PREAMBLE

We, the students of Texas State University, recognize a need for student centered representation, programs, and services. To meet this need, we have established this constitution, subject to the authority of the Texas State University System Board of Regents.

In order to represent the student body of Texas State University, and unite more closely the interests of students, faculty, staff, and university administration, we establish this constitution for the Student Government of Texas State University.
ARTICLE I – NAME AND PURPOSE

Section 1: The name of the officially recognized student government of Texas State University will be the “Student Government of Texas State University” or “Student Government”.

Section 2: Student Government is the primary recognized forum for student opinion, represents student interests and concerns to the administration, and provides activities and services it deems useful to students.

Section 3: Student Government is comprised of the Cabinet, Assembly, and the Judiciary.

Section 4: This constitution is the supreme law of Student Government and the basis for all statutes of Student Government. No member or component of Student Government may ever take any action to conflict with, or otherwise violate, this constitution or statutes of the Senate or House.

Section 5: No member may take undue liberties in the representation of Student Government without authorization from either the House or Senate.

Section 6: Any conflicts that may originate within this constitution may be resolved through the appellate process.

Section 7: The rules, regulations, and policies of Student Government are to be free of discrimination based on race, color, national origin, age, sex, religion, disability, veterans’ status, sexual orientation, gender identity, or gender expression.

ARTICLE II – ETHICAL STANDARDS OF STUDENT GOVERNMENT

Section 1: Ethical Standards of Student Government

As members of the Texas State University Student Government, we hold ourselves to a higher standard as student leaders. We represent the student body and university at all times and in all places. We uphold the ethical standards, the Student Government Constitution, and university policies as guiding principles in our work serving the student body.

Section 2: To serve the student body, members of Student Government are dedicated to:

a. Representing our peers’ interests to university officials above that of our own opinion or that of university administrators or others,

b. Opposing all forms of discrimination and harassment,

c. Recognizing and supporting the students’ right to know the affairs of the university,

d. Engaging with students and assessing their needs and wants whenever possible,
e. Exemplifying the principles of servant leadership when speaking with constituents,
f. Maintaining truthfulness and honesty,
g. Objecting to the abuse of power or position,
h. Guarding against conflicts of interests,
i. Taking responsibility for our own actions,
j. Being compassionate, benevolent, and fair.

ARTICLE III – STRUCTURE

Section 1: Student Government is comprised of the Cabinet, Assembly, and the Judiciary.

a. The Cabinet consists of the President, Vice President, Chief of Staff, Senate Leader, House Leader, and the directors of departments.

b. The Legislative branch consists of the Senate and House. Together, they are referred to as the Assembly when in a joint session.

c. The Judicial branch consists of the Supreme Court, lower courts, and the Election Board.

Section 2: Student Government serves, and is representative of, the students of Texas State University. Any member of the student body is encouraged to run for office or apply for positions within Student Government.

Section 3: Terms of Office:

a. The Student Body President and Student Body Vice President (referred hereafter as “President” and “Vice President”) serve a term of one year.

b. Senators and Representatives serve a term of two years.

c. The newly elected President and Vice President are sworn in by the university President, or a designee, preferably at the first meeting of the Assembly or at a public ceremony. Regardless of when the oath is administered, these officers assume their powers on the third Monday in April at noon.

d. Newly appointed Representatives and both elected and appointed Senators will assume their office on the third Monday in April at noon.

e. All members of Student Government will take an oath and affirmation upon taking office which they are sworn to abide.
f. To establish rotating two-year terms for Senators, the Senate must be divided as equally as possible into two classes based on odd and even years. The seats of the Senators of the first class must be vacated at the expiration of the first session of the new Senate. The second class must be vacated at the expiration of the second session of the Senate.

g. Whenever the Senate or House have vacancies, and they are filled, it must be only for the remainder of the unexpired term of office.

h. The Chief of Staff, director(s), and assistant director(s) will serve a term of one year and offer their resignation to the new president.

i. Supreme Court Justices will serve a term of two years.

j. Election Board members will serve a term of two years.

k. Supreme Court Justices and Election Board members will be appointed to serve alternating terms so that, as nearly as possible, one-half of the students serving will step down each year.

Section 4: Qualifications:

As verified by the Dean of Students Office, all members must be enrolled as full-time students as defined by Texas State University. They must maintain good academic and disciplinary standing to participate in Student Government. Exceptions may be considered by the Dean of Students in extraordinary circumstances.

a. The President and the Vice President are required to have a 2.75 Texas State University grade point average (GPA) to be eligible to run for office and, while in office, must maintain a minimum 2.25 Texas State GPA. Graduate students wishing to run for President or Vice President must have a 3.0 Texas State GPA and, while in office, maintain a minimum 3.0 Texas State GPA.

b. For all other Student Government positions, whether elected or appointed, an undergraduate student is required to have a minimum 2.5 Texas State GPA and, while in office, must maintain a minimum 2.25 Texas State GPA.

c. For all other Student Government positions, whether elected or appointed, a graduate student is required to have a minimum 3.0 Texas State GPA and, while in office, must maintain a minimum 3.0 Texas State GPA.

Section 5: No member will hold or exercise the powers of more than one office of Student Government.

Section 6: All meetings of Student Government are to be open to the public, except when properly called into executive session or during deliberations of the Supreme Court or Election Board. Executive sessions are private meetings and are not open to the public when private, confidential, or other justified reasons require it.
Section 7: Proceedings of Student Government will be free of disruption as defined in university policy UPPS No. 05.04.03, the student handbook on disruptive activities policy or local, state, and federal law.

ARTICLE IV – THE CABINET

Section 1: The Cabinet will supervise, manage, and execute the various functions of Student Government and will advise and report to the President.

Section 2: The Cabinet will consist of the President, Vice President, Chief of Staff, Senate Leader, House Leader, the directors of departments, and others as the Senate so establishes. The President will serve as Chair and may authorize informal, *ex officio* members of the Cabinet. *Ex officio* members serve in an advisory capacity, and do not count towards quorum, and do not vote.

Section 3: The President will have all executive powers and be the chief executive of Student Government.

Section 4: The President will:

a. Be the representative of all students,

b. Upon authorization of the House, Senate or Assembly, and after affixing their signature to a bill or resolution, primarily pursue its enactment or execution,

c. Enforce and faithfully execute this constitution, the rules, regulations, statutes, and policies of Student Government,

d. Have the power to call for a special election to fill vacancies in the Senate,

e. Have the power to call the Assembly into emergency or special session at a time and place agreed to by Senate and House Leaders with five class days notice,

f. Nominate a Chief of Staff to be confirmed by the Senate,

g. Nominate Department directors from among the Student Body or Assembly as recommended by the Nominations and Appointments Committee and to be confirmed by the Senate,

h. Have the power to remove the Chief of Staff and the directors at will,

i. Nominate Department assistant directors from the Assembly membership to be confirmed by their respective chamber,

j. Have the power to remove any person serving in a Department at will,

k. Nominate members of the Judiciary from among the Student Body as recommended by the Nominations and Appointments Committee and to be confirmed by the Senate or the Senate and House when appropriate,
l. Approve, through signature, House, Senate, and Assembly bills and resolutions,
m. Have the power to veto House, Senate, and Assembly bills and resolutions,
n. Oversee and guide the activities of the Cabinet and Departments,
o. Have the power to veto actions of the Cabinet,
p. Appoint representatives from among the Student Body to university committees,
q. Report to the Assembly on the state of Student Government at the second meeting of the spring semester. Throughout their term, they may provide other reports as necessary or as called to do so by the Senate or House,
r. Have the power to call for a referendum as defined in university policy on referendums, SA/PPS No. 07.09.
s. Have the power to provide for the recess appointment of those positions the President is empowered to nominate when vacancies arise, and the Senate is in recess. The commissioning of these positions will expire upon the Senate’s next meeting.

Section 6: The President is relieved of office in any of the following situations:
a. They are no longer a member of Student Government,
b. They no longer meet minimum qualifications for office: full-time student, good academic or disciplinary standing,
c. Upon the swearing in of a new President,
d. They can no longer execute the duties of office due to a prolonged or permanent inability to perform their role as confirmed by a unanimous vote of the Cabinet,
e. They can no longer execute the duties of office due to a temporary inability to perform their role as confirmed by a unanimous vote of the Cabinet. They are reinstated when the temporary inability has passed, and they receive a majority vote of the Cabinet,
f. They are impeached.

Section 7: The Vice President serves as the Chair of the Senate, House, and Assembly.

Section 8: The Vice President will:
a. Chair meetings of the Assembly, Senate, and House,
b. Vote only in the event of a tie in the Senate, House and Assembly,
c. Nominate officers of the Senate and make replacement nominations in the event of a vacancy of those offices,

d. Have the power to call the Assembly into emergency or special session at a time and place agreed to by Senate and House Leaders with five class days’ notice,

e. Assume the Office of the President, for the remainder of the term, in the event of its vacancy,

f. Temporarily serve as Acting President in the event the President is unable to discharge the powers and duties of the office,

g. Temporarily yield their chair duties to the respective Senate or House leader when not in attendance for a Senate or House meeting,

h. At their discretion, delegate in writing chair duties to the respective Senate or House Leader. Delegation may be rescinded by the Vice President with written notice transmitted to the Senate or House Leader with at least five class days’ notice.

Section 9: The Vice President, or their designee, as Chair of the Senate, House, or Assembly will:

a. Propose the Senate agenda,

b. Have the power to remove the Chair of any committee,

c. Have the power to assign and remove Senators to Senate committees,

d. Have the power to assign and remove Representatives to House committees,

e. Be impartial as Chair of the Senate, House and Assembly,

f. Have the power to assign legislation to committees,

g. Vote only in the event of a tie in the Senate, House, and Assembly,

h. Coordinate dates, times, and locations for Senate, House, and Assembly meetings.

Section 10: The Vice President is relieved of duties in any of the following situations:

a. They are no longer a member of the Student Government,

b. They no longer meet minimum qualifications for office: full-time student, good academic or disciplinary standing,

c. They can no longer execute the duties of office due to a prolonged or permanent inability to perform their role as confirmed by a unanimous vote of the Cabinet,

d. They are impeached.
Section 11: The Chief of Staff serves to assist the President and Cabinet. The Chief of Staff will:

a. Serve as an advisor to the President,
b. Provide administrative and coordinative support to the Cabinet,
c. Plan the meetings of the Cabinet, under the direction of the President, including taking minutes, attendance, and voting records,
d. Maintain the schedules of the President and Vice President,
e. Provide continuity during the transition of Student Government administrations. The outgoing Chief of Staff will serve as a transition advisor for up to 60 days after the installation of the new President,
f. Perform such other roles, functions and duties as may be provided by statute and by this constitution,
g. Implement and review the policies and procedures of the Departments.

Section 12: Departments of Student Government:

a. Each department is headed by one director and various assistant directors, for which the function and operations of Student Government may be organized.
b. The name, purpose, and number of departments may from time to time be changed provided that:
   1. No more than five Departments may exist at any one time.
   2. Of the established Departments, among them must be included:
      (a) A Department of Finance having responsibility for the fiscal matters of Student Government,
      (b) A Department of Student Engagement having responsibility for managing the various programs of Student Government,
      (c) A Department of Diversity, Equity, and Inclusion having responsibility for fostering discussion, dialogue, education, and advocacy of issues important to underrepresented student populations.
   3. The remaining departments may be established by Presidential action, so long as notice is transmitted to the Senate within 3 class days.

Section 13: Department Directors manage the affairs and coordinate the activities of their respective departments and will:
a. Serve as chair,
b. Report to and take guidance from the President,
c. Have administrative, supervisory, and management powers,
d. Report to the House and Senate on departmental activities each semester and when called to do so.

Section 14: Department Assistant Directors take direction from their respective Directors and will provide assistance through planning and implementation of the goals and activities of their Department.

ARTICLE V – THE ASSEMBLY

Section 1: The Assembly will meet each year on the third Monday of April at a time and place established by the Vice President. This annual meeting will constitute the first session of the new Assembly and will be consequently numbered in ascending order starting with the first joint session.

Section 2: Quorum is required to conduct business and is defined in the Assembly as a number greater than half of the membership of the House and Senate as apportioned by the constitution. A vote will not be held without a quorum.

Section 3: In the event that quorum is not met, the chair of the meeting may hold the membership of the chamber for a time period not to exceed 45 minutes while all constitutional and parliamentary procedures are exercised to attain quorum.

Section 4: A majority vote, in all contexts under this constitution, means a number greater than half of the total of those present.

Section 5: Final votes on all legislation are to be conducted by roll call, except legislative amendment voting which may be conducted with a vote by voice. Roll call votes are to be recorded in such a way that the vote can be connected to the member who cast it. Secret ballot voting is prohibited under all circumstances, except for elections.

Section 6: A member must be present when a vote is conducted. Proxy voting is prohibited. In the House, voting by teleconference is permissible. Each member of the Assembly has one vote.

Section 7: Legislation and the subjects therein that are properly presented to the Assembly and fail to attain approval cannot be brought up again in the same session except upon consideration of a veto override.

Section 8: No one may amend or alter a properly passed statute or action of the House and Senate without the permission of the originating legislative body, except to bring it into compliance with grammatical standards, university policy or local, state, and federal laws. In the event an amendment or alteration must be made under this section, the President will be responsible for reporting the specific changes
at the next regular meeting of the House and Senate and the changes will be recorded in the meeting minutes.

Section 9: A Joint Committee of both chambers will be established to facilitate the reconciliation of differences of opinion between the Senate and House. The Assembly may establish other joint committees as needed.

Section 10: Any legislation originating in the Senate or in the House, except for articles of impeachment, can be considered Joint legislation (Joint Bill or Joint Resolution) as long as it is sponsored by at least one member of each chamber.

a. A Joint legislation is considered passed when the same version of the legislation has been approved by a majority of both chambers. If a chamber amends a piece after it has been approved by the other chamber, the piece must then be brought back before the other chamber for approval.

Section 11: A Nominations and Appointments Committee will determine if applicants meet Student Government standards for appointments to Cabinet, Judicial, Election Board, and vacant elected Senate positions. The committee will recommend qualified applicants to be considered for nomination by the President and confirmed by the Senate or the House if a graduate student.

Section 12: The Nominations and Appointments Committee will have seven members including the Senate Leader as chair. Five members will be Senators nominated by the Senate Leader and confirmed by two-thirds vote of the Senate. One member will be selected by the House. The Senate Leader will nominate replacement members in the event of a committee vacancy to be confirmed by the Senate. Members of the committee will remain members for two years, unless they are no longer a Senator or House member or resign from the committee.

ARTICLE VI – THE SENATE

Section 1: The Senate possesses legislative powers of the Student Government, legislates on behalf of all students, and exercises the powers stated herein. The Senate will only legislate:

a. To fulfill the purpose of Student Government or enforce the powers granted to it by this constitution through bills. Upon passage and approval of these bills, they will become statute and Student Government law except for those matters that require a bill to be passed by both the Senate and the House, and

b. To grant authorization for members of Student Government to represent the interests of the students to the administration through passage and approval of a resolution.

Section 2: The Senate are the elected and duly appointed representatives of all students.
Section 3: The Senate is composed of 45 Senators. Thirty-seven at-large Senators are elected from the student body, and another eight are appointed. All Senators have equal rights, responsibilities, and recognition within the Assembly.

Section 4: The eight appointed Senators are to ensure inclusivity of voices from underrepresented groups and are appointed in accordance with a process as defined by the Senate. These appointed Senators include one student representative from each of the following: Foster Care Students, Students of Color, Freshmen, LGBTQIA+, Non-Traditional, Students with Disabilities, Transfer, and Veterans.

Section 5: Quorum is required to conduct business and is defined in the Senate as two-thirds of Senate membership as apportioned by the constitution. A vote will not be held without a quorum.

Section 6: In the event that quorum is not met, the chair of the meeting may hold the membership of the chamber for a time period not to exceed 45 minutes while all constitutional and parliamentary procedures are exercised to attain quorum.

Section 7: Any action by the Senate must have attained at least a majority vote of the Senate to pass. The Senate may prescribe a higher threshold as it deems necessary.

Section 8: The Senate is comprised of the Vice President, Senate Leader, Senators, and other officers of the Senate.

Section 9: Final votes on all legislation are to be conducted by roll call, except legislative amendment voting which may be conducted with a vote by voice. Roll call votes are to be recorded in such a way that the vote can be connected to the member who cast it. Secret ballot voting is prohibited under all circumstances, except for elections.

Section 10: A member must be present when a vote is conducted. Proxy voting is prohibited. Each member of the Assembly has one vote.

Section 11: Through a resolution, the Senate will have the legislative power to:

a. Make recommendations or express student opinion to the university administration addressing any issue of student concern,

b. Provide suggested language for a referendum with a two-thirds vote of those present and is forwarded to the President for signature to issue a call for referendum,

c. Review and confirm nominations made by the President,

d. Confirm Senate committee chair nominations,

e. Review, oversee, amend, or exercise a legislative veto over any action taken by the President,

f. Override a Presidential veto of its bills or resolutions by two-thirds vote of those present.
Section 12: Through a bill, the Senate will have the legislative power to:

a. Originate all bills establishing, disbanding, and regulating Student Government departments,
b. Establish, dissolve, and regulate Senate committees,
c. Originate all bills for the expenditure, raising, allocation, and regulation of all Student Government funds,
d. Originate bills governing the ethics and standards of conduct and establishing a means of disciplinary review, including sanctions for all members of Student Government,
e. Establish a process for conducting trials of impeachment,
f. Establish and amend rules relating to elections,
g. Establish rules for the ethics, membership eligibility standards, operations, and business of the Student Government,
h. Ensure a way to fill vacant Senate seats,
i. Support the functions of the Supreme Court and lower courts,
j. Establish courts lower than the Supreme Court, though they may not establish courts with overlapping jurisdiction,
k. Legislate all statutes which are necessary and proper for execution of all powers granted to all components of Student Government as prescribed in this constitution. The House will be exempt from Senate regulation unless they approve,
l. Originate bills proposing to amend the Student Government Constitution,
m. Establish a Senate committee that will review and recommend candidates to fill existing elected Senator, Judicial, and Cabinet vacancies for Presidential nomination, hereafter known as the “Nominations and Appointment Committee”,
n. Originate or revise Articles of Impeachment,
o. Conduct investigations and require testimony regarding Student Government matters to exercise its legislative and oversight functions effectively,
p. Remove through expulsion a Senate member for behavior unbecoming of their office or violating university policy and procedures, federal or state law, misrepresenting the will or official position of the Student Government, the abandonment of duty, or abuse of power in their position.

Section 13: The Senate has a duty to protect the courts to ensure their independence, impartiality, dignity, accessibility, and effectiveness and may propose regulations, which guarantee this therein.
Section 14: The Senate Leader must transmit passed legislation to the President within two class days for Presidential signature. If the President has not signed or vetoed the legislation after five class days, the legislation is forwarded by the Leader regardless of Presidential action to the Dean of Students. In this case, resolutions are made the official recommendation of Student Government, and bills are advanced for approval by the Dean of Students so that they become statutes and Student Government law.

Section 15: The Senate must override a Presidential veto of its bills or resolutions at its next regularly scheduled meeting for the override to be valid.

Section 16: The Senate Leader is the highest-ranking Senator. The Leader must be elected by a majority vote of the Senate by the third meeting of each new session, be a Senator sitting in the current session and maintain their current status as a Senator to retain the position. The Senate Leader will:

   a. Fulfill the duties of the Vice President in their absence as allowed by the Constitution,
   b. Manage and coordinate operations within the Senate, when delegated to do so by the Vice President,
   c. Transmit passed legislation to the President for signature,
   d. Have the power to call the Senate into emergency or special session, with five class days notice, when deemed appropriate,
   e. Serve as chair of the Nominations and Appointments Committee,
   f. Assume the Office of the Vice President in the event of its vacancy.

Section 17: Committee chairs will be members of the Senate and confirmed by the Senate.

Section 18: Committees are classified differently from Departments based on the following criteria, if it:

   a. Reviews legislation,
   b. Reviews actions of the university,
   c. Is so designated by the Senate.

Section 19: The Senate will meet on the first Monday of the first full week of classes in the fall semester at a time and location as predetermined by the Senate Chair, and thereafter every Monday at that same time and location. The Senate will enter recess in the fall semester during the first week of finals until the first full week of classes in the Spring semester, and again in the Spring semester on the first week of finals until the first full week of classes in the Fall semester. The Senate will not meet on holidays, or during any university closure. Any change to the meeting time or place after having been set on the first meeting will require two-thirds approval of the Senate. The Senate Chair may change the meeting location and time due to an unexpected university situation.
Section 20: The time, place, and agenda of Senate meetings will be made public on the Student Government website 72 hours beforehand. All proceedings will be documented, including final votes of legislation, which must be made public within 72 hours after the meeting.

Section 21: Meetings must be conducted in accordance with the procedures established by the Senate and the basic tenets found in Roberts Rules of Order.

Section 22: Legislation and the subjects therein that are properly presented to the Senate and fail to attain approval cannot be brought up again in the same session except upon consideration of a veto override.

ARTICLE VII – THE HOUSE

Section 1: The House possesses legislative powers concerning graduate students, legislates on behalf of graduate students, and exercises the powers stated herein. The House will only legislate:

a. Through resolution, expressing the opinion and will of the graduate students at Texas State University, or to concur or reject, when appropriate, Senate bills or resolutions,

b. To regulate the House through bills which, when properly passed and approved, will become a statute and Student Government law,

c. Review and approve legislation relating to the Judiciary,

d. Review and approve amendments to this constitution.

Section 2: The House will be the representatives of the graduate students at Texas State University.

Section 3: The House will be composed of the Vice President, Representatives and other House officers.

The House will be apportioned with two seats for each of the following graduate-degree granting colleges: Applied Arts, McCoy College of Business Administration, Education, Fine Arts and Communications, Health Professions, Liberal Arts, and Science and Engineering.

Section 4: Quorum is required to conduct business and is defined in the House as two-thirds of House membership as apportioned by the constitution. A vote will not be held without a quorum.

Section 5: In the event that quorum is not met, the chair of the meeting may hold the membership of the chamber for a time period not to exceed 45 minutes while all constitutional and parliamentary procedures are exercised to attain quorum.

Section 6: Any action by the House will not pass unless it has attained at least a majority vote of the House. The House may prescribe a higher threshold as it deems necessary.
Section 7: Final votes on all legislation are to be conducted by roll call, except legislative amendment voting which may be conducted with a vote by voice. Roll call votes are to be recorded in such a way that the vote can be connected to the member who cast it. Secret ballot voting is prohibited under all circumstances, except for elections.

Section 8: A member must be present when a vote is conducted. Proxy voting is prohibited. In the House, voting by teleconference is permissible. Each member of the Assembly has one vote.

Section 9: The House will have limited regulatory power over the rest of Student Government but must exercise exclusive rights over the regulation of the House.

Section 10: Through a resolution, the House will have the legislative power to:
   a. Make recommendations or express the opinion of the graduate student body to the university administration,
   b. Override a Presidential veto of its bills or resolutions by two-thirds vote,
   c. Confirm the graduate student appointments to the Supreme Court,
   d. Confirm graduate students to Student Government positions,
   e. Confirm House committee chair nominations.

Section 11: Through a bill, the House will have the legislative power to:
   a. Establish rules, eligibility standards, operations, and business of the House,
   b. Regulate selection of its members and fill vacancies as needed,
   c. Establish House committees, which must follow the same criteria for classification as a committee as is done in the Senate, as it sees fit,
   d. Review and revise, through amendment, bills from the Senate proposing changes to the Constitution,
   e. Concur or reject, without amendment, Senate changes to rules regarding ethics, member performance standards, discipline, and budget allocation processes for any such bill originating in the Senate to be considered passed and sent to the President for approval and enactment,
   f. To review and provide nonbinding feedback on the annual operating budget of the Student Government,
   g. Originate or revise Articles of Impeachment,
h. Remove through expulsion a House member for behavior unbecoming of their office or violating university policy and procedures, federal or state law, misrepresenting the will or official position of the Student Government, the dereliction of duty, or abuse of power in their position.

Section 12: The House Leader must transmit passed legislation to the President within two class days for Presidential signature. If the President has not signed or vetoed the legislation after five class days, the legislation is forwarded by the Leader regardless of Presidential action to the Dean of Students. In this case, resolutions are made the official recommendation of Student Government, and bills are advanced for approval by the Dean of Students so that they become Student Government law.

Section 13: The House Leader is the highest-ranking Representative. The Leader must be elected by a majority vote of the House by the second meeting of each new session, must be a Representative sitting in the current session, and must maintain their current status as a Representative to retain the position. The House Leader will:

a. Fulfill the duties of the Vice President in their absence as allowed by the Constitution,

b. Manage and coordinate operations within the House, when delegated to do so by the Vice President, including running the House meetings,

c. Transmit passed legislation to the President for signature,

d. Have the power to call the House into emergency or special session, with five class days notice, when they deem it appropriate.

Section 14: The House must override a Presidential veto of its bills or resolutions at its next regularly scheduled meeting for the override to be valid.

Section 15: Committee chairs will be members of the House and will be nominated and confirmed by the House.

Section 16: The House will meet on the first Friday of the first full week of classes in the fall semester at a time and location as predetermined by the House Chair and thereafter every other Friday at that same time and location. The House will enter recess in the fall semester during the first week of finals until the first full week of classes in the spring semester, and again in the spring semester on the first week of finals until the first full week of classes in the fall semester. The House will not meet on holidays or during any university closure. Any change to the meeting time or place after having been set on the first meeting will require a two-thirds approval of the House. The House Chair may change the meeting location and time due to an unexpected university situation.

Section 17: The time, place and agenda of House meetings will be made public on the Student Government website 72 hours beforehand. All proceedings will be documented, including final votes of legislation, which must be made public within 72 hours after the meeting.

Section 18: Meetings must be conducted in accordance with the procedures established by the House and the basic tenets found in Roberts Rules of Order.
Section 19: Legislation and the subjects therein that are properly presented to the House and fail to attain approval cannot be brought up again in the same session except upon consideration of a veto override.

ARTICLE VIII – THE JUDICIARY

Section 1: The judiciary will consist of the Supreme Court, Election Board, and other lower courts:

a. “Judiciary” for the purposes of Student Government, are defined as the courts of Student Government which may hear testimony and provide remedy to specific cases. The Senate may establish other courts that will hear specific cases as it sees fit,

b. The Senate cannot establish lower courts with overlapping jurisdiction,

c. The only appeals court will be the Supreme Court.

Section 2: The Supreme Court is the superior court and the only appellate court within Student Government. The Supreme Court has the power of Judicial Review in relation to the constitutionality of any action of Student Government. The Supreme Court has original jurisdiction involving cases between two or more components of Student Government, any issues of constitutional interpretations and appeals from the Election Board.

a. The Supreme Court decides which cases it hears by a majority vote,

b. In matters concerning other rules and regulations where the Senate has established other courts, the Supreme Court has appellate jurisdiction,

c. The Supreme Court is the final interpreter of all legislative or policy instruments in this constitution for the Student Government,

d. The Supreme Court interprets the Constitution but makes no judgment, opinion, or order relating to the Constitution’s validity or correctness. The same restriction will apply to all courts,

e. When the Supreme Court has reached a majority decision, it will issue orders and opinions that are binding for all members of the student body. Any person in violation of these opinions or orders will be considered in violation of this constitution. This same power may be granted to other courts established by the Senate,

k. The Supreme Court will have the power to summon members to appear before it and require the production of documents. This same power may be granted to other courts established by the Senate,

l. The Supreme Court and all lower courts will provide relief and remedy to issues deemed actionable under its jurisdiction,
m. Members of the Supreme Court will not petition the court, present evidence, provide testimony or embrace any subject before them or any other courts,

n. Justices are expected to recuse themselves from proceedings when conflicts of interest arise,

o. In the event of a violation of any court orders the Supreme Court may, by majority vote of all Justices, hold in contempt and suspend members from their office, until such time as they win appeal or comply with the order.

Section 3: There are five Supreme Court Justices, of which at least one will be a graduate student. From the five Justices one will be selected by the President to serve as Chief Justice.

a. The courts will not hear a case while having fewer than three Justices seated on the Supreme Court and are present at the court’s proceedings,

b. An evenly split court will result in upholding a lower court or election board decision,

c. Justices will hold office for a term of two years or until they resign, become ineligible to serve, or are removed from office,

d. The Chief Justice will hold office for a term of two years or until they resign, become ineligible to serve, or are removed from office,

e. Where the Supreme Court is unable to fulfill its duties due to a lacking number of Justices or procedures conflict to conduct hearings, an aggrieved party may appeal to the Dean of Students for remedy and will assume all powers of the court to hear a case.

Section 4: The student members of the Supreme Court will be appointed to serve alternating terms so that, as nearly as possible, one-half of the students serving as Justices will step down each year.

Section 5: In cases that the applicant pool does not yield at least five qualified applicants, the Dean of Students may recommend eligible candidates to the President for nomination.

Section 6: A faculty or staff member will serve in an ex officio advisory role and will provide advice when a need arises and at the request of the court. The faculty or staff advisor may serve for a term of two years for a maximum of two consecutive terms. Applicants will apply, be reviewed, and selected by a majority vote of the members of the Supreme Court.

Section 7: Rights and Due Process

a. During any hearing conducted by the courts, the accused must be afforded certain rights and the accused has certain obligations which must include:

1. A right to due process,

2. A right to be informed of and address the charges against them,
3. A right to a maximum of two Texas State students to serve as counsel,
4. An obligation to appear before any properly established proceeding to answer questions and address the charges against them,
5. An obligation to answer questions truthfully both verbally and in written communication.

Section 8: Appeals:

a. Decisions of any lower court are first appealed to the Supreme Court. The Supreme Court will render a decision within three class days,
b. Decisions of the Election Board are first appealed to the Supreme Court. The Supreme Court will render a decision within two class days,
c. Decisions of the Supreme Court may be appealed to the Dean of Students who will review and render a final decision,
d. An appeal must be filed within three class days following a decision.

Section 9: Judicial Independence:

a. Members of the Supreme Court and all lower courts must not be a candidate nor publicly support candidates or alliances for Student Government office in the year they seek application to the Judiciary,
b. The Supreme Court will make no judgment, opinion or order relating to the Constitution’s validity or subject matter correctness.

Section 10: Precedent:

a. The orders and opinions of the Supreme Court must have persuasive precedential value in subsequent decisions of the Supreme Court and must have binding precedential value overall proceedings of lower courts.

1. Opinions and orders of lower courts must have persuasive precedential value on future lower court rules,
2. The passage of time has no effect on the value of any court precedent,
3. The courts are permitted to overturn precedent so long as the decision is justifiable under existing law, rooted in the legal text behind the case, and the justification is thoroughly and accurately explained in the order overturning the precedent.
Section 11: The Election Board:

a. There will be five Election Board members. From the five members, one will be selected by the President to serve as chair of the board,

b. The Election Board has original jurisdiction involving issues related to the Student Government elections, special or general, and will enforce and interpret the Election Code. The Board will enforce all provisions of the Constitution, statutes, university policy and other relevant regulations in the context of elections and campaigning. The Election Board is vested with all powers necessary to bring forth just, appropriate, and reasonable remedies. The Election Board will:

1. Have a minimum of three sitting members to hear a case,
   (a) If the Election Board cannot hear arguments due to the number of members seated, the Supreme Court must assume all powers of the board.

2. Decide which cases it hears by a majority vote,

3. Make decisions by a required majority vote,

4. Have the power to issue temporary, appropriate, and reasonable relief or remedy,

5. Have the power to summon members of the student body to appear before the board and require the production of documents in relation to an election matter,

6. Upon reaching a decision, issue orders and opinions that are binding for all members of the student body. Any person in violation of these opinions or orders will be considered in violation of this constitution and subject to possible removal or bar from office,

7. Have broad powers to interpret, enforce and resolve election issues not otherwise specified in the constitution or relevant election regulations,

8. Have jurisdiction applying to on-campus and off-campus activities.

Section 12: Rights and Due Process during Election Board Proceedings:

a. During any hearing conducted by the Election Board, the accused must be afforded certain rights, and the accused has certain obligations which must include:

1. A right to due process,

2. A right to be informed of and address the charges against them,

3. A right to a maximum of two Texas State students to serve as counsel,

4. An obligation to appear before any properly established proceeding to answer questions and address the charges against them,
5. An obligation to answer questions truthfully both verbally and in written communication.

Section 13: Appeals of Election Board Decisions:

a. Decisions of the Election Board are first appealed to the Supreme Court. The Supreme Court will render a decision within two class days,

b. Decisions of the Supreme Court may be appealed to the Dean of Students who will review and render a final decision,

c. An appeal must be filed within three class days following a decision.

Section 14: Election Board Independence. Board members must:

a. Serve impartially to administer the elections with the strictest separation from candidates for office,

b. Make no judgment, opinion, or order relating to the Constitution’s validity or subject matter correctness.

c. Not be a candidate nor publicly support candidates or alliances for Student Government office in the year they seek application to the board,

d. Not seek appointment to Student Government positions for one year after serving on the board.

Section 15: Election Board Precedent:

a. The orders and opinions of the Board must have persuasive precedential value in subsequent decisions and must have binding precedential value.

1. The passage of time has no effect on the value of any court precedent,

2. The Board is permitted to overturn precedent so long as the decision is justifiable under existing law, rooted in the legal text behind the case, and the justification is thoroughly and accurately explained in the order overturning the precedent.

3. The Supreme Court may vacate an election board precedent when the ruling establishing the precedent is found to be flawed.

ARTICLE IX – ELECTIONS

Section 1: The Election Board will oversee Student Government elections and referenda.

Section 2: General elections must be held once a year during the spring semester for four consecutive class days starting on the third Monday in February.
Section 3: Candidates for office will run with shared goals as part of an alliance or independently. Texas State students will cast one vote each for a President and Vice President candidate, and one vote for each position available for Senate candidates. Votes are cast for candidates, regardless of alliance or independent affiliation.

Section 4: Candidates running as part of an “Alliance”, must establish a shared executive agenda and a list of at least six candidates running for office: A President, a Vice President, and at least four Senators.

Section 5: Candidates running independently must establish an executive agenda and may only run for a Senate position. Candidates for President and Vice President must form an alliance.

Section 6: All current Representatives and Senators must declare to the Election Board in writing their intent to leave or remain in office for the remainder of their term, by November 1 each year. Any declared vacancies must be filled by appointment or election. The replacement will only complete the remainder of the unexpired term of office.

Section 7: Potential candidates will be allowed a period of time to explore and gauge interest in forming an alliance based on shared ideas. The exploration period will open on November 1 and close on November 30. During this period, a potential candidate may publicly recruit other potential candidates to run on an alliance.

Section 8: An alliance or an independent candidate must be certified by the Election Board in accordance with all provisions of this constitution and related election rules. Filing to form an alliance or to run independently will begin on the first class day in December and close on the first class day in the spring semester. Students wishing to run for office will file to form an alliance or run independently by the deadline and include:

a. A short concise name of the alliance or stating independence,

b. The full name(s) and NetID(s) of the candidates seeking election under the alliance or independently,

c. A list of the positions sought by each candidate,

d. An executive agenda, a written statement of ideas and initiatives the alliance or independent candidate supports.

Section 9: The President and Vice President candidates will serve as the alliance's leaders and must represent the alliance in public and respond to any official requests from the Election Board, Supreme Court or other duly empowered body. Independent candidates must represent themselves in public and respond to any official requests from the Election Board, Supreme Court or other duly empowered body.

Section 10: Final changes to the alliance or independent status must be submitted by the Friday of the first week of class in the spring semester.
Section 11: An alliance must have a candidate for President, Vice President, and a minimum of four Senate candidates to be certified.

Section 12: Public campaigning dates and rules will be delineated in the by-laws and announced by the Election Board.

Section 13: The President and Vice President must be elected by a majority of students voting in an election. Senators must be elected by a plurality of students voting in an election.

ARTICLE X – APPOINTMENTS AND NOMINATIONS

Section 1: There are eight appointed Senators from underrepresented groups and include: Foster Care Students, Students of Color, Freshman, LGBTQIA+, Non-Traditional, Students with Disabilities, Transfer, and Veterans.

Section 2: Qualifications: Appointed Senators will meet the same qualifications as elected Senators: full-time students as define by Texas State University and maintain good academic and disciplinary standing. Exceptions for freshman and transfer student appointees include:

a. A Freshman student appointed to the position must have graduated in the top quarter of their high school class,

b. A Transfer student appointed to the position must have a minimum 2.5 GPA for all transferred credit hours from their most recent institution.

Section 3: Appointed Senators will be recommended by their respective constituencies and nominated by the President.

Section 4: House Representatives must be selected by each college dean for appointment by March 15 of each year.

Section 5: Vacancies of the Senate will be nominated by the President and confirmed by the Senate.

Section 6: The Chief of Staff is directly nominated by the President and confirmed by the Senate.

Section 7: The Department director(s) are recommended by the Nominations and Appointments Committee, nominated by the President and confirmed by the Senate. Any member of the student body may apply and must have attended at least one semester as a full-time student as defined by university policy.

Section 8: The Department assistant director(s) are directly nominated by the President from among the Assembly membership and confirmed by their respective chamber.
Section 9: The Supreme Court Justices are recommended by the Nominations and Appointments Committee, nominated by the President, and confirmed by the Senate; graduate student nominees will also be confirmed by the House. Any member of the student body may apply and must have attended at least one semester as a full-time student as defined by university policy.

Section 10: The Election Board members are recommended by the Nominations and Appointments Committee, nominated by the President, and confirmed by the Senate. Any member of the student body may apply and must have attended at least one semester as a full-time student as defined by university policy.

Section 11: In cases that the applicant pool for Supreme Court Justices or Election Board members does not yield at least five qualified applicants, the Dean of Students may recommend eligible candidates, and submit them to the President for nomination.

Section 12: University committee representatives are appointed by the President. In cases when a graduate student is specified, committee representatives are appointed by the House.

ARTICLE XI – REMOVAL AND SUCCESSION

Section 1: A member of the Cabinet, Judiciary or Election Board will be removed from their office upon the passage of Articles of Impeachment by a two-thirds majority of the Assembly.

Section 2: Articles of Impeachment cannot be vetoed and do not need the approval of the President. Impeachable acts include:

a. Violation(s) of this constitution,

b. Violation(s) of the rules, regulations and laws of the Student Government,

c. Violation(s) of orders or opinions of the Supreme Court or other courts,

d. Gross violation(s) of the Code of Student Conduct and university policies,

e. Dereliction of duty,

f. Conviction of any federal, state, or local crime above a class C misdemeanor,

g. Violation(s) of the Student Government Code of Ethics,

h. Misrepresentation of the will or official position of the Student Government,

i. Abuse of power in their position.

Section 3: To impeach a member of the Cabinet or Judiciary, Articles of Impeachment must be introduced by four co-sponsoring members of the Senate or House in their respective chamber and must pass with
a majority vote. After an affirmative vote, the articles will be sent by the originating chamber to the other chamber of the Assembly.

a. Articles of Impeachment must never be submitted as emergency legislation and must be read two times in the originating chamber:
   1. On the first reading, the articles must only be read to their peers. On the second reading, debate and discussion must occur on the articles followed by a vote,
   2. Articles must provide, in detail, the justification for the impeachment.

b. Upon passage of Articles of Impeachment in the originating chamber it will be reviewed for merit by the next chamber, and with a majority vote of the reviewing chamber will be moved to the Assembly for trial,

c. The Assembly will conduct a trial based on the articles and with a two-thirds majority vote the member in question will be impeached,

d. Impeachment will constitute an immediate removal from office, and they will have 72 hours to vacate physical offices and relinquish any Student Government property. They will not be allowed to hold any future office in Student Government.

Section 4: Appeals Process:

a. After trial in the Assembly, an impeached President may:
   1. File an appeal of the decision to the Dean of Students.
   2. After a decision by the Dean of Students, file an appeal to the Vice President for Student Affairs for final determination.

b. After trial in the Assembly, an impeached non-President Cabinet, Judicial, or Election Board member, may:
   1. File an appeal of the decision to the Supreme Court,
   2. After a decision by the Supreme Court, file an appeal to the Dean of Students for final determination.

c. Appeals must be filed within three class days after a decision is rendered to the next appellate level.

d. On a final reversal of impeachment, the member will resume all previously held powers of office.

Section 5: Persons receiving a stipend will receive that pay until such time as they have exhausted all appeals. Should the member be acquitted, they will reassume the powers of their office and the case will be closed.
Section 6: Rights and Due Process:

a. During any trial conducted by the Assembly, the accused must be afforded certain rights and the accused has certain obligations which include:

1. A right to due process,

2. A right to be informed of and address the charges against them,

3. A right to a maximum of two Texas State students to serve as counsel,

4. An obligation to appear before any impeachment proceeding to answer questions and address the charges against them,

5. An obligation to answer questions truthfully both verbally and in written communication.

Section 7: Removal from Office by Referendum

a. The student body may remove any individual member of Student Government through a referendum that follows university policy on Referendums, SA/PPS No. 07.09.

Section 8: Succession:

a. In the event of the removal or other vacancies of offices, the vacancy must be filled only for the remainder of the unexpired term,

b. In the event of a vacancy or removal of the President, the Vice President must immediately assume the powers of the presidency and will take the oath of office at a ceremony scheduled by the university administration,

c. In the event of a vacancy or removal of the Vice President, the Senate Leader must immediately assume the vice presidency,

d. In the event of a vacancy or removal of both the President and the Vice President, the Senate Leader must immediately assume the powers of the presidency and will take the oath of office at a ceremony scheduled by the university administration:
   
   1. If there is no Vice President or Senate Leader at the time of a presidential vacancy, a special election in the Senate will take place to elect a new President, new Vice President, and new Senate Leader from among current Senators no later than the next meeting of the session following vacancy.

e. In the event of a vacancy or removal of Senate Leader, a special election in the Senate will take place no later than the second meeting of the session following the vacancy,
f. In the event of a vacancy or removal of House Leader, a special election in the House will take place no later than the second meeting of the session following the vacancy,

g. In the event of a vacancy or removal of the Chief Justice of the Supreme Court, the President must select a new Chief Justice from among the Associate Justices of the Supreme Court,

h. In the event of a vacancy of an at-large Senator, the President must nominate a new Senator from the Student Body as recommended by the Nominations and Appointments Committee to be confirmed by the Senate,

i. In the event of a vacancy of an appointed Senator, the President must nominate a new Senator recommended by their respective constituency.

j. In the event of a vacancy of a House Representative, the college dean must appoint a new representative no later than the second meeting of the session following the vacancy.

ARTICLE XII - RATIFICATION

Section 1: Upon ratification and approval, this constitution will supersede all other Student Government constitutions.

Section 2: This constitution will be ratified after a two-thirds vote of the Senate and House, a majority of those students voting during a referendum, and upon final approval by the university President. This constitution will take effect 15 days after its ratification.

Section 3: A five-member transitional committee will be established by the previous Student Government to include at least two current or former undergraduate Student Government members, at least one current or former graduate Student Government member and the Dean of Students as chair. The President will nominate committee members to be confirmed by the Senate. This committee is empowered to decide, with the Dean of Students’ approval, by what methods to best transition from the previous constitution and resolve any issues which may arise during this transition. This interim period and transitional committee’s power will last no longer than six months.

Section 4: This constitution will supersede all other constitutions and will make void all rules and regulations established before its ratification, unless those rules are specifically paired with this constitution.

ARTICLE XIII – AMENDMENTS

Section 1: All amendments to the Constitution must be approved by the student body in a referendum.

Section 2: The student body may petition to amend the Constitution through a referendum that follows university policy on referendums, SA/PPS No. 07.09.
Section 3: The Senate may initiate amendments to the Constitution and with a two-thirds vote will be sent to the House. The amendment will be reviewed and pass the House with a two-thirds vote. The approved proposed amendment will be sent to referendum for approval by the student body in accordance with university policy on referendums, SA/PPS No. 07.09.

Section 4: This Constitution may be amended by a majority vote of the Senate and House without a referendum vote of the student body, for the following reasons:

   a. On the advice of the transitional committee,
   b. In order to comply with university policy, procedures, rules and regulations or federal, state, and local laws.

Section 5: The Student Government may only amend the Constitution every three years, except as allowed by this Constitution.

ARTICLE XIV – STUDENT BODY RIGHTS

Section 1: All students enrolled at Texas State University at the time of an election or referendums are eligible to vote.

Section 2: Any student may petition to amend the Constitution through a referendum that follows university policy, SA/PPS No. 07.09.

Section 3: All students enrolled at Texas State University have the opportunity to attend public proceedings of the House, Senate, and Supreme Court.

Section 4: Any student may redress grievances with Student Government and may speak, with reasonable time and forum limitations, at the meetings of the Senate, House, and Assembly.

Section 5: Any student may petition to recall an elected member of Student Government through a referendum that follows university policy, SA/PPS No. 07.09.

Section 6: All students have the right to know who represents them in all aspects of Student Government.

Section 7: Any member of the media will enjoy access to public meetings of Student Government.

Section 8: The rules, regulations, and policies of Student Government are to be free of discrimination based on race, color, national origin, age, sex, religion, disability, veterans’ status, sexual orientation, gender identity, or gender expression.