

**A RESOLUTION TO BE ENTITLED ACT TO:**

**Updates to the Student Government Association Constitution and Bylaws**

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**Short Title:** Revised Constitution and Bylaws

**Authored by:** Vice President CJ Mitchell

**Co- Authored by:** President Estefany Gordillo-Rivas

**Sponsored by:** [ Orgs, Departments, etc. that back your resolution, this can be deleted]

----- *Below for Senate Leadership* -----

**Resolution Number:** [F22-01]

**First Reading:** September 12<sup>th</sup> 2022 **Second Reading:** September 19<sup>th</sup> 2022

**Referred to:** Rules and Judiciary Committee

1 **WHEREAS.** The previous version of the Student Government (SGA) Constitution and Bylaws  
2 was not updated with amendments as they were passed by the Student Senate from the previous  
3 administration; and,  
4

5 **WHEREAS,** The previous Constitution and Bylaws had grammatical and spelling errors that  
6 needed to be fixed; and,  
7

8 **WHEREAS,** Previous versions of the SGA Bylaws were unorganized and inconsistent  
9 throughout, making it difficult for the student body to understand and locate clauses; and,  
10

11 **WHEREAS,** These updates have been approved by proper University officials including SGA  
12 advisors, University legal counsel, and the Vice Chancellor of Student Affairs; and,  
13

14 **Therefore, Be It Resolved That:** The Constitution Bylaws will be amended with the updates  
15 approved by SGA Leadership and University officials.  
16

17 **Be It Further Resolved:** Add “, subject to the regulation and approval of the Chancellor” after  
18 “empowered to govern” Constitution: Art. 5, § 1 (b)  
19

20 Delete “Unless prior designation of a closed session,” and delete “open to the public” and add  
21 “subject to the Meetings of Public Bodies statute (Article 33C of Chapter 143, NC General  
22 Statutes)” after “meetings shall be” Constitution: Art. 5, § 2 (a)  
23

24 Add “Violations by a candidate of election rules, as defined by the current Candidate Packet,  
25 shall remain just cause for impeachment, should the candidate win office, for the duration of the



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- 26 student's service in that office." Bylaws: Art. 6, § 14 (f)  
27  
28 Add "Violations by a candidate of the Student Code of Conduct, in the course of an election, may  
29 be reported to the Department of Student Community Ethics for investigation and, when  
30 warranted, adjudication." Bylaws: Art. 6, § 14 (g)  
31  
32 Delete ", Penalties, and Appeal Process" and replace with "and their Resolution" in the section  
33 title and delete all of Bylaws, Art. 6, § 15 and replace with "Election violations and procedures  
34 for their resolution shall be defined and regulated by the current Candidate Packet;" Bylaws: Art.  
35 6, § 15 (a)  
36  
37 Add ", subject to the regulation and approval of the Chancellor" after "empowered to govern"  
38 Constitution: Art. 5, § 1 (b)  
39  
40 Delete "Unless prior designation of a closed session," and delete "open to the public" and add  
41 "subject to the Meetings of Public Bodies statute (Article 33C of Chapter 143, NC General  
42 Statutes)" after "meetings shall be" Constitution: Art. 5, § 2 (a)  
43  
44 Add "Violations by a candidate of election rules, as defined by the current Candidate Packet,  
45 shall remain just cause for impeachment, should the candidate win office, for the duration of the  
46 student's service in that office." Bylaws: Art. 6, § 14 (f)  
47  
48 Add "Violations by a candidate of the Student Code of Conduct, in the course of an election, may  
49 be reported to the Department of Student Community Ethics for investigation and, when  
50 warranted, adjudication." Bylaws: Art. 6, § 14 (g)  
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52 Delete ", Penalties, and Appeal Process" and replace with "and their Resolution" in the section  
53 title and delete all of Bylaws, Art. 6, § 15 and replace with "Election violations and procedures  
54 for their resolution shall be defined and regulated by the current Candidate Packet;" Bylaws: Art.  
55 6, § 15 (a)  
56  
57 Add "No later than the 14<sup>th</sup> week of the Spring semester each year, a swearing-in ceremony will  
58 be held for the incoming Student Body President, Student Body Vice-President, and Senators,  
59 conducted by the outgoing Chief Justice. Immediately following swearing in, the new Student  
60 Body Vice President will convene the first meeting of the new senate to review and vote on  
61 Executive Cabinet member nominations from the new Student Body President. Confirmed  
62 nominees will then be immediately sworn in by the outgoing Chief Justice as the final official act  
63 of the outgoing administration." Bylaws: Art. 12, § 1 (a)  
64  
65 Delete Bylaws Art. 13, § 1 (a-b) and replace with "a. Amendments to the Student Government  
66 Association's Bylaws shall originate from the Student Senate;  
67 b. Amendments require a two-thirds (2/3) vote of the Student Senators on the roster for approval;



68 c. Upon approval by the Student Senate, an amendment shall become effective following  
69 ratification by the Student Body President and approval by the Chancellor or designee;  
70 d. Once ratified, all amendments must be initialed by an SGA Advisor and distributed to the SGA  
71 Advisors, Student Body President, Student Body Vice-President, Chief Justice, and Chancellor or  
72 designee.” Bylaws: Art. 13, § 1 (a-d)

73

74 Delete all uses of the word “judicial” for position titles, to include Chief Judicial Justice,  
75 Associate or Assistant Judicial Justice, Judicial Clerk, and Judicial Justice.  
76 Constitution: Art. 1, § 4 (b); Art. 2, § 1; Art. 4, § 1-3, 4 (g); Art. 5, § 1 (e)  
77 Bylaws: Art. 7, § 4 (a), (d), (e); Art. 11, § 1 (c)

78

79 Change all instances of “Judicial Clerk” or “Clerk of Court” to a uniform use of “Clerk of the  
80 Court”, to align with use of “Clerk of the Senate”. Constitution: Art. 4, § 1, 3, 4 (g)  
81 Bylaws: TOC #5.4; Art. 5, § 1, § 4; Art. 13, § 1 (b)

82

83 Add “an ex officio” before “voting member” and provide full citation for state statute “116-31 (d)  
84 (3)” Constitution: Art. 2, § 4 (d)

85

86 Delete “Appoint the positions of Assistant Judicial Justice, Judicial Clerk of Court, and each  
87 Judicial Justice” and add same to Constitution Art. 4, as Article 4, Section Four (g)  
88 Constitution: Art. 2, § 4 (i)

89

90 Delete “2/3<sup>rd</sup> confirmation from” and add “simple majority vote of” Constitution: Art. 4, § 3

91

92 Delete “thereby enjoy full enforcement unless in direct conflict” and replace with “continue in  
93 full force and effect until repealed or changed, provided they are in accordance”  
94 Constitution: Art. 5, § 1 (b)

95

96 Delete Art. 5, § 1 (c) “SGA shall honor regulations and laws of the Western Carolina Board of  
97 Trustees, the State of North Carolina, and the United states of America” and replace with Art. 5 §  
98 1 (f), “The Student Government Association shall comply with all University policies (including  
99 the Code of Student Conduct) and procedures, as well as local, state, and federal laws.”  
100 Constitution: Art. 5, § 1 (c)

101

102 Delete “a majority and” and replace with “two-thirds (2/3<sup>rd</sup>) vote,” and add “and approved by the  
103 Chancellor or designee” Constitution: Art. 5, § 1 (d)

104

105 Delete “President Pro Tempore” and “Vice-Chancellor for Student Affairs” and add “Chancellor  
106 or designee” Constitution: Art. 5, § 1 (e)

107

108 Delete “upon ratification” and replace with “once ratified” and delete “(s)” after “Advisor” and  
109 delete “filed with the Legislative Advisor” and replace with “and distributed to the SGA



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- 110 Advisors,” and delete “Clerk of Court” and replace with “Chancellor or designee”  
111 Constitution: Art. 7, § 1 (d)  
112
- 113 Add “Be in good academic standing with the University and” before “maintain”  
114 Bylaws: Art. 2, § 1 (c), § 2 (c)  
115
- 116 Delete “with a minimum of” and replace with “and maintain”  
117 Bylaws: Art. 2, § 3 (b)  
118
- 119 Delete “Not be under any current academic or disciplinary sanctions for a violation as detailed in  
120 the Code of Student Conduct; and,”  
121
- 122 Add “Must be in good standing as defined herein. A student is in “Good standing” so long as  
123 they are not currently suspended, expelled, or on probation as a result of a violation of the Student  
124 Code of Conduct, or Academic Integrity Policy;”  
125
- 126 Delete “, of whatever caliber, is” and replace with “are” and delete “in good time prior to the  
127 budgetary approval process” and replace with “within a week of purchase”  
128 Bylaws: Art. 3, § 3 (g), § 5 (f), § 6 (f), § 7 (h), § 8 (f), § 9 (k), § 10 (h)  
129
- 130 Delete “monthly town halls” and replace with “, as needed, outreach events”  
131 Bylaws: Art. 3, § 5 (c)  
132
- 133 Delete “the chief” before “spokesperson” and replace with “a” Bylaws: Art. 3, § 7 (a)  
134
- 135 Delete Bylaws Art. 3, § 9 (l), “Oversee the Club Resource Appeal process per guidelines listed in  
136 the RSO Manual and Article 5.”  
137
- 138 Delete “Perform any administrative function deemed necessary and/or appropriate for the  
139 position; and,” and replace with “Serve as the receipt authority for all resolutions” from Bylaws  
140 Art. 4, § 5 (d) Bylaws: Art. 4, § 4 (b)  
141
- 142 Move “Ensure the presentation of legislation to Senate at the next Senate meeting following their  
143 submission; and” from Bylaws Art. 4, § 5 (f) Bylaws: Art. 4, § 4 (d)  
144
- 145 Add “Draft a Legislative Update for our social media and print media in collaboration with the  
146 Director of Communications & Marketing & Clerk of the Senate for distribution”  
147 Bylaws: Art. 4, § 4 (e)  
148
- 149 Delete “Appropriately file all submitted resolutions in a timely manner” and replace with “Draft a  
150 Legislative Update for our social media and print media in collaboration with the Director of  
151 Communications & Marketing & President Pro-Tempore for distribution”



- 152 Bylaws: Art. 4, § 5 (b)  
153  
154 Delete Bylaws Art. 4, § 5 (f), “Serve on the Rules and Judiciary Committee and be responsible  
155 for using the established template to record and post Committee minutes.”  
156  
157 Add “sponsorship” after “supplemental funding” and delete “submitted by Recognized Student  
158 Organizations” Bylaws: Art. 4, § 8 (j)  
159  
160 Delete “Candidate Debate” and replace with “Platform Night” Bylaws: Art. 4, § 10 (i)  
161  
162 Delete “and decide upon” and add “and sponsorship” after “supplemental funding”  
163 Bylaws: Art. 4, § 12 (a)  
164  
165 Delete “and provide recommendation for” and add “and sponsorship” after “supplemental  
166 funding” Bylaws: Art. 4, § 12 (b)  
167  
168 Add “s” to “appeal” and delete “including traffic appeals, club resource appeals, and elections  
169 appeals” Bylaws: Art. 5, § 5 (i)  
170  
171 Delete “elections violations and vote penalties” Bylaws: Art. 6, § 2 (f)  
172  
173 Delete “candidate debates” and replace with “the annual SGA Platform Night”  
174 Bylaws: Art. 6, § 3 (a)  
175  
176 Delete Bylaws Art. 6, § 4; role of Chief Justice in enforcing campaigning penalties and  
177 adjudicating appeals.  
178  
179 Delete Bylaws Art. 6, § 6 (a-d), (f-i) and add “Candidacy and filing procedures shall be defined  
180 and regulated by the current Candidate Packet;” and add “The filing period shall occur in the first  
181 month of Spring semester each year.”  
182 Bylaws: Art. 6, § 6 (a), (b)  
183  
184 Delete “as listed in the Student Government Association Constitution and Bylaws” and replace  
185 with “, as defined in BYLAWS Article 2, Sections One thru Three”  
186 Bylaws: Art. 6, § 6 (e)  
187  
188 Delete “All candidates must complete the online Candidate Meeting via Canvas by the date  
189 determined in the Candidate packet and pass with a grade of 70% in order to be eligible to run for  
190 office” and replace with “Candidate meetings shall be calendared and conducted in accordance  
191 with the current Candidate Packet” Bylaws: Art. 6, § 8  
192  
193 Delete Bylaws Art. 6, § 9 (b-c), (e) and replace with “Campaign conduct shall be defined and  
194 regulated by the current Candidate Packet;”



- 195 Bylaws: Art. 6, § 9 (b)  
196  
197 Delete “prior to the Candidate Meetings” and replace with “with the candidate filing application”  
198 Bylaws: Art. 6, § 9 (f)  
199  
200 Delete “up to the amount of the candidates’ personal expenditures and” and replace with “of  
201 actual personal expenditures by candidates,” and delete “expenditure” and replace with  
202 “reimbursement” and delete “Candidates cannot pay individuals to assist with their campaign.”  
203 Bylaws: Art. 6, § 10 (a)  
204  
205 Add “to be eligible for reimbursement, expenditures must be documented and submitted in a  
206 campaign expense report, as defined in this section. Reimbursement of” before “Candidates’  
207 personal” and delete expenditure and replace with “reimbursement” before “shall not”  
208 Bylaws: Art. 6, § 10 (b)  
209  
210 Add “To qualify for reimbursement” before “a list” Bylaws: Art. 6, § 10 (c) (a)  
211  
212 Delete Bylaws Art. 6, § 10 (c) (b), (c) (d)  
213  
214 Delete Bylaws Art. 6, § 11 (a-d), and replace with “Voting shall be conducted according to the  
215 schedule and procedures defined in the current Candidate Packet;” Bylaws: Art. 6, § 11  
216  
217 Delete “, after penalties have been levied” Bylaws: Art. 6, § 12 (b)  
218  
219 Delete “In the event of a run-off election, the Elections Committee Chair shall submit the location  
220 and date of the run-off election to the Student Senate at least three (3) days prior to the run-off  
221 election. Notice shall be provided to the Student Senate and, the date and location must then be  
222 immediately publicized to the Student Body” and replace with “The dates and processes for run-  
223 off elections shall be defined and regulated by the current Candidate Packet;”  
224 Bylaws: Art. 6, § 12 (c)  
225  
226 Delete “after penalties have been levied” after “in a tie” and add “in the Senate” after “majority  
227 vote” Bylaws: Art. 6, § 12 (d)  
228  
229 Delete “election violation hearings” and replace with “an election” Bylaws: Art. 6, § 14 (d)  
230  
231 Delete Bylaws Art. 7, § 3 (b-1) and for (b) replace with “Supplemental funding shall be defined  
232 and regulated by the current SGA Funding Policies.” Bylaws: Art. 7, § 3 (b)  
233  
234 Delete Bylaws Art. 7, § 7 (a)  
235  
236 Add “Sponsorship funding shall be defined and regulated by the current SGA Funding Policies;”  
237 and delete “the” before “approval” and delete “of” and replace with “by”



- 238 Bylaws: Art. 7, § 7 (a), (b)  
239  
240 Delete Bylaws Art. 8, § 1, definitions of Compensated Members.  
241  
242 Delete “payment” and replace with “compensation” and delete “a” and replace with “an  
243 educational stipend”  
244 Bylaws: Art. 8, § 2 (a)  
245  
246 Delete “compensation” and replace with “educational stipend” delete “the Student Body  
247 President, Cabinet, Student Body Vice-President, Chief Justice, Associate Chief Justice, and  
248 Elections Chair and Vice Chair” and replace with “any compensated position” and add “in” after  
249 “effective” Bylaws: Art. 8, § 2 (c)  
250  
251 Add “Educational stipend increases/decreases cannot be implemented without review and  
252 approval by the campus HR department. Bylaws: Art. 8, § 2 (d)  
253  
254 Delete “Hours” in section title and replace with “Performance Management” and delete “hours”  
255 before “shall be” and replace with “performance” and delete “weekly hour requirements” and  
256 replace with “performance evaluation criteria” Bylaws: Art. 8, § 3  
257  
258 Add “Election Violations: Violations by a candidate of election rules, as defined by the current  
259 Candidate Packet, or the Student Code of Conduct in the course of an election.”  
260 Bylaws: Art. 9, § 1 (e)  
261  
262 Delete “move into closed session to” after “shall” and delete “or not” after “whether” and delete  
263 “enters closed session nor shall the respondent or Chief Judicial Justice be allowed to remain  
264 present for deliberations and voting” and replace with “begins deliberation”  
265 Bylaws: Art. 9, § 2 (g)  
266  
267 Delete “concur in the official’s guilt” and replace with “support a finding of guilty”  
268 Bylaws: Art. 9, § 2 (g) (a)  
269  
270 Add “or more” after “(2/3s) Bylaws: Art. 9, § 2 (g) (b)  
271  
272 Delete “believe the evidence proves the impeached official” and replace with “support a finding  
273 of” and delete “Constitution allows the Senate to remove the individual from that specific office”  
274 and replace with “respondent shall be removed from office”  
275 Bylaws: Art. 9, § 2 (g) (b)  
276  
277 Add “Outgoing SGA officials may continue to serve as resources and support to their successors’  
278 transition, and compensated members may stay on contract through the end of Spring term, but  
279 they cannot act in an official capacity on behalf of SGA, with respect to their former roles.”



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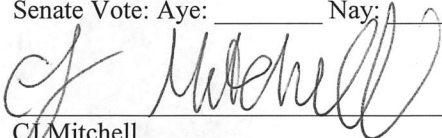
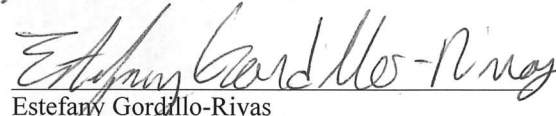
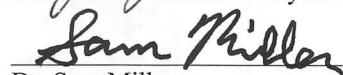
- 280 Bylaws: Art. 12, § 1 (b)  
281  
282 Delete “employment” (in section title and text) and replace with “educational stipend” and delete  
283 “the employment process stated in Bylaws, Article 13, Section One” and replace with “all current  
284 University policies and procedures for educational stipends.” Bylaws: Art. 12, § 2  
285  
286 Replace all hyphenated instances of “Vice-President” with “Vice President”.  
287 Constitution: Art. 1, § 4 (b); Art. 5, § 1 (e); Art. 7, § 1 (c)  
288 Bylaws: Art. 1, § 2, § 3; Art. 3, § 1, § 7 (f); Art. 4, § 1-2, § 8 (d), § 15 (d); Art. 8, § 1 (a);  
289 Art. 9, § 2 (f); Art. 12, § 1 (a); Art. 13, § 1 (d)  
290  
291 Replace all hyphenated instances of “Vice-Chancellor” with “Vice Chancellor”.  
292 Constitution: Art. 2, § 4 (e); Art. 6, § 1, § 2 (a)  
293 Bylaws: Art. 1, § 2, § 3; Art. 3, § 1, § 7 (f); Art. 4, § 1-2, § 8 (d), § 15 (d); Art. 8, § 1 (a);  
294 Art. 9, § 2 (f); Art. 12, § 1 (a); Art. 13, § 1 (d)  
295  
296 Delete all uses of “assistant” for position title of Assistant Judicial Justice and add the word  
297 “associate” (as needed) and “chief”. Constitution: Art. 4, § 1, 3, 4 (g)  
298 Bylaws: Art. 5, § 1, 6; Art. 8, § 2 (a), (c); Art. 9, § 2 (e), § 4 (d), (e), (g)  
299  
300 Delete “more than fifty percent (50%)” or “more than fifty percent (50%) plus one” and add  
301 “cast” after “of the votes” Constitution: Art. 2, § 2; Art. 3, § 2 Bylaws: Art. 6, § 12 (a), § 14 (b)  
302  
303 Delete “Traffic” and replace with “Appeals” Constitution: Art. 4, § 4 (e)  
304 Bylaws: Art. 5, § 4 (b), § 6 (b)  
305  
306 Add “shall” following “a special election” Constitution: Art. 3, § 3 (b)  
307  
308 Add “s” after “full-time employee” Constitution: Art. 6, § 1  
309  
310 Delete “from” and replace with “by” and delete “upon” and replace with “following”  
311 Constitution: Art. 7, § 1 (c)  
312  
313 Delete “Public Relations” and replace with “Communications and Marketing”  
314 Bylaws: TOC #3.6; Art. 3, § 1, § 6; Art. 4, § 10 (b), (i)  
315  
316 Delete “the RSO Funding Manual and” Bylaws: Art. 3, § 4 (f)  
317  
318 Delete “the chief” before “spokesperson” and replace with “a” Bylaws: Art. 3, § 8 (a)  
319  
320 Delete “Shall” Bylaws: Art. 3, § 9 (c)  
321





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- 322 Add “comprised of” after “shall be” Bylaws: Art. 4, § 1
- 323
- 324 Add “temporarily” after “replace” Bylaws: Art. 4, § 2
- 325
- 326 Delete “motion” and replace with “move” Bylaws: Art. 4, § 14
- 327
- 328 Delete “sessions” and replace with “meetings” Bylaws: Art. 4, § 15 (b)
- 329
- 330 Add “for” before “recordkeeping” Bylaws: Art. 4, § 17 (e)
- 331
- 332 Delete “s” in “occurs” Bylaws: Art. 4, § 18 (b)
- 333
- 334 Delete “to” and replace with “may” Bylaws: Art. 4, § 18 (d)
- 335
- 336 Add “by” after “recommended” Bylaws: Art. 6, § 1
- 337
- 338 Add “s” to “SGA Advisor” Bylaws: Art. 6, § 16 (a)
- 339
- 340 Delete “the Student Involvement of” after “the SGA and” Bylaws: Art. 10, § 1
- 341
- 342

|  |                 |   |                                  |
|--|-----------------|---|----------------------------------|
| Senate Vote: Aye: _____ Nay: _____ Abstain: _____  |                 |   |                                  |
| <br>CJ Mitchell<br>Office of the Student Body Vice President         | 9/27/22<br>Date | Passed: <input checked="" type="checkbox"/> | Failed: <input type="checkbox"/> |
| <br>Estefany Gordillo-Rivas<br>Office of the Student Body President | 9/27/22<br>Date | Passed: <input checked="" type="checkbox"/> | Veto: <input type="checkbox"/>   |
| <br>Dr. Sam Miller<br>Vice Chancellor for Student Affairs           | 10/7/22<br>Date |   |                                  |

