



**Constitution of the Student Government Association of the University of Kentucky  
(UKSGA)**

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## **Preamble**

Pursuant to KRS 164.131 and University of Kentucky Governing Regulations, Part XI, Section A, *et. seq.* as amended March 13, 2007, the University of Kentucky Student Government Association is hereinafter recognized as the official student government by the Board of Trustees, the University Administration, and the University Senate.

### Section 1. Name

This organization is known as The University of Kentucky Student Government Association (hereinafter referred to as UKSGA).

### Section 2. Purpose

This constitution creates the UKSGA whose purpose is: to increase student influence over academic policy; to provide necessary student services; to protect and expand student substantive and procedural rights; and to represent the student body in relations with the faculty, administration, Board of Trustees, and the Commonwealth of Kentucky. The UKSGA represents all undergraduate, graduate, professional, and post-doctoral students enrolled at the University.

### Section 3. Supremacy

This constitution is the guiding document of UKSGA and supersedes all other legislation. Any enactment or exercise of power which conflicts with this Constitution shall be considered void.

### Section 4. Membership

- A. All students at the University of Kentucky are members of UKSGA.
- B. An active member of UKSGA is any member elected or appointed to a role within the organization.
- C. In order to be eligible for active membership, one must be a full-time enrolled, UKSGA fee-paying student at the University and in good academic, conduct, and financial standing with the University.
- D. With the exception of the UKSGA President and Vice President, active UKSGA members shall maintain at least a 2.5 cumulative GPA.

## **Article I. The Legislative Branch**

### Section 1. Composition

- A. This constitution creates the Student Senate, herein after referred to as the Senate, which is the legislative authority of UKSGA. The Senate is composed of Senators-at-Large, College Senators, and Freshman Senators.
  1. The total number of Senators shall be at least forty (40).
  2. The number of College Senators shall be one (1) Senator per College.
  3. There shall be at least five (5) Freshman Senators.
  4. The remaining number of Senate seats will be filled by Senators-at-Large. These shall be undergraduate, graduate, professional, and post-doctoral seats.
- B. In order to serve as a Freshman Senator, a student must be considered a freshman by the Registrar's Office at the time of the Fall Election.

- C. In order to serve as a College Senator, a student must be a rising junior, senior, or graduate or professional student at the time of the candidacy filing period.
- D. All Senatorial candidates will run on their own, unaffiliated with any other Senatorial candidate or President/Vice Presidential ticket.
- E. All College Senators shall be elected solely by the students in their respective colleges during an election in the spring semester hereinafter referred to as the General Election.
- F. Undergraduate At-Large Senators shall be elected solely by the undergraduate membership during the General Election.
- G. Graduate and Professional Senators At-Large shall be elected solely by the graduate, professional, and post-doctoral membership during the General Election and the Fall Election.
- H. Freshman Senators shall be elected solely by the freshman class during an election in the fall semester hereinafter referred to as the Fall Election.

## Section 2. Officers

- A. The Student Body Vice President shall be the President of the Senate
  - 1. The Senate President shall serve as the Chair of the Senate Executive Council.
  - 2. The Senate President shall place newly elected Senators on one of the Senate standing committees
- B. The Senate Chair shall be the presiding officer of the Senate
  - 1. The Senate Chair shall be elected by a simple majority of senators present and voting.
  - 2. The Senate Chair must have previously served as a senator. If fewer than two senators satisfy this requirement, then any Senator is eligible to run for the Senate Chair position.
- C. The Senate Vice Chair shall assist the Senate Chair in their duties.
  - 1. The Senate Vice Chair shall be a Senator elected by a simple majority of Senators present and voting.
- D. The Senate Clerk shall serve as the secretary of the senate and take the minutes at Senate Meetings
  - 1. The Senate Clerk shall be appointed by the Senate Chair subject to approval by a simple majority of Senators present and voting.
- E. The Senate Parliamentarian shall serve to ensure that the senate is following Roberts Rules of Order and any other rules and procedures in the Governing Codes.
  - 1. The Senate Parliamentarian shall be any member appointed by the Senate Chair subject to approval by a simple majority of Senators present and voting.

## Section 3. Powers and Duties

- A. The Student Senate is granted the full authority by this constitution to:
  - 1. Approve the UKSGA budget.
  - 2. Appropriate funds.
  - 3. Enact UKSGA policy.
  - 4. Impeach and remove any active member.
  - 5. Approve the nominations of all appointed Executive Branch Officers, Election Board members, and Supreme Court Justices.
- B. All college senators shall serve as the student senator for their respective colleges in the University Senate.

## Section 4: The Senate Executive Council

- A. The Senate Executive Council shall consist of:
  - a. Senate President

- b. Senate Chair
  - c. Senate Vice Chair
  - d. The Chair of each Standing Committee of the Senate
  - e. Undergraduate Executive Council Member At-Large
  - f. Graduate Executive Council Member At-Large
  - g. University Senate Council Members
- B. The Senate Executive Council shall:
- a. Set the agenda for Full Senate meetings
  - b. Act on behalf of the Full Senate during the designated periods of academic recess from the end of the Spring Semester to the beginning of the Fall Semester and from the end of the Fall Semester to the beginning of the Spring Semester. During these periods of academic recess, the Senate Executive Council shall have the authority to:
    - i. Exercise its authority in a manner consistent with all established procedures of the Full Senate. This shall include ensuring that all actions taken by the Senate Executive Council are in adherence with the UKSGA Constitution and Governing Codes and align with the purpose of the UKSGA.
    - ii. Act on behalf of Full Senate and all Standing Committees in extenuating circumstances.
      - 1. “Extenuating circumstances” may include but are not limited to instances in which timeline compliance with the UKSGA Governing Codes is impossible or extremely burdensome or instances in which the functioning of UKSGA is jeopardized.
  - c. Designate legislation to the appropriate Standing Committee of the Senate for review and consideration.
  - d. Oversee the general operation and administration of the Senate to ensure adherence to the UKSGA Constitution and Governing Codes.
- C. The Senate Executive Council shall have the authority to act on behalf of the Senate.
- D. The Senate Executive Council shall act as the Senate from the end of the Spring Semester to the beginning of the Fall Semester and from the end of the Fall Semester to the beginning of the Spring Semester.
- E. The Senate Executive Council shall provide general oversight and administration of the Senate.

#### Section 5. Standing Committees

- A. There shall be three (3) standing committees of the Senate: The Appropriations and Revenue Committee (A&R); the Operations and Evaluations Committee (O&E); and the Academic and Student Affairs Committee (ASA).
- B. The A&R Committee shall consider matters pertaining to the budget of UKSGA and allocations of funding.
- C. The O&E Committee shall consider matters pertaining to the structure and organization of UKSGA. It shall evaluate Presidential appointments as outlined in the Governing Codes. It shall also evaluate UKSGA programs.
- D. The ASA Committee shall consider matters pertaining to the representation of student voice and academic and student affairs.

## Section 6. Term of Office

- A. All Senators shall serve from the day they are sworn into office until the swearing in of the next Senate.
- B. If a senate seat is vacated, the person who earned the second highest number of votes in the election in which the senator was elected will be asked to fill the vacancy. If they cannot fill the vacancy, the Senate Executive Council will fill the vacancy.

## Section 7. Quorum

- A. In order for a Senate meeting to be called to order and business to be voted on, quorum must be met.
- B. Quorum shall be met when 50% of currently serving Senators are present and voting.

## **Article II. The Executive Branch**

### Section 1. Composition

- A. The Executive Branch shall consist of the President, Vice President, the Cabinet, and staff.
- B. The President and Vice President shall be elected as an executive ticket in the UKSGA General Election. Executive tickets shall run independently without affiliation with any Senatorial candidate.
- C. An Attorney General shall be appointed by the President and shall be a part of the Executive Cabinet. They shall be the official custodian of the UKSGA Governing Codes and all other official records, be responsible for the UKSGA Elections process, and shall represent UKSGA in any cases in which the organization is brought before the UKSGA Supreme Court. The Attorney General shall not be a candidate in any subsequent election after their appointment.

### Section 2. Qualification for Office

- A. The President shall:
  - 1. Be a full-time student at the University
  - 2. Have at least a 3.0 cumulative GPA at the time of their swearing-in.
  - 3. Be in good financial and conduct standing with the University.
- B. The Vice President shall:
  - 1. Be a full-time student at the University
  - 2. Have at least a 3.0 cumulative GPA at the time of their swearing-in.
  - 3. Be in good financial and conduct standing with the University.

### Section 3. Powers and Duties

- A. The President is granted the full authority by this constitution to:
  - 1. Represent all members of UKSGA in dealings with persons or entities of other universities and the faculty, staff, and administration of the University.
  - 2. Administer the Executive Branch.
  - 3. Enter into contractual agreements on behalf of the UKSGA and the student body.

4. Veto all legislation with the exception of any legislation pertaining to their removal from office or the removal of Senators from office.
  5. Appoint members to the Executive Branch.
  6. Appoint members to fill vacancies in the Supreme Court.
  7. Issue executive actions to guide the operation of the executive branch.
  8. Serve as a voting member of the University of Kentucky Board of Trustees.
- B. Vice President is granted the full authority by this Constitution to:
1. Assist the President in executing policy and University obligations.
  2. Serve as the President of the Senate and chair of the Senate Executive Council.
  3. Cast the tie breaking vote in the Senate or Senate Executive Council.

#### Section 4. Succession

- A. If a vacancy occurs in the Presidency the Vice President shall assume the role as President of the Student Body and be sworn in promptly until the end of the original term.
- B. If a vacancy occurs in the Vice Presidency the President shall nominate a successor who must be confirmed by a simple majority in the Senate.
- C. If a simultaneous vacancy occurs, the Senate Chair will become the President of the Student Body and will appoint a Vice President. Only the appointed Vice President must be confirmed by a simple majority in the Senate.
- D. In the event that the President, Vice President, and Senate Chair positions all become vacant, the Senate will convene to elect a new President.

### **Article III – The Judicial Branch**

#### Section 1. Composition

- A. The UKSGA Supreme Court (hereinafter referred to as the Supreme Court) shall consist of seven (7) student members.
- B. The seven (7) members of the Supreme Court shall be full-time students enrolled at the University.
- C. At least four (4) members of the Supreme Court must be enrolled in the University of Kentucky J. David Rosenberg College of Law.
- D. The Supreme Court shall elect the Chief Justice of the Supreme Court at the beginning of each academic year.
- E. The Chief Justice must have served as an associate justice for UKSGASC for at least one (1) year prior to becoming Chief. In the event that this qualification cannot be met, any Associate Justice may be eligible to serve as Chief Justice.
- F. All other members of the Supreme Court shall be considered Associate Justices.

#### Section 2. Appointment and Term of Office

- A. The President of the UKSGA shall nominate a member to the Supreme Court when a vacancy arises.

- B. The Senate must vote to confirm the appointed member to the Supreme Court. A simple majority is required for a member to be confirmed.
- C. Once a member is nominated and confirmed to serve as a justice of the Supreme Court, that member shall serve on the Supreme Court as long as the member is a full-time student in good academic, financial, and conduct standing at the University.

### Section 3. Jurisdiction

- A. The Supreme Court shall have original jurisdiction over cases involving, but not limited to:
  - 1. The interpretation of the UKSGA constitution, bylaws, and any amendments hereto;
  - 2. Offenses in violation of the constitution;
  - 3. Interpretation of the constitutionality of Senate legislation and bylaws and executive actions
  - 4. Matters involving election disputes and campaign infractions.
- B. The Supreme Court shall have the power to grant the appropriate relief required to correct any infractions or violations in matters arising out of the constitution.
- C. All decisions by the Supreme Court are final and binding on the UKSGA.

### Section 4. The Judicial Handbook

- A. The Supreme Court shall promulgate and duly abide by the provisions of a Judicial Branch Handbook. This Handbook shall contain, but is not limited to, rules regarding Judicial Branch civil procedure, evidentiary guidelines, and judicial ethics.
- B. The Supreme Court shall have sole jurisdiction in the creation, modification, and enforcement of the Judicial Handbook, provided that all provisions in the Judicial Handbook are in compliance with the UKSGA Constitution and Governing Codes. The Judicial Handbook, and any modifications therein, shall be approved by a majority of the Justices of the Supreme Court.

### Section 5. Judicial Quorum

- A. The Supreme Court shall have the authority to hear cases and appeals, regardless of whether a vacancy on the Court exists. Likewise, the Supreme Court shall have the authority to hear cases and appeals in the event a Justice recuses themselves from a matter before the Court in accordance with the Judicial Handbook, or otherwise.

## **Article IV. Constitutional Review**

### Section 1. Constitutional Review Committee

- A. The Constitutional Review Committee shall be composed of six (6) members: the President, Vice President, Attorney General, Senate Chair, Operations and Evaluations Committee Chair, and the Chief Justice of the Supreme Court.
- B. The Attorney General shall be the chair of the committee.
- C. The Constitutional Review Committee shall be convened at the beginning of every fourth academic year after the 2019-2020 academic year. The Committee shall also finish their business by the end of the academic year during which they are convened.

## Section 2. Duties of the Constitutional Review Committee

- A. Shall evaluate the efficacy of this Constitution.
- B. If deemed necessary, shall draft amendments for consideration by the Senate in accordance with the amendment process.
- C. Shall keep and report minutes to the Senate through the duration of their work.

## **Article V. Amendments to the Constitution**

### Section 1. Procedure

- A. Amendments to this constitution may originate from either the Constitutional Review Committee or the Operations and Evaluations Committee.
- B. There shall then be two (2) readings of the amendment before the Senate. Upon the first reading, the presiding officer shall not entertain debate. The second reading shall occur at the next scheduled Senate meeting. Upon the second reading, the presiding officer shall treat the amendment as a motion on the floor and the Senate may vote.
- C. A two-thirds (2/3) majority vote is required for approval by the Senate.
- D. If the amendment is approved by the Senate, it shall be placed on the next General Election ballot as a referenda item. A simple majority of members voting on the amendment is required for ratification.