

**VIRGINIA
PENINSULA**
COMMUNITY COLLEGE

Student Government Association Constitution

Preamble

Realizing the values inherent in self-government, understanding the importance of defining and implementing the values and principles of the students and the college, desiring to further the general welfare of the student body, and believing that these goals can best be accomplished by creating a dynamic student organization, we the students of Thomas Nelson Community College now Virginia Peninsula Community College, do hereby establish this constitution for the Student Government Association.

Article I. Official Name

The name of this organization shall be the Student Government Association of Thomas Nelson Community College now Virginia Peninsula Community College, hereafter referred to as the SGA.

Article II. Membership in the SGA

The membership of the SGA shall incorporate all students currently enrolled for credit at Thomas Nelson Community College now Virginia Peninsula Community College (enrollment as defined in the current catalog), on both the Hampton and Historic Triangle campuses.

Article III. The Executive Branch

Section I. Officers

The executive branch of the SGA shall consist of a President, Vice-President of the Hampton campus, Vice-President of the Historic Triangle campus, and Secretary elected annually by the students of Thomas Nelson Community College now Virginia Peninsula Community College. They shall hold office from the beginning of the summer semester following their election to the end of the spring semester following their election.

Section 2. Executive Power

The executive power shall be vested in the President of the SGA whose authority shall come from the student body, the administration of Thomas Nelson Community College now Virginia Peninsula Community College, and the local college governing board.

Section 3. Eligibility

No student shall be eligible to seek and/or serve as an SGA officer unless he/she has earned and maintained during their term of office at least a 2.75 cumulative grade point average. If his/her cumulative GPA falls below a 2.75, he/she shall be removed from their respective office immediately. He/she must be in good disciplinary standing and must have been an active member of a club/organization at Thomas Nelson Community College now Virginia Peninsula Community College.

A student, who is an officer in a club/organization, specific to TNCC, must resign his/her club office by the beginning of his/her term as an SGA officer and maintain said resignation throughout the SGA officer term as defined in Article III, Section 1. This provision does not allow for an SGA officer to take an officer role in any other club/organization, specific to TNCC, during the term of their SGA office.

Section 4. Duties of Officers

A. The duties of the President shall be as follows:

1. Serve as the official representative of the SGA in all matters affecting its interest, appoint committees and committee chairs as necessary where provisions to do so are not pre-existing, and appoint students to college-wide standing committees.
2. Require reports of a general or specific nature of any officer or committee chair in the SGA.
3. Convene special sessions of the Senate.
4. Veto or sign legislation passed by the Senate.
5. Administer the regulations, orders, policies, and decisions agreed to by the Senate.
6. Serve as liaison between the faculty/staff, administration, and the SGA.
7. Reserve all powers which are necessary to carry out the provisions of this constitution, except where such authority directly countermands any portion therein.
8. Sign all requisitions, etc. for SGA monies to be spent.
9. Make appointments as outlined in this constitution.

The duties and powers of the Vice-Presidents shall be as follows:

1. Act as chair of the Inter-Club Council (ICC) for his/her respective campus.
2. Assist the President in any of his/her official functions as needed.

3. The Vice Presidents may choose to serve as a senator from their respective campus, if less than fifty percent (50%) of the elected senator seats are duly filled from their respective campus.

4. Perform all other duties incident to such office.

C. The duties of the Secretary shall be as follows, but are not limited to:

1. Maintain all official records of the SGA.

2. Serve as the Clerk of the Senate and the ICC

3. Serve as parliamentarian during sessions of the Senate and ICC.

4. Maintain SGA financial records.

Section 5. Vacancy of an Officer

If the office of the President shall be vacated, the Vice-President of the Hampton campus shall succeed to the office of President and shall assume all power and authority vested in such office for the remainder of the current term. If the office of the President is vacated by the Vice-President of the Hampton campus, the Vice-President of the Historic Triangle campus shall succeed to the office of President and shall assume all power and authority vested in such office for the remainder of the current term. If the office of the President should become vacated once again, the Senate shall appoint a qualified student to serve out the remainder of the term. A two-thirds (2/3) majority vote of the Senate shall be necessary to appoint a student to said vacancy. Vacancies in the office of the Vice-Presidents and Secretary shall be filled, according to guidelines of eligibility, by an appointment of the President and confirmed by a two-thirds (2/3) majority vote of the Senate.

Article IV. The Senate

Section 1. Purpose

All of the authority herein granted shall be vested in the Senate by this constitution, the duly authorized administration of Thomas Nelson Community College now Virginia Peninsula Community College, and the local college governing board. The purpose of the Senate is to serve as a legislative body of checks and balances for all concerns expressed by any member of the SGA. The Senate will then determine the appropriate person(s) within the college's structure to whom the concerns should be addressed.

Section 2. Duties and Responsibilities

In addition, the duties of the Senate shall include, but are not limited to:

A. Investigating and recommending action concerning student problems.

C. Addressing any matter of policy or action which would aid in the planning, supervising, and coordinating of student activities, in accordance with college regulations.

D. Using the power of impeachment in accordance with this constitution of the SGA.

E. Issuing the subpoena, when necessary, for the constitution, bylaws, and records of any student club/organization.

F. Establishing *ad hoc* committees from its own body when necessary.

G. At its discretion, considering legislation proposed within its own body, and considering recommendations or legislation from committees of the Senate.

H. Requesting any member of the Executive branch to appear before the Senate to gain information pertaining to a subject under discussion.

I. Senators shall be in compliance with an attendance policy under the authority of the Student Activities Office. If a senator misses three (3) meetings (unexcused by the Student Activities Coordinator) during the term of office from Fall through Spring, then he/she shall be removed from office immediately. Their absence shall be determined by the minutes of the Senate.

Section 3. Membership

The Senate shall consist of fifteen (15) qualified students, twelve (12) representing the Hampton campus and three (3) representing the Historic Triangle campus, elected annually by majority vote of the student body. The term of office for a senator shall be from the beginning of the fall semester following the election to the beginning of the subsequent summer semester (9 months).

To be eligible to serve as a senator, a student must have earned and maintained at least a 2.5 cumulative GPA at Thomas Nelson Community College now Virginia Peninsula Community College. He/she must be in good disciplinary standing. If his/her cumulative GPA falls below a 2.5, he/she shall be removed from their respective office immediately.

Member of the Executive branch shall have no rights as members of the Senate, and cannot vote under Senate procedure. (with exception Article III, Section 4, Sub-Section B)

Section 4. Legislative Procedures

Every bill, order, resolution, or vote which passes the Senate shall be presented to the President by the Clerk of the Senate for his/her signature or veto action. He/she shall indicate approval of the bill, order, resolution, or vote by signing and dating the action within seven (7) calendar days of receipt. To indicate disapproval he/she must write the word "Veto" in addition to signing and dating a receipt of the action. If vetoed, the bill, order, resolution, or vote shall be sent back to the Senate for consideration. A two-thirds (2/3) majority vote of the Senate is needed to override

Veto action taken by the President. The Senate shall be run under the legislative procedures recommended by Robert's Rules of Order.

Section 5. Quorum

A quorum is required for the Senate to conduct any business. A quorum shall consist of three (3) members of the total Senate membership.

Section 6. Leadership of the Senate

Clerk of the Senate

The Secretary of the SGA shall serve as the Clerk of the Senate. The Clerk is charged with maintaining all minutes and legislative documents needed for the Senate to properly conduct business and to maintain an up-to-date roll of current Senate membership. The Clerk shall have the agenda for the next Senate session ready and available two (2) days before said session. The Clerk shall also serve as parliamentarian for all Senate sessions. The Clerk shall serve as the Chair of the Senate until a Speaker is properly chosen.

Speaker of the Senate

During the first regular fall semester session of the Senate in which a quorum is established, it is in order for the Senate to choose a Speaker from within its membership. The senator who receives the most votes becomes Speaker. If a tie vote occurs after five (5) votes have been taken, it is in order for the Clerk to appoint a senator to serve as Speaker. If at any time there becomes a need to remove the Speaker of his/her position, the motion to do so must be passed by a three-fourths (3/4) majority vote of the Senate. The Speaker shall remain a member of the Senate unless impeached.

The duties of the Speaker include, but are not limited to:

- A. Serve as chair of the Senate, or appointing his/her respective designee.
- B. Appoint members of the Senate to standing and *ad hoc* committees.
- C. Serve as liaison between the Senate and the SGA officers.
- D. Choose appropriate committees in which to send legislation for consideration.

Section 7. Committees of the Senate

Senate Committees

Committees are to have at least three (3) but no more than (4) members. Committees are to at least meet once a semester (or unless otherwise noted) to take up appropriate legislation or recommendations and are free to meet at their own discretion as they see fit to fulfill their responsibilities. It is in order during their first meeting to choose a chairman who will communicate all actions taken by their committee to the Clerk of the Senate which will be read at the next Senate session.

The **Judiciary Committee** shall, by order of the Senate or by their own discretion, address any matter of constitutional questions pertaining to bills, resolutions, orders, or policy. They may also create legislation as they see fit for presentation to the Senate for consideration if it is germane to the purpose of the committee. At the time any Constitutional amendments are proposed, the chair of the committee shall call a special meeting to recommend approval, denial, or changes to said amendment for the Senate by their next session.

The **Elections committee** shall be appointed at the end of the fall semester, or before as needed, to oversee and conduct the annual election for SGA officers and senators. The committee is charged with maintaining the integrity and fairness of the annual election. The committee is free to recommend or create legislation pertaining to its own purpose as stated. All legislation and policy needed to properly conduct elections should be forwarded to the Senate for consideration at least three (3) weeks prior to the election.

At any time, the Senate can create a committee as it sees fit to properly conduct business. The committee shall conduct its business as regulated in the first paragraph of Section 7.

Section 8. Vacancies

If not all of the available Senate seats are filled, either after the annual election or during the academic year, these seats may be filled under this provision:

A qualified student must attend two (2) consecutive sessions of the Senate, at which time his/her presence shall be noted in the minutes. On the third meeting, the student becomes a senator after the Senate conducts a two-thirds (2/3) majority confirmation vote.

Section 9. Student Code of Governance

All actions of policy shall be recorded and maintained in a compilation of Student Codes of Governance which are to be attached along with copies of the constitution as bylaws of the SGA that are governed under this constitution.

Article V. The Judicial Council

Section 1. Name and Purpose

The Judicial Council whose authority herein granted shall be vested in the Council by this constitution, the duly authorized administration of Thomas Nelson Community College now Virginia Peninsula Community College, and the local college governing board. It shall serve as a final means of checks and balances for actions and procedures taken by the Senate and

Executive Branch. The Council will decide whether or not actions taken by the Senate and Executive branch are constitutional.

Section 2. Membership and Procedure

The Council shall consist of five (5) students of Thomas Nelson Community College now Virginia Peninsula Community College, appointed by the President and confirmed by the Senate, that have earned at least a 2.5 cumulative GPA and are in good disciplinary standing at TNCC. Three (3) of which students must not be an SGA officer or senator. The other two (2) students shall not hold the office of President or Speaker of the Senate. The President should appoint a chief council member, confirmed by the Senate, to serve as chair of Council meetings and forward decisions and minutes of the Council to the SGA Secretary. The members are allowed a seat on the Council for as long as they maintain their 2.5 cumulative GPA, and student status at Thomas Nelson Community College now Virginia Peninsula Community College.

The Council shall meet at least once every two (2) months to review, recommend, or decide the constitutionality of all the minutes and decisions made by the Executive branch and Senate. The minutes of the Council meetings shall be given to the Clerk of the Senate to be read at the next Senate session. Decisions of constitutionality made by the Council shall stand with authority and are to be carried out by the Student Activities Coordinator and his/her office. Actions of review or recommendation must have a majority vote to stand as the opinion of the Council. However, actions taken by the Council to reverse actions of the Executive branch or Senate must have four (4) positive votes to stand as the opinion of the Council.

Article VI. Impeachment

Impeachment is deemed necessary by the SGA when individuals in positions of leadership violate or take advantage of their respective duties that their office holds, violates provisions of this constitution, or violates the Thomas Nelson Community College now Virginia Peninsula Community College Code of Conduct. The Senate shall conduct impeachment hearings. The following sections shall explain impeachment proceedings for specific offices.

Section 1. Impeachment of Executive officers

A signed petition of at least twenty-five (25) currently enrolled students is presented to the Speaker of the Senate with a request for impeachment of an Executive officer for causes outlined in Article VI. The Senate shall vote at their next session whether or not to initiate impeachment proceedings. A list of all charges shall be drawn up by the accuser(s) and presented to the Speaker of the Senate.

The Speaker shall set for the impeachment hearing a time and a place reasonably common to all. The Speaker will notify the person accused of all charges and of the accuser(s) no later than fourteen (14) days after the petition is received.

The hearing shall be held where only the following persons may be in attendance: The Speaker, senators, the Student Activities coordinator, the officer against whom charges have been made, the person initially making the charge, and witnesses approved by the Speaker. Both the accuser and accused shall retain the right to call witnesses as necessary to validate accusations or defend

against them. These names must be submitted to the Speaker three (3) before the hearing date. The Speaker will read the charges in their entirety. The accuser and accused will then have the option to make a statement concerning the charges, after which senators will have the opportunity to question the accuser and the accused. At the end of all questions and statements, the Speaker will ask the witnesses, accuser (unless a senator), and accused to leave. The Speaker shall call for a discussion and at the end of such discussion shall call for a vote. A three-fourths (3/4) majority vote will be necessary for the impeachment to occur. If the three-fourths majority vote is not attained the accused shall be exonerated of all charges.

If a three-fourths (3/4) majority vote in favor of impeachment is attained the accused shall be removed from office immediately and shall be disqualified from holding any future office in a club/organization, Executive branch, Senate, or the Judicial Council at Thomas Nelson Community College now Virginia Peninsula Community College.

Section 2. Impeachment of Senators

A signed petition of at least twenty-five (25) currently enrolled students is presented to the Speaker of the Senate with a request for impeachment of a senator for causes outlined in Article VI. The accused senator shall retain all rights of a senator until convicted by the Senate. The Senate shall take a vote at their next session whether or not to initiate impeachment proceedings. A list of all charges shall be drawn up by the accuser(s) and presented to the Speaker of the Senate.

The Speaker shall set for the impeachment hearing a time and a place reasonably common to all. The Speaker will notify the senator accused of all charges and of the accuser(s) no later than fourteen (14) days after the petition is received.

The hearing shall be held where only the following persons may be in attendance: The Speaker, senators, the Student Activities coordinator, the senator against whom charges have been made, the person initially making the charge, and witnesses approved by the Speaker. Both the accuser and accused shall retain the right to call witnesses as necessary to validate accusations or defend against them. These names must be submitted to the Speaker before the hearing date. The Speaker will read the charges in their entirety. The accuser and accused will then have the option to make a statement concerning the charges, after which senators will have the opportunity to question the accuser and the accused. At the end of all questions and statements, the Speaker will ask the witnesses and accuser (unless a senator) to leave. The Speaker shall call for a discussion and at the end of such discussion shall call for a vote. A three-fourths (3/4) majority vote will be necessary for the impeachment to occur. If the three-fourths majority vote is not attained the accused shall be exonerated of all charges.

If a three-fourths (3/4) majority vote in favor of impeachment is attained the accused shall be removed from office immediately and shall be disqualified from holding any future office in a club/organization, Executive branch, Senate, or Judicial Council at Thomas Nelson Community College now Virginia Peninsula Community College.

If the Speaker of the Senate is the accused senator, all responsibilities of the Speaker as defined in this section shall be given to the Clerk of the Senate to execute properly. However, the Clerk shall not have the right to vote as a member of the Senate during the vote of conviction.

Section 3. Impeachment of Judicial Council Members

A signed petition of at least twenty-five (25) currently enrolled students is presented to the Speaker of the Senate with a request for impeachment of a council member for causes outlined in Article VI. The Senate shall take a vote at their next session whether or not to initiate impeachment proceedings. A list of all charges shall be drawn up by the accuser(s) and presented to the Speaker of the Senate.

The Speaker shall set for the impeachment hearing a time and a place reasonably common to all. The Speaker will notify the council member accused of all charges and of the accuser(s) no later than fourteen (14) days after the petition is received.

The hearing shall be held where only the following persons may be in attendance: The Speaker, senators, the Student Activities coordinator, the council member against whom charges have been made, the person initially making the charge, and witnesses approved by the Speaker. Both the accuser and accused shall retain the right to call witnesses as necessary to validate accusations or defend against them. These names must be submitted to the Speaker before the hearing date. The Speaker will read the charges in their entirety. The accuser and accused will then have the option to make a statement concerning the charges, after which senators will have the opportunity to question the accuser and the accused. At the end of all questions and statements, the Speaker will ask the witnesses, accuser (unless a senator), accused to leave. The Speaker shall call for a discussion and at the end of such discussion shall call for a vote. A three-fourths (3/4) majority vote will be necessary for the impeachment to occur. If the three-fourths majority vote is not attained the accused shall be exonerated of all charges.

If a three-fourths (3/4) majority vote in favor of impeachment is attained the accused shall be removed from office immediately and shall be disqualified from holding any future office in a club/organization, Executive branch, Senate, or Judicial Council at Thomas Nelson Community College now Virginia Peninsula Community College.

Article VII. Annual Election

An annual election for Executive officers and members of the Senate shall be held on the third Wednesday of April during the Spring semester, the time, place, and manner of which shall be determined by the Senate Elections Committee. (Refer to elections committee section)

Article VIII. Amending the Constitution

Amendments to this constitution may be taken up by the Senate at any time during the Academic year of Fall through Spring. Only a senator can propose one or more amendments and present it to the Senate for debate. When an amendment is proposed, it shall be presented in writing, with the originator's name and title printed at the top of the document and be committed to the Judiciary committee for their consideration. At any time after that, the committee can place the amendment on the next regular session meeting agenda for the Senate or a senator can call the amendment up for debate. Each proposed amendment shall not be voted upon by the Senate at the same meeting in which it was introduced.

A proposed amendment shall require a three-fourths (3/4) majority vote of the Senate in order to be ratified by the Senate. Upon ratification by the Senate, the proposed amendment must be signed and dated by at least one of the three members of the Judicial Council who do not hold an office in the Executive branch or the Senate, to be considered an official amendment of the constitution.

The new amendment shall be numbered and recorded as to the current number and order of amendments. It shall become effective ten (10) days after the date of signature by the Council member as described above. The amendment shall be included with all future copies of the SGA constitution.

Article IX. Powers not Delegated

The powers not delegated or prohibited to the SGA by this constitution, are reserved to the Senate through proper legislative procedure and are to be included in the Student Code of Governance.

Passed by the Judiciary Committee,

Caleb J. Kitchen
Speaker of the Senate

Jerry Van Harris
Senator

Albert Kates
Senator

Ratified by the SGA Student Senate on October 4, 2013.

Ratified by TNCC student body on October 16, 2013.