



Student Government Association

Nicholls State University Student Government Constitution

Revised: March 25, 2021

Preamble

We, the students of Nicholls State University, in order to promote the student welfare; to encourage a clear and continuous exchange of ideas among students, faculty, administrators and the community; to assume the maximum powers and responsibilities of self-government; and firmly believing student government to be both beneficial and necessary, do hereby ordain and establish this constitution.

Article I The Association

Section 1 Name

The governmental organization of the students shall be the Student Government Association of Nicholls State University.

Section 2 Purpose

The purpose of the Student Government Association shall be as follows:

1. To perform all executive, legislative, and judicial functions of the student body.
2. To form a basis for communication and cooperation among students, faculty, administration, and the community.
3. To provide for the general welfare of the students.
4. To provide an opportunity for students to participate in the governmental processes.

Section 3 Membership

1. Eligibility
 - A. Every student enrolled who pays the self-assessment fees is eligible for membership in the Student Government Association.
2. Membership Fees and Self-Assessments
 - A. Students pay .5% of the overall 4% of the published previous fall in-state tuition and fees, which are self-assessment fees, as a membership fee to the Student Government Association each semester and session.
 - B. Any increase or decrease in S.G.A. membership fees or other self-assessments shall be handled in the form of a referendum and/or constitutional change subject to approval by the President of Nicholls State University and then by the University of Louisiana System Board of Supervisors.
3. Rights of Membership
 - A. An S.G.A. member has the right of debate as dictated by the Rules and Procedures of the association and Robert's Rules of Order, Newly Revised.
 - B. An S.G.A. member must introduce legislation at a senate meeting through a member of the senate except in the following circumstances. An S.G.A. member who cannot find a senate sponsor for legislation may directly introduce legislation with the signatures of 100 members of the association.

- C. An S.G.A. member may:
 - 1) Serve as an elected or appointed officer or a member of the senate. (See Article II, Section 1 for qualifications.)
 - 2) Serve as a member of any S.G.A. standing or special committee.
- D. An S.G.A. member has the right to request a recall of officers or senators as dictated under Article II. Section 5, No. 3 of this constitution.

Article II

Qualification, Nominations, Elections, Appointments, and Removal

Section 1

Qualifications

1. In order to be eligible for President, Vice-President, Director of Public Relations, Director of Student Rights and Grievances, or Treasurer, a student shall meet the following requirements:
 - A. Be a member of the S.G.A. carrying no fewer than 9 hours during Fall and Spring semester.
 - B. Must maintain a 2.5 cumulative grade point average, and 2.0 semester grade point average, and not be on disciplinary or other university probation at the time of election or appointment and throughout the term of office.
 - C. Must have completed at least 12 hours of credit and have attended Nicholls for at least (1) one semester.
 - D. The S.G.A. Treasurer can be any student who has completed 3 hours of accounting courses at the time of appointment.
 - E. All Vice Presidential candidates must pass a written test on Parliamentary Procedure with a minimum score of 80% to qualify for election.
 - F. All Presidential candidates must pass a written test on the Constitution and Rules and Procedures with a minimum score of 80% to qualify for election.
2. In order to be eligible for the Student Senate a student shall meet the following requirements:
 - A. A fee-paying student carrying 7 or more hours, or with fewer hours, paying the self-assessed fee.
 - B. Be a member of the electorate from which he/she was elected.
 - C. Must maintain a 2.5 cumulative grade point average, and semester grade point average of 2.0, not be on disciplinary or other university probation at the time of election or appointment and throughout the term of office.
3. In order to be eligible for membership on the Student Supreme Court, a student shall meet the following requirements:
 - A. A fee-paying student carrying 7 or more hours, or with fewer hours, paying the self-assessed fee.
 - B. Have at least 45 hours of university credit.
 - C. Have attended Nicholls for at least one full semester prior to the appointment.
 - D. Not be on disciplinary or other university probation, and maintain a 2.5 cumulative and a 2.0 semester grade point average at the time of appointment and throughout the term of office.
 - E. Must not be an active member of either the SGA or SPA Executive Board or the SGA Senate.
4. In order to be eligible for membership on the Election Commission, a student shall meet the following requirements:
 - A. A fee-paying student carrying 7 or more hours, or with fewer hours, paying the self-assessed fee.
 - B. Must have completed at least 30 hours of credit.
 - C. Must have attended Nicholls for at least one full semester prior to the appointment.
 - D. Must not be on disciplinary or other university probation, and maintain a 2.5 cumulative and a 2.0 semester grade point average at the time of appointment and throughout the term of office.
 - E. Must not be an active member of the SPA or SGA Executive Boards Student Senate, or Student Supreme Court.

Section 2 Nominations

In order to qualify for nomination to any S.G.A. elected office, a student must complete an official petition form within the designated period for filing and must submit the petition to the Election Commission.

Section 3 Elections

1. S.G.A. executive officers and senate elections shall be held after mid-term of the Spring Semester. Freshman Senate elections shall be held within thirty (30) days of the beginning of the Fall semester.
2. All elections shall be by secret ballot with a majority vote necessary to decide a contest.
3. No proxy votes shall be allowed.
4. No write-in votes will be accepted for non-qualifying candidates.

Section 4 Appointments

1. There will be at least two (2) weeks immediately following the declarations of a vacancy in executive offices to allow for the filing of letters of intent to apply and resumes. Those students (including presently seated Senators) who have had an application or petition on file for a period of at least two (2) weeks can fill Senator positions.
2. The Judiciary Committee prior to submission for senate approval shall review all persons recommended for appointment.
3. The candidate's qualifications shall be presented to the senate by the Chair of the Judiciary Committee. The person making the appointment or a suitable representative must be present at the time of appointment. Candidates for appointment shall be present at the meeting at which approval of said appointments is requested.
4. The tenure of office for all presidential appointments, except for Student Supreme Court and Election Commission appointments, shall be until a new president is elected and takes office on May 15th or until appointees resign or are removed from office.

Section 5 Removal

1. Impeachment
 - A. Any official of S.G.A. may be removed according to the following procedure: Impeachment by two-thirds (2/3) vote of the senate members present and voting at a duly constituted meeting and trial by the Student Supreme Court, with two-thirds (2/3) vote of all members present being the number of votes necessary for conviction.
 - B. Any Student Supreme Court Justice may be removed according to the following procedure: Impeachment by a two-thirds (2/3) vote of the senate members present and voting at a duly constituted meeting and trial by the SGA Executive Board with three being the number of votes necessary for conviction.
 - C. Grounds for impeachment shall be malfeasance or nonfeasance in office. Malfeasance includes but is not limited to dishonesty or corruption in office. Nonfeasance is defined as failure to perform the duties of office, according to the SGA Constitution and Rules of Procedure.
2. Automatic Removal
 - A. Any official of the S.G.A. shall be automatically removed for failure to maintain any of the qualifications of the office.
3. Removal
 - A. Any senator with more than three (3) accumulated unexcused absences from mandated activities of the senate per semester shall be reviewed for dismissal by the Judiciary Committee.

- B. Any executive board member with more than two (2) accumulated unexcused absences from mandated activities of the senate per semester shall be reviewed for dismissal by the Judiciary Committee.
4. Recall: The right to recall all officers elected under this constitution is hereby invested in the students according to the following procedure: Whenever a petition signed by fifteen percent (15%) of the electorate of the office concerned shall be presented to the Election Commission within ten (10) school days after the election, a recall election will be conducted. All appeals will be handled by the Student Supreme Court.

Article III The Legislative Branch

Section 1 Student Senate

The legislative power of the Student Government Association shall be vested in the Student Senate.

Section 2 Composition

The student senate shall be composed of the following voting members:

Academic Division - dedicated to working and representing the Collages of Nicholls State University to enhance the academic experience of all students.

1. Each college shall be apportioned one (1) Senator as well as one (1) additional Senator for every three hundred (300) fee-paying students within the college.
2. The Chef John Folse Culinary Institute shall be exclusively represented by one member of the University College delegation.
3. Five Freshman representatives will serve as senators of that class.
4. Graduates Studies shall be apportioned one (1) Senator as well as one (1) additional Senator for every three hundred (300) fee-paying Graduate students.
5. Nine (9) seats elected at large from the fee-paying student body.

Student Life Division – dedicated to working and representing all facets of student life at Nicholls State University.

1. Five (5) Multicultural Senator seats will be allocated to serve underrepresented and underserved student constituencies, which can be nominated to the Student Body President through multicultural organizations.
2. One (1) seat will be a Bridge to Independence Senator.
3. One (1) seat will be a Greek Life Senator.
4. One (1) seat will be a Student Organization Senator.
5. One (1) seat will be an Athletics Senator.
6. One (1) seat will be a Veterans Affairs Senator.

Section 3 Powers and Duties

1. The senate shall have the following powers in the performance of the following duties:
 - A. Shall pass legislation, which is necessary and proper, implementing the powers and duties, vested in it by this constitution.
 - B. May, by two-thirds (2/3) vote of those present and voting at a duly constituted meeting, approve and/or modify the proposed budgets presented by the President without table.
 - C. May, by a majority vote of those present and voting at a duly constituted meeting, make appropriations, which have not been previously allocated.
 - D. Act in accordance with its fiduciary responsibility to students as follows:

- 1) Table automatically until the following regular meeting fiscal legislation exceeding \$500, with the exception of the budget as dictated by item B of this section. This rule may be waived by 2/3 vote of those Senators present and voting.
- 2) SGA may by two-thirds (2/3) vote of those present and voting at a duly constituted meeting fund any student organization not funded by University Department. (Stipulations set out in Rules of Procedures)
- 3) May by two-thirds (2/3) vote of those present and voting at a duly constituted meeting offer a referendum to rescind dedicated self-assessed fees. All organizations or entities receiving funds from self assessed fees must prepare and make available to the Self Assessed Fee Oversight Committee and SGA a financial statement which will show and account for all expenses incurred, at least two weeks prior to the end of each semester. The referendum to assess self assessed fees and the referendum to rescind dedicated self-assessed fees must also be approved by the University President and the University of Louisiana System Board of Supervisors.
- E. May, by two-thirds (2/3) vote of those present and voting at a duly constituted meeting, override the presidential veto or item veto.
- F. Shall approve or disapprove any proposed appointments as provided by this constitution, with a two-thirds (2/3) vote of those present and voting at a duly constituted meeting.
- G. May, by a two-thirds (2/3) vote of those present and voting at a duly constituted meeting impeach for cause, any elected or appointed official of the S.G.A. (See Article II, Section 5.)
- H. Shall elect by a majority vote, a Vice President Pro-Tempore from its membership who will serve as chairperson of the senate in case of temporary absence or disability of the Vice President, by the last meeting of the Spring semester with three-fourths (3/4) members present.
- I. May by majority vote of those present and voting at a duly constituted meeting pass rules of procedure, which govern the operations of the senate.
- J. May by two-thirds (2/3) vote of those present and voting at a duly constituted meeting rescind or suspend rules of procedure.

Section 4 Meetings

1. There shall be at least one weekly meeting of the student senate, day and time to be set by the Vice President with the approval of the senate, excluding mid-term and final exams, holidays and summer session.
2. Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised, where these rules do not conflict with this constitution or rules and procedures adopted by the senate.
3. The senate shall have the right to call itself into session by presence with two-thirds (2/3) of the senate concurring with a 24 hour notice to all senators prior to the meeting.
4. A majority of the entire membership of the senate shall constitute a quorum.

Section 5 Vacancies

Vacancies in the Senate shall be filled by appointment of the S.G.A. President with a two-thirds (2/3) approval of those present and voting at a duly constituted meeting of the senate. Appointees shall serve until the next regular S.G.A. election.

Article IV The Executive Branch

Section 1 Officers

1. The executive power of the Student Government Association shall be vested in the following elected and appointed officers:

- A. Elected
 - 1) President
 - 2) Vice President
- B. Appointed
 - 1) Treasurer
 - 2) Director of Public Relations
 - 3) Director of Student Rights and Grievances
- 2. Members of the Executive Branch, with the exception of the members of the Election Commission, must attend Senate meetings, but are not members of the Senate, may participate in debate but may not vote on questions, with the exception of the Vice President as dictated by Section 3, Letter B of this article and with the exception of nominations for honors or awards. A member of the Election Commission must attend only those Senate meetings that occur the same week as an election or voting period.

**Section 2
President's Powers and Duties**

The President shall have the following powers in the performance of the following duties:

1. Serve as chief executive and administrative officer of the Student Government Association.
2. Serve as chief liaison officer between the student body and the university administration.
3. Call special meetings of the senate.
4. Appoint a Treasurer, a Director of Public Relations and a Director of Student Rights and Grievances. Students appointed to the Executive Board positions can officially serve in the specific designated position from the date of appointment throughout the summer until the confirmation hearing at the first S.G.A. Senate meeting of the fall semester. These students will serve with all rights, authority and privileges associated with holding said positions. Appointments to the Executive Board will be approved with two-third (2/3) vote of the Senate present and voting at a duly constituted meeting.
5. Appoint the S.G.A. Student Supreme Court appointee or a member of the Senate as a vacancy occurs, with two-thirds (2/3) vote of the Senate present and voting at a duly constituted meeting.
6. Serve on and/or appoint students to university committees at the request of the university administration.
7. Prepare and submit separate budgets for Summer session, Fall semester, and Spring semester to the Senate by the second meeting of each respective semester.
8. Serve as a non-voting ex-officio member on all Student Government Association committees.
9. Receive, first, all acts of the Senate for signature; then, second take appropriate presidential action of either signing the act into law by way of signature, vetoing the act, or item vetoing the act within one regular meeting from the passing of the act in question. If the President takes no action within this period of time, then the act shall be considered passed.
10. Shall attend Council of Student Body President's (COSBP) meetings and keep students abreast of the activities on the Louisiana System Board of Supervisors.
11. Appoint S.G.A. special committees approved by the senate.

**Section 3
Vice President's Powers and Duties**

The Vice President shall have the following powers in the performance of the following duties:

1. Serve as chief assistant to the President.
2. Serve as presiding officer of the senate and may vote only to make or break a tie.
3. Assume the duties of the President in the absence or incapacity of the President.
4. Appoint S.G.A. standing committee.
5. Serve as non-voting ex-officio member of all committees which he/she directs and/or appoints.
6. Direct all senate legislation requiring presidential action to the President within 48 hours and report back to the senate on the action taken by the President at the next regular meeting following such action.

Section 4
Presidential Appointees' Powers and Duties

1. The Treasurer shall have the following powers in the performance of the following duties:
 - A. Maintain financial records of the S.G.A.
 - B. Assist the President in the preparation of a budget.
 - C. Attend all Finance Committee meetings and other committee meetings involving disbursement of S.G.A. funds.
 - D. Make financial reports at the end of each semester and Summer session or at the request of the President or the senate.
 - E. Prepare the books and financial records for complete review by Student Life.
2. The Director of Public Relations shall have the following powers in the performance of the following duties:
 - A. Establish and coordinate a network of communications to promote campus and community relations.
 - B. Publicize S.G.A. services and senate legislation.
 - C. Provided with paper from the organization, shall make copies concerning organization's business.
 - D. Attend all Communications Committee meetings.
3. The Director of Student Rights and Grievances shall have the following powers in the performance of the following duties:
 - A. Bring complaints of students to the attention of the senate and appropriate parties and initiate procedures available for resolution of complaints.
 - B. Assist students, with the aid of the S.G.A. attorney, by representing them in impeachment or other disciplinary proceeding brought against them.
 - C. Assist students who encounter problems in the off campus community by providing them with information on procedures or resources for possible resolution of problems.
 - D. Attend all Campus Improvements Committee meetings.

Section 5
Vacancies

1. Vacancies in the office of President shall be filled according to the following order of succession:
 - A. Vice President
 - B. Vice President Pro-Tempore
2. The Vice President Pro-Tempore shall fill vacancy in the office of Vice President.
3. Vacancies in the offices of Treasurer, Director of Public Relations, and Director of Student Rights and Grievances shall be filled by appointment by the President with the approval of two-thirds (2/3) of those present and voting at a duly constituted meeting of the Senate.

Section 6
Election Commission

1. Composition
 - A. The Election Commission shall consist of the following seven (7) appointed student members and one (1) ex-officio member:
 - 1) Election Commissioner – jointly appointed by the SGA and SPA Presidents. In the event of a deadlock, names of two (2) candidates shall be submitted to the Student Supreme Court, and they shall break the tie.
 - 2) Election Commission Members – six (6) student members, each appointed jointly by the Student Body President and SPA President with a 2/3rds approval of those present and voting at a duly constituted meeting of the Senate.
 - 3) SGA Secretary – serves as an ex-officio member of the Election Commission.

- B. All members, with the exception of the SGA Secretary, shall be appointed pending the approval of two-thirds (2/3) vote of the SGA Senate.
 - C. The Election Commission shall tabulate the results of all elections.
2. Powers and Duties
- A. The Election Commission shall administer, operate, enforce and direct all campus student elections by guidelines set forth in the Election Code.
 - B. The Election Commission shall set dates of all general elections.
 - C. The Election Commission shall tabulate the results of all elections.
3. Definitions
- A. An Election Commission official is any designated member of the Election Commission as outlined in the SGA Constitution.
 - B. Election personnel refers to any other person charged with working in any various capacity in elections.
4. Tenure of Office
- Once appointed to the Election Commission, a student maintains his/her position as long as he/she maintains the qualifications of that office or until such time as he/she shall graduate, resign, or be impeached.
5. Election Commissioner
- A. The Election Commissioner shall serve as the chair of the Election Commission and vote only to break a tie.
 - B. The Election Commissioner shall serve as the administrative head of the election process.
 - C. The Election Commissioner shall call meetings of the Election Commission.
 - D. The Election Commissioner shall host a mandatory candidates meeting for all election candidates prior to the election to ensure that all candidates are aware of election regulations as outlined in the Election Code.
 - E. The Election Commissioner may ask any election personnel, including officials on the Election Commission, to leave the polling area if he/she suspects them of committing any questionable behavior that may affect the validity of an election.
 - F. The Election Commissioner shall work with the SGA Director of Public Relations to ensure the adequate publicity of all elections.
 - G. The Election Commissioner shall delegate duties to officials of the Election Commission.
 - H. The Election Commissioner may change, cancel, or postpone any general election with the approval of the Election Commission in emergency situations. Emergency situations shall include, but not be limited to, inclement weather, broken election tabulating equipment, and blatant fraud by voters or election personnel.
6. Membership of the Election Commission
- A. The Election Commission shall consist of a total of seven (7) officials, including the Election Commissioner, six (5) student members each appointed jointly by the Student Body President and SPA President and (1) ex-officio member. The Commissioner shall not hold an elected or appointed position in SGA or SPA.
 - B. The presidents of both the Student Government Association and the Student Programming Association and any member of the Student Supreme Court shall not serve on the Commission.
 - C. The SGA Secretary shall serve as an ex-officio member of the Election Commission.
 - D. A quorum of the Election Commission shall consist of a majority of its members. A quorum of the Election Commission must be in attendance before any official action or decision is made.
7. Other Provisions
- A. The Election Commission may appoint election personnel to act as poll workers and poll commissioners for any given election.
 - B. Officials of the Election Commission or any election personnel must not be candidates for any election of which they are presiding.
 - C. An official of the Election Commission shall be present at each designated polling center throughout the official election time.
 - D. Any decision of the Election Commission may be appealed to the Student Supreme Court
 - E. Quorum of the Election Commission shall consist of a majority of its appointed student members. A quorum of the Election Commission must be in attendance before any official action or decision is made.

Article V The Judicial Branch

Section 1 Student Supreme Court

The highest authority of the Association shall be vested in the Student Supreme Court.

Section 2 Composition

The Student Supreme Court shall be composed of seven (7) students, each appointed jointly by the SGA and SPA Presidents with a 2/3rds approval of those present and voting at a duly constituted meeting of the Senate.

Section 3 Powers and Duties

The Student Supreme Court shall have the following powers in the performance of the following duties:

1. Interpret this constitution, adjudicate on all constitutional questions.
2. Decide all disputes concerning elections pertinent to SGA officials or SPA.
3. Investigate and try all S.G.A. officials or S.P.A. officials who have been impeached by the senate.
4. Deal with violations of rules and regulations of the University by serving as the student representative on the University Disciplinary Committee.
5. Shall apportion the student senate each year in preparation for Spring election. Apportionment shall be based on registration figures for the fall semester prior to the elections in accordance with Article III, Section 2, Number 1 of this constitution.
6. At least one member of Student Supreme Court must attend SGA and SPA meetings.
7. Shall conduct regular monthly meetings. During months containing elections (Freshman, Homecoming, Spring/M/M NSU, and/or any specially called election), shall conduct BI-monthly meetings.

Section 4 Chair

There shall be a Chief Justice of the Student Supreme Court elected from and by the members of the Student Supreme Court who shall exercise the normal duties of the Chief Justice while retaining the right to vote.

Section 5 Tenure of Office

Once appointed to the Student Supreme Court, a student maintains his/her position as long as he/she maintains the qualifications of that office or until such time as he/she shall graduate, resign, or be impeached.

Section 6 Procedure

1. In order to reach a decision, a majority of those Justices present must concur, with no fewer than three (3) Justices being in the majority.
2. Other rules of procedure are to be devised and made public by the Student Supreme Court in accordance with this constitution (Article III, Section 3, No.1, Letter I.)

Article VI Amendments to this Constitution and Referendums

Section 1 Amendments and Referendums

Amendments to this constitution and referendums may be proposed according to either of the following methods:

1. By two-thirds (2/3) vote of those present and voting at a duly constituted meeting of the senate. Notice of proposed amendments and referendums must be given to the senate one-week prior to the meeting at which a vote is to be taken.
2. By a petition signed by at least five percent (5%) of the student body of the University.

Section 2 Submission to the Students

At least ten (10) days must elapse between the date of proposal of any matter proposed to the senate and the date of submission to the student body for a vote, and that submission shall not take place during a summer session.

Section 3 Ratification of Amendments

Amendments shall become a part of the constitution after ratification by a majority vote of the students voting in an election and immediately upon verification of ratification by the Election Commission.

Article VII Honorary Positions

Section 1 Definition

The definition of Honorary Position is as follows:

- A. All honorary positions granted to students are Homecoming Court, Homecoming King and Queen, Mr. & Ms. Nicholls Finalists, and Mr. and Ms. Nicholls.
- B. Honorary positions, by nature of their student representative position, are subject to oversight by the Student Government Association.

Section 2 Code of Conduct

All members selected to Honorary Positions by either committee or student body election will be required to abide by the Student Government Association Code of Ethics and the Nicholls State University Student Code of Conduct.

Section 3 Removal

Any student in an honorary position may be removed according to the following procedure: Impeachment by two-thirds (2/3) vote of the senate members present and voting at a duly constituted meeting and trial by the Student Supreme Court, with two-thirds (2/3) vote of all members present being the number of votes necessary for conviction, only according to the reasons listed in Article VII, Section 3.

Section 4
Reasons for Removal

Any student in an honorary position may be removed for the following reasons:

- A. Violation of state or federal law.
- B. Violation of the Nicholls State University Student Code of Conduct.
- C. Violation of University mandated policies.
- D. Malfeasance or nonfeasance in office.