

# **Student Government Association Constitution**

## ***Preamble***

We the students of Miami Dade College, Medical Campus, to insure our representation within the college community, realize the benefits of unified action, promote democratic citizenship, accurately represent the student body population and provide a forum for the enactment of policies beneficial for the student body, do hereby obtain and establish this Constitution.

## ***Article 1 - Provision***

### **Section 1. Name**

The name of this organization shall be Student Government Association (SGA) of Miami Dade College, Medical Campus.

### **Section 2. Jurisdiction**

Only registered students at Miami Dade College, Medical Campus shall be members of the Student Government Association and shall be subject to its Constitution and Status.

### **Section 3. Organization**

The Student Government Association shall be composed of a Legislative Branch, Executive Branch and all other independent agencies specified in the constitution and status.

The Legislative Branch also known as the Senate shall consist of the members hereby referred to as Senators. The positions to be appointed by the Executive Branch shall be composed of a Sergeant at Arms, Programming Chair, a Fund-Raising Chair, a Membership Chair and a Historian. Their duties and responsibilities shall be allocated by the President of the Student Government Association.

The Executive Branch shall consist of the President, the Vice President, the Secretary, the Treasurer, the Public/Government Relations Director, and the Parliamentarian. These positions shall be voted on by means of an election of the Medical Campus Student Body.

#### **Section 4. Authority Vested**

The Student Government Association of Miami Dade College, Medical Campus is the official representative and the legislative agent of the Miami Dade College, Medical Campus student body as an entity. The constitution authorizes the proposed action of legislation and policies, and makes recommendations. Its duties are to represent the student body in areas such as scholastic standards, curriculum, and the protection of student rights; to act as a governing agent in those matters delegated to it by the Student Life Director, the Dean of Student and Administrative Services, the Campus President and the Board of Trustees.

#### **Section 5. Rights**

The Student Government Association shall take no action that would result in the denial of student's rights as established by the College. This Constitution shall be made subject to the provisions of other college policies, as interpreted by the Student Life Director or his/her designate. Unless conflicting with the College Policies this Constitution shall be supreme in all matters relating to the operation of the Student Government Association.

#### **Section 6. Membership**

Membership shall be open to all Miami Dade College, Medical Campus students. Each member must be a registered student of the Miami Dade College Medical Campus; be enrolled in no fewer than six credits during the Fall and Spring terms and three credits during the Summer term, with a minimum overall point average of 2.5 for the Executive Board Officers and 2.0 for all other members. It is the duty of the prospective member to submit to the Student Life Department or to any SGA Executive Board Member, an SGA application, a copy of the Degree Audit as well as a current paid class schedule. The SGA applications can be found either on the SGA Web page or in the Student Life Department.

#### **Section 7. Elections**

##### **a. Elected Officers**

President, Vice-President, Secretary, Treasurer, Parliamentarian, and Public Relations Director shall be elected annually at the end of the Spring Term.

##### **b. Election Procedures**

Elections Packets are available in the Student Life Department.

Elections will take place annually at the end of the Spring Term.

1. Each candidate must sign and turn in his/her Declaration of Candidacy to the SGA Student Life Department no later than 4:00 P.M. on the designated deadline day. All forms will be stamped in the Student Life Department. Any packet submitted after the stipulated deadline will not be accepted.
2. A copy of the candidate's Degree Audit, a current validated Class Schedule, and a letter of recommendation from a faculty member or community leader must be included in the Elections Packet. Incomplete packets will disqualify a candidate.

### c. Campaigning

1. Candidate must have the approval of the Elections Committee Chair, the SGA Advisor and the Student Life Director prior to distribution of any materials, posters, and flyers on campus.
2. The distribution of campaign materials in any MDC parking lot is prohibited.
3. The Student Life Department does maintain political neutrality. Candidates and their campaign officials will neither obtain campaign materials from, nor post campaign materials in the Student Life area.
4. The number of flyers, posters and other printed materials will be left up to the discretion of the candidate. Candidates must be aware of college and campus specific posting policies.
5. Off-campus campaigning, in the form of television, newspaper, and radio advertisements, etc. is **forbidden**.
6. The candidate is responsible for his/her actions, the actions of his/her chosen representatives, and the campaign materials. The Elections Committee will review any complaints and forward a recommendation of the complaint to the SGA Advisor and Student Life Director, who will have the final decision on any infractions and complaints.
7. All complaints must be submitted to the Elections Committee prior to the Day of Elections as stated in the Elections Timeline.
8. If a candidate devises a new or unusual publicity device (i.e. other than flyers, posters, and banners) authorization must be received from the Elections

Committee, SGA Advisor and Student Life Director prior to the use of the device.

9. Every candidate must turn in a list of expenditures on the Candidate Expense Sheet. Total expenditures cannot exceed \$100.00. Receipts or estimates for all materials purchased and/or donated must be submitted by 4:00 P.M. on designated deadline date.

10. Sound systems, stereos, speakers, etc. can be used during activity hour **ONLY** with prior permission of the Student Life Department.

11. Any act of bribery will result in disqualification and may lead to disciplinary action.

12. Any candidate or candidate representative that is caught removing or defacing another candidate's campaign material will be disqualified.

13. All campaign material must be removed from the campus one day after elections.

14. Candidates are not allowed to campaign within 100 ft of surrounding voting area on election days. This is strictly enforced!

### **Section 8. Oath required for all Officers.**

Before performing the duties of an office, each person duly elected or appointed shall recite the following oath that shall be administered by the former parliamentarian, the Advisor/Student Life Director or the Dean of Student and Administrative Services, in the presence of the Senate.

### **OATH**

(*NAME*), you have been duly elected by the Student Body of Miami Dade College, Medical Campus to the office of (*President*),

Do you solemnly affirm to uphold the Student Government Constitution, the office of (President), assume the duties and subsequent responsibilities of the position, faithfully discharge those responsibilities and abide by all the rules, regulations and standards set forth by Miami Dade College, Medical Campus? (*Response*) I do.

### **Section 9. Advisor's Duties**

The Medical Campus shall designate an Advisor to the Student Government Association. The Advisor shall counsel as to the legality, policies and procedures of the College. The Advisor should be in attendance at all SGA meetings. The Advisor is responsible for encouraging all Student Government Association liaisons to Miami Dade College, Medical Campus Committees to adhere to their responsibilities. The Advisor must review the Degree Audit and GPA of all SGA applicants.

### **Section 10. Student Government Association Meetings**

- a. A general Student Government Association meeting will be held at least once a month.

for the purpose of communication and clarification. The Student Life and Student Government Association calendar(s) shall be distributed to all SGA members. The time and place of the meetings will be the responsibility of the SGA President and the Advisor.

- b. All other student meetings will be specified in the appropriate sections of this Constitution. None of the meeting times can conflict with Student Government Meetings or Student Life related events.

## ***Article 2 - Student Rights***

### **Section 1. Basic Rights**

- a. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the students by virtue of the Constitution of the United States of America and the State of Florida.
- b. All registered students shall be equal before the law of the Student Body and the regulations of the College.
- c. Legitimacy for groups and persons who represent the Student Body is derived from the students; and such groups and people serve to uphold the rights of the students.

## **Section 2. Rights of Non-Academic College Life**

- a. The Student Body shall be entitled to a system of self-government to act as students' advocates and to perform such functions as the Student Body may require within limitations established by the College Policies and Procedures.
- b. Students may organize and join associations to promote their common interest, so long as they do not violate the rules and regulations of the College and the Student Government Association. Membership in the Student Government Association shall not be limited on the basis of race, religion, national origin, age, sex or sexual orientation.
- c. Students and student organizations shall have rights and privileges as stated in the Students' Rights and Responsibilities Handbook.
- d. Students shall have the right to be involved in the decision making regarding college policies and procedures.

## **Section 3. Advisor's Rights**

The Advisor shall be treated with the utmost respect. The advisor will be considered a part of the Student Government Association as well as the liaison between the organization and the College unless it interferes with the proceeding of business. The advisor will be granted power to operate within the checks and balance system of the Student Government Association.

## ***Article 3 - Legislative Authority***

### **Section 1.**

The Legislative Authority of the Student Body and SGA shall be vested in the Student Senate.

### **Section 2. Qualifications of Senators**

A candidate for the Student Senate must be a registered student of Miami Dade College, Medical Campus, and must maintain a minimum overall

GPA of 2.0 or above. The advisor reviews approval for eligibility of membership at the time of application and at the end of each semester.

### **Section 3. Terms of Senators**

Senators may remain as SGA members for one full academic year, unless they do not fulfill the requirement of the Constitution as stated in Article 1 Section 6. There is no limit to the number of terms a Senator may serve.

### **Section 4. Duties and Power of the Senate**

- a. The Senate shall represent the Student Body and enact such legislation and initiate such programs as may be in the interest of the Student Body.
- b. Senators are required to attend at least two SGA General Meetings in a semester.
- c. A Senator has the power to call for recount of a bill with the majority vote from the other Senators. Said vote shall be held at the next SGA meeting unless the situation demands immediate action, if so the Senator may petition for an emergency meeting within 24 hours after she/he has placed the bill and a memo in the President or Vice-President mail boxes.
- d. The Senate has the right to establish procedures for the execution of its business as well as establish procedures and regulations governing Student Government Elections that are not already specified in this constitution.
- e. The Senate has the right to require all committees, executives' agencies and office holders to submit reports.
- f. Senators have the right to question any of their duties that are not in the best interest of SGA and the Student Body.

### **Section 5. Legislative Ethics**

Each Senator shall so conduct her/himself as to justify the confidence placed on her or him by the Student Body, by personal example and admonition to colleagues, and by maintaining the integrity and responsibility of his/her office.

### **Section 6. Quorum**

- a. A majority of the membership of the Senate (50% + 1) shall constitute a quorum. Non-Student Government  
Association members will be considered part of the Senate for the purpose of establishing quorum.
- b. When lacking quorum in a formal meeting, the Senate may meet as a committee of the whole. Any actions taken as the committee of the whole can be voted on when quorum is present.

## **Section 7. Meetings**

The Senate must meet at least once a month during all terms at an SGA General meeting. The time and place can only be changed by a two-thirds (2/3) vote of the members. The Executive board must meet at least one week prior to the general meeting.

## **Section 8. Rules Required**

The Senate shall determine, ratify and publish the Constitution and a written record of the Senate's action shall be kept. If these rules are questionable, it will be subjected to the Parliamentarian for interpretation.

## **Section 9. Bills**

- a. A bill is an action to enact programs and legislation that does not directly change or contradict the existing constitution; its purpose is to introduce such actions as would be in the interest of the student body.
- b. A bill is necessary when a Senator wishes to establish constitution without changing or contradicting it. A bill is also needed for the creation of any new committee.
- c. Every bill shall embrace but one subject matter properly "therewith", and the subject shall be briefly expressed in the title.
- d. The enactment clause of every law shall read "Be it enacted by the Student Government Association of Miami Dade College, Medical Center Campus..."

## **Section 10. Amendments**

An amendment is necessary when a Senator wishes to change the wording or the specific content within the constitution in such a way that the change would create a different document.

### **Section 11. Resolution or Legislative Orders**

- a. Mandates from the Senate, to the appropriate person or groups that require them to take a simple action, do not require a bill or an amendment for it to take effect or for it to be acted upon.
- b. A resolution shall begin with the statement “Be it resolved...” the reason the resolution should be adopted should be stated in statements beginning “Whereas...”

### **Section 12. Voting on Bills, Amendments and Resolutions**

- a. Passage of bills, amendments and resolutions shall require a majority vote. The vote of each Senator on final passage shall be entered in a journal alongside the said decision.
- b. Each document shall become law upon being signed by the Vice-President and the President or after two weeks of passage by the Senate if not formally sent back to the Senate with the recommendation of further deliberation.

### **Section 13. Roll Call Votes**

At the request of two (2) Senators and/or Senate President, any vote shall be taken by roll call and entered into the minutes for said meetings.

### **Section 14. Rights of the Floor**

Only SGA members and non-SGA members registered at the Miami Dade College, Medical Campus, as well as individuals invited by the Senate, by a majority vote, or by the SGA President may participate in SGA Open Forums. If an individual would like to be added to the agenda to address the Senate, he/she must contact the SGA President in writing 48 hours before the meeting so the agenda can specify such address.

### **Section 15. Committees**

- a. All Committees must have a chairperson and will report to the Vice President.
- b. The Standing Committees shall be:

1. The Programming Committee - responsible for all SGA on-campus activities. This committee will work closely with the Student Life Director and will assist with planning Student Life activities.
2. The Fund-raising Committee - responsible for all SGA fund-raising.
3. The Membership Committee - responsible for maintaining the membership list and contacting all members and informing them of upcoming events
4. The Historian's Committee shall keep a history of the year's events through photographs, articles, flyers, etc. All documentation should be added in the Historical Record Book (Album). The Committee will work closely with the Executive Board members to present this book at the FJCCSGA Conference, which is held annually. At the end of her/his term the Historian shall present the Historical Record Book to the incoming President.

## ***Article 4 - Vacancies in Office***

### **Section 1.**

The vacancy of an office shall occur upon the creation of a new office, upon the physical inability of a SGA Executive board Member to serve, the removal of the incumbent, resignation from office, succession to another office, unexplained absence for fourteen consecutive workdays, and failure to remain constitutionally qualified. When such a vacancy becomes evident, executive order, and/or the SGA Advisor shall declare it.

### **Section 2.**

The Student Body President may appoint SGA member(s) to fill vacancies of SGA E-Board positions. The Senate later confirms the candidates.

### **Section 3.**

If the President of SGA is unable to fill the responsibility of his/her office, the Vice-President will assume the responsibility. The Senate may also appoint Senators by a two-thirds concurrence after the candidate has been approved by the SGA Advisor to assure that the candidate meets the requirements.

#### **Section 4.**

In the occurrence that the Senate by a two-third vote has appointed another candidate other than the Vice-President to take the position of the President, then a by-election should take place between these two candidates.

### ***Article 5 - Executive Authority***

The Executive Board shall serve as the central agency of SGA at the Medical Campus and shall have the following specific duties.

Duties of the Executive Board:

Make decisions in the best interest of the student body that do not conflict with the college policies and regulations.

- Function as liaison between SGA in other MDC campuses and FJCCSGA.
- Approval of all presidential appointments.

Remove Executive Board members from office without the benefit of impeachment for the following reasons:

1. Absenteeism, missing at least six SGA related functions (two General Meetings, two E-Board Meeting and two Activities)
2. Remaining out of communication with the Executive Board and the Advisor for a period of time exceeding two weeks.

#### **Section 1. The President**

- a. The Executive Authority of the Student Body and the SGA shall be vested in a president.

The President shall:

- Represent the Student Body at campus and college-wide functions and assure that the laws pertaining to the Student Body are duly executed.
- Preside over general meetings of the Student Body and SGA. And by proclamation given a specific purpose, may convene the Student Body into special session.
- Will meet with the Executive Board at least once a month to plan the SGA general meetings and events.

## **Section 2. The Vice President**

The Vice President shall:

- Perform such duties as shall be assigned by the President.
- Shall specify the activities to be carried out during SGA office hours.
- Shall succeed to the office of President upon the vacancy of that office or upon the physical or mental inability of the President to serve.
- Shall be a member of all SGA committees. The Vice President shall oversee all SGA committees.

## **Section 3. The Secretary**

The Secretary shall

- Be responsible for taking minutes of the SGA General meetings. All minutes must be typed and submitted for reviewed at the following SGA Executive Board meeting.
- Be responsible for summarizing contents of the Executive Board meetings. The Secretary shall be responsible for the maintenance of the SGA files.

## **Section 4. The Treasurer**

The Treasurer must

- Maintain a record of all expenditures and credits.
- By special permission, be an active member of the Fund-Raising Committee.
- Submit a copy of the Treasurer's Report to the SGA Advisor and the Executive Board on a monthly basis.

## **Section 5. The Public/Government Relations Director**

The Public/Government Relations Director shall

- Provide full support for the President and keep all SGA members informed on upcoming activities on and off campus.
- Coordinate with the Student Life Department on any SGA activity
- Keep in constant contact with the SGA of all Miami Dade College campuses and with the Government Relations Directors of the Florida Junior and Community College Student Government Association.

## **Section 6. The Parliamentarian**

The Parliamentarian shall

- Resolve questions of constitutionality regarding acts of the SGA
- Be responsible for ensuring that all SGA members shall be familiar and proficient with Robert's Rules of Order, Parliamentary Procedures and the contents of the SGA Constitution and By-Laws.
- Have the power to issue recommendations to the Senate. These recommendations shall be limited those directly related to SGA procedures and students' rights.

## **Section 7. President and Vice-President's Qualifications**

- a. A candidate for President or Vice-President shall be considered qualified to run for office if s/he is enrolled in a health career program at Miami Dade College, Medical Campus and meets the minimum membership requirements.
- b. The elected President and Vice-President must maintain the minimum qualifications requirements throughout their term in office. During the term of office, they cannot be president or vice-president of another student organization.

## **Section 8. Election**

The term of office of the President and Vice-President shall begin on the first day of the Summer Term and shall end the last day of the next Spring term.

## **Section 9. Executive Ethics**

Each member of the Executive Branch will so conduct themselves to justify the confidence placed on him/her by the Student Body and by personal example and admonition to colleagues shall maintain the integrity and responsibility of his or her office.

### **Section 10. Impeachment and Removal of the Executive Board**

- a. The Executive Cabinet shall be liable to impeachment for violating the laws of the Student Body, using their positions for personal or material gain, nonfeasance in office, or over-ruling the judgment of the Parliamentarian.
- b. The Student Senate, by two-thirds (2/3) vote, or by majority of the Student Body which expresses through a petition, shall have the power to initiate impeachment proceedings against the President or Vice-President.
- c. An impeachment of the President or the Vice-President by the Senate shall be tried by the Executive Cabinet, where conviction shall require two-thirds (2/3) concurrence of the active officers. A judgment of conviction shall remove the offender from office immediately.

## ***Article 6 - Judicial Authority***

### **Section 1. The Parliamentarian**

- a. Resolve questions of constitutionality regarding acts of the SGA.
- b. Be responsible for ensuring that all SGA members shall be familiar and proficient with Robert's Rules of Order, Parliamentary Procedures and the contents of the SGA Constitution and By-Laws.
- c. Have the power to issue recommendations to the Senate. These recommendations shall be limited those directly related to SGA procedures and students' rights.

## ***Article 7 - House Bill 4259***

### **Section 1.**

No student previously convicted of a violation of criminal law or found civilly liable for an act of moral turpitude is eligible to hold an elected office in the Student

Government Association of Miami Dade College, Medical Campus as per Florida State House Bill 4259.\*

## **Section 2.**

Any student holding an elected position in the Student Government Association of Miami Dade College, Medical Campus and while holding the elected position, is convicted of a violation of the criminal law or has been found civilly liable for an act of moral turpitude will be removed from the elected office by the Dean of Student and Administrative Services, after all available rights of judicial appeals have been exercised, waived and/or expired as per Florida House Bill 4259.\*

## **Section 3.**

Any student attending Miami Dade College, Medical Campus may register a complaint about an elected member of the Student Government Association in writing to either the Student Government Association Advisor, or the Student Life Director, stating the criminal or civil violations she/he thinks the elected Student Government Association member has committed. Upon review by the Dean of Student and Administrative Services, and if conviction is found to be true, the elected Student Government Association member will be removed immediately from office by the Dean of Student and Administrative Services as per Florida House Bill 4259.\*