two-thirds (2/3) vote" deleted; sub-section 3 deleted]*

### *(Section 7 [renumbered as Section 5] –Legislative Powers)*

*["The Senate shall:" deleted]*

6. The Senate shall have the power to approve all SGA bylaws, legislation, policies, and procedures necessary and appropriate for executing the powers vested by this Constitution in the Student Government Assembly, or in any department or officer thereof, with approval of the President.
7. The Senate shall have the power to approve Presidential appointees as it deems necessary, in accordance with established policies.
9. Approve the next fiscal year's SGA budget presented by the President.
11. The Senate shall have the power to remove any officer of the Student Government Assembly from their positions with by a two-thirds (2/3) vote for violations of the Constitution and/or policies of the Student Government Assembly.

## ARTICLE VIII

*[\$6 and §9 deleted; remaining sections of Article VIII renumbered in accordance with said deletions.]*

### *(Section 1 – Composition)*

3. The Student Court justices shall be appointed by the President.

5. The Chief Justice shall be appointed by the President. The Chief Justice shall be appointed from among the sitting justices.

*(Section 3 – Jurisdiction)*

4. The Student Court shall have jurisdiction over matters regarding disputes and interpretations of the SGA Constitution, bylaws, policies, and legislation, as well as any other matters referred to it by the Senate or College.

*(Section 7 [renumbered as Section 6] – Executive Session)*

The Student Court shall have the right to Executive Session as outlined in Article V, section 2.6.

## ARTICLE IX

*[\$1 deleted; remaining sections of Article IX renumbered in accordance with said deletion.]*

*(Section 2 [renumbered as Section 1] – Executive Staff)*

2. All executive staff positions must have a detailed job description approved by the Senate before applications may be accepted.

*[sub-section 3 deleted; remaining sub-sections renumbered in accordance with said deletion.]*

## ARTICLE X

*(Section 1 – Qualifications for Executive Branch Officers)*

4. Must be available for meetings and fulfill required office hours for their entire term, including summer.
5. Must be able to attend all mandatory training sessions.

*(Section 2 – Qualifications for Legislative and Judicial Branch Officers)*

4. Legislative Branch Officers must be available to attend meetings and fulfill required office hours during Fall and Spring semesters.

*(Section 3 – title changed to “Qualifications for Executive Staff”)*

*(Section 4 – Longevity)*

All Executive and Legislative officers of the SGA must be able to fulfill their entire term of office. Those planning to graduate more than two months before the end of the term of office to which they are being appointed or elected shall be considered ineligible. This shall not apply to student-at-large appointments to SGA or college wide committees.

## ARTICLE XI

*[\$2, §8, and §10 deleted; remaining sections of Article XI renumbered in accordance with said deletions.]*

*(Section 6 [renumbered as Section 5] – Certification of Votes)*

The votes cast by the student body in general elections shall be certified and made final by no later than the last business day of each May.

*(Section 7 [renumbered as Section 6] – Inauguration)*

The elected officers of both Executive and Legislative Branches shall be inaugurated and sworn into office prior to beginning any term of service.

*(Section 9 [renumbered as Section 7] – Agreement of Attendance)*

2. The Executive Branch shall provide a full list of required meetings and events to the election commission at least one week prior to the date the Election Commission begins accepting petitions for candidacy, provided that the Election Commission gives sufficient notice.

## ARTICLE XII

*[Entire Article deleted and rewritten as it appears below.]*

### **Section 1 – Removal Authority**

The Senate shall have the power to remove any officer from their positions with by a 2/3 vote for violations of the Constitution and /or policies of the Student Government Assembly. A Senator may not vote in the matter of their own removal.

### **Section 2 – Removal Procedure**

The Senate shall have the sole power to establish a process and procedure for removal hearings. Any change to this process shall not take effect less than 60 days after it is passed.

### **Section 3 – Ineligibility**

Any officer removed from their position by a vote of the Senate shall be ineligible to hold any position in SGA for one calendar year after removal. The Senate may, by a vote of two-thirds, remove such ineligibility.

## **Amendment IX**

*(Adopted by majority vote of the Metro State student body on April 17, 2009.)*

Article XI of the SGA Constitution is hereby amended as follows:

*(Section 4 [renumbered as Section 3] – Elected Positions)*

The President, Vice President, Student Trustee, both SACAB Representatives, and all Senators shall be elected by a vote of the student body. The President and Vice President

shall be chosen jointly by the casting by each voter of a single vote applicable to both offices. Any presidential or vice presidential candidate shall pre-qualify for an election and run until a cutoff date of two weeks prior to the election. Should a candidate for one of the above named offices not have an equally qualified running mate by the cutoff date, then said candidate will be disqualified from the election with no penalties to their running in future elections or for alternative offices.