Florida Gulf Coast University Board of Trustees
April 20, 2004

SUBJECT: Minutes of January 20, 2004 Meeting

PROPOSED BOARD ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees met on January 20, 2004. Minutes of the meeting were kept, as required by Florida law.

Supporting Documentation Included: Minutes of January 20, 2004 Meeting

Prepared by: Barbara Krell, Executive Assistant to the President

Legal Review by: N/A

Submitted by: President Bill Merwin
MINUTES
FLORIDA GULF COAST UNIVERSITY
BOARD OF TRUSTEES MEETING
TUESDAY, JANUARY 20, 2004
10:45 A.M.
SPRINT ROOM IN WHITAKER HALL

Chairman Lutgert convened the meeting of the University Board of Trustees from The Sprint Room at 10:45 a.m. Tuesday, January 20, 2004 with the following members present:
  Jeff Faramo
  Larry Hart
  Renee Lee
  Bernie Lester
  Scott Lutgert
  David Lucas
  Ed Morton
  Donna Price Henry
  Linda Taylor
  Michael Villalobos
  Charles Idelson Ex-Officio Trustee

Members of staff present were:

  William Merwin, President
  Brad Bartel, Provost
  Joseph Shepard, Vice President for Administrative Services
  Tom Healy, Special Assistant to the President
  Steve Magiera, Vice President for University Advancement
  Wendy Morris, General Counsel
  Susan Evans, Special Assistant to the President
  Kathy Bottoms, Administrative Assistant
  Barbara Krell, Executive Assistant to the President

Guests:  Dr. Randy Alberte
         Dr. Kathleen Davey
         Dr. Duane Dobbert
         Dr. Sakinah Salahu-Din
         Dr. Tina Gelpi
         Dr. Linda Buettner
         Mr. Bobby Ginn
1. **Call to Order & Roll Call – Chair Scott Lutgert**

   Chair Lutgert greeted the trustees and then turned the meeting over to President Merwin.

2. **Remarks from FGCU Student Government – President Jeff Faramo**

   President Merwin introduced Mr. Faramo, President of the FGCU Student Government Association. Mr. Faramo updated trustees regarding current student activities on campus.

3. **Remarks from FGCU Faculty Senate – President Donna Price Henry**

   President Merwin introduced Dr. Price Henry, President of the Faculty Senate who reported on recent faculty activities at FGCU.

4. **Remarks from FGCU Staff Advisory Council – President Bob Swank**

   President Merwin introduced Mr. Swank, President of the Staff Advisory Council. Mr. Swank reported on changes to SAC over the past few months.

5. **Remarks from FGCU Foundation – Chair Charles Idelson**

   President Merwin introduced Mr. Charles Idelson, current Chair of the FGCU Foundation. Mr. Idelson reported on current events related to Foundation activities.

6. **Remarks from FGCU Alumni Association – Director of Alumni Relations Michele Yovanovich and Alumni Association Chair John Little**

   President Merwin introduced Ms. Yovanovich, Director of Alumni Relations and Dr. John Little, Alumni Association Chair. Ms. Yovanovich and Dr. Little provided updates to trustees regarding current activities of that association.

7. **Consent Agenda**
Chairman Lutgert asked if anyone would like to pull the consent agenda item minutes of the November 20, 2003 meeting. Trustee Price Henry stated that on page four of the minutes regarding the vote on the permanent rule change, which the minutes indicated that she voted “no”. The minutes should reflect Trustee Price Henry voted in support of that amendment. A motion was made by Trustee Taylor to approve the minutes as amended. The motion was seconded by Trustee Lester. Motion carried unanimously.

8. President’s Report

President Merwin stated that the Ginn Report would begin at 12:30 p.m. today. He also invited Dr. Randy Alberte, Director of the Biotechnology Program to describe the trip made to LaJolla California to visit the Scripps Research Institute.

President Merwin stated that Trustee Starkey was unable to be at today’s meeting because he was receiving an award from the Association of Home Builders as the Home Builder of the Year for WCI. President Merwin also congratulated Dr. Lester, who received the Distinguished Citizen Award from the Southwest Florida Boy Scouts of America.

President Merwin stated that we have made strides regarding the Campus Climate Survey in recent months. He reported that with the additions of holiday leave time, the inclusion of a person to handle staff development, and the market equity adjustments for salary, those commitments have been fulfilled. He stated that the Staff Advisory Council has revised its charter to elaborate on the important relationship between University administration and SAC as a representative of the University’s staff. President Merwin conveyed the gratitude of the faculty and staff to the Board of Trustees for the additional holiday time allotted this year.

President Merwin reported that the Capital Campaign, which actually started in 1999 as a silent campaign, is going well. He stated that he was especially delighted that after the announcement of the Capital Campaign, Trustee Lucas said that he was giving $2 million to FGCU. President Merwin thanked Trustee Lucas for his generosity to Florida Gulf Coast University.
President Merwin congratulated Provost Brad Bartel on his recent appointment as President of Fort Lewis College in Durango, Colorado. President Merwin thanked Dr. Bartel for his years of service at Florida Gulf Coast University. He reported that Dr. Tom Harrington is chairing the Provost Search Committee then outlined the timeline for the committee.

President Merwin reported that he testified in Tallahassee before the Higher Education Funding Committee of the House of Representatives. President Merwin plans to attend the Board of Governors meeting on January 22nd in Gainesville.

President Merwin reminded trustees of the President’s Gala on February 21st and alerted them to a new fundraising event coordinated by Robert and Kay Gow celebrating the Chinese New Year. That event will be held on Monday, January 26th, to benefit the Renaissance Academy led by Dr. Jack Crocker.

President Merwin thanked the trustees for their participation in the December Commencement

Meeting recessed for lunch at 11:42 a.m.

Meeting reconvened at 12:30 p.m.

Ginn Presentation

President Merwin introduced Mr. Ginn of the Ginn Company and indicated that FGCU had been in discussion with Mr. Ginn about a redevelopment project on a tract of land adjacent to FGCU. He stated that the trustees have consistently urged him to insist that the Ginn redevelopment project be as environmentally sensitive as FGCU’s development. President Merwin reported that one part of the discussions had focused on 215 acres owned by the FGCU Foundation. In December, the Foundation Board of Directors made a decision to grant Mr. Ginn’s request to buy the development rights of this parcel of land by unanimous vote. The total amount of the donation made to the University by Mr. Ginn is nearly $5 million to be used at the discretion of the University. President Merwin asked Mr. Ginn here today to describe to the trustees his current project and to thank him for what he has done for this
Mr. Ginn stated that since he was here a few months ago, he wanted to update the trustees regarding the tract of land next the University’s property. He reported the company has made tremendous progress in these months and is continuing to work through development, land planning and engineering. Mr. Ginn stated the property is about 4500 acres and they are proposing a plan of density of about 330 and 370 units. He also stated that this is a very small amount of units on a large tract of land and that his company is addressing the archeological, environmental and endangered species aspects of development because it is the proper thing to do. Mr. Ginn reported that the density is very low and the lots will be large which will allow for green areas around the building pad. The building plan will include the removal of exotics, and the flow ways will be restored. He stated that they are attempting to plan this project according to the guidelines of the DRGR without requesting a variance. Mr. Ginn’s hope is that this project will conclude resulting in a beautiful, sensitive community being built in the neighborhood and a standard for how the DRGR should be held for future development.

President Merwin thanked Mr. Ginn for the gift and for the update to the trustees.

President Merwin introduced Dr. Alberte, Director of Biotechnology Program, at FGCU. President Merwin stated that Representative Dudley Goodlette called the Scripps Research Institute and requested an opportunity for President Merwin and Dr. Alberte to visit the Scripps Institute in LaJolla. President Merwin asked Dr. Alberte to update the trustees regarding our proposed opportunities with the Scripps Institute. Dr. Alberte described the potential benefits of this relationship for students at Florida Gulf Coast University as well as economic diversification in this area.

Chairman Lutgert introduced Committee Chair Lee and the meeting was turned over to Chair Lee. Chair Lee introduced Provost Bartel for the information item. Dr. Bartel introduced Dr. Davey, Dean of Instructional Technology and Broadcast Services. Dr. Davey provided an informative
Powerpoint program regarding the activities and services provided by Instructional Technology and the Broadcast Center. (Appendix A)

Provost Bartel introduced Dr. Dobbert, Assistant Professor, Division of Justice Studies, who made a presentation regarding the requested New Degree Program: Bachelor of Science in Criminal Forensic Studies (Appendix B). Dr. Dobbert reviewed the background regarding this potential degree program. A motion was made for approval of this program by Trustee Morton. Motion was seconded by Trustee Villalobos. Motion carried unanimously.

Provost Bartel introduced Dr. Salahu-Din, Assistant Professor, Division of Social Work, who outlined the proposed New Degree Program: Bachelor of Social Work Program (Appendix C). A motion was made to approve this degree program by Trustee Hart. Motion was seconded by Trustee Morton. Motion carried unanimously.

Provost Bartel introduced Dr. Tina Gelpi, Chair of the Department of Occupational Therapy, who presented information regarding the proposed New Degree Program: Bachelor of Science in Community Health (Appendix D). A motion was made by Trustee Morton to approve this degree program. Motion was seconded by Trustee Lucas. Motion carried unanimously.

Dr. Gelpi outlined information regarding the New Degree Program: Master of Science in Occupational Therapy. A motion was made by Trustee Villalobos to approve this degree program (Appendix E). Motion was seconded by Trustee Morton. Motion carried unanimously.

Provost Bartel introduced Dr. Buettner, Associate Professor, Department of Health Sciences who outlined the New Degree Program: Master of Science in Geriatric Recreational Therapy (Appendix F). A motion was made to approve this degree program by Trustee Morton. Motion was seconded by Trustee Villalobos. Motion carried unanimously.

10.

Finance & Administration Committee Meeting – Committee Chair Bernie Lester
Chairman Lester called the committee meeting to order and introduced Dr. Shepard, Vice President for Administrative Services, who reviewed the following items with trustees:

- 2003-04 Mid-Year Budgetary Report (Appendix G)
- Financial Report for 2002-03 (Appendix H)

Chairman Lester introduced Dr. Healy, Special Assistant to the President, who reported on the 2004 Legislative Priorities. (Appendix I) A motion was made by Trustee Lee to approve the 2004 Legislative Priorities. Motion was seconded by Trustee Price Henry. Motion carried unanimously.

11. Old Business – Chair Scott Lutgert

There was no old business to come before the Board.

12. New Business – Chair Scott Lutgert

There was no new business to come before the Board.

13. Chair’s Closing Remarks – Chair Scott Lutgert

Chairman Lutgert recommended trustees look at the Renaissance Academy brochure and felt that the staff members should be complimented for the excellent work. He stated the next meeting is Tuesday, April 20th.

14. Adjourn Meeting

Meeting adjourned at 2:25 p.m.
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B. New Degree Program: Bachelor of Science in Criminal Forensic Studies
C. New Degree Program: Bachelor of Social Work Program
D. New Degree Program: Bachelor of Science in Community Health
E. New Degree Program: Master of Science in Occupational Therapy
F. New Degree Program: Master of Science in Geriatric Recreational Therapy
G. 2003-04 Mid-Year Budgetary Report
H. Financial Report for 2002-03
Florida Gulf Coast University Board of Trustees
April 20, 2004

SUBJECT: Meeting Dates for New Fiscal Year (July 1, 2004 – June 30, 2005)

PROPOSED BOARD ACTION

Approve meeting dates

BACKGROUND INFORMATION

The following are the proposed meeting dates for the Florida Gulf Coast University Board of Trustees for the new fiscal year (July 1, 2004 – June 30, 2005):

- Tuesday, September 14, 2004
- Tuesday, January 18, 2005
- April 2005 - TBA
- Tuesday, June 21, 2005

Supporting Documentation Included: N/A

Prepared by: Susan Evans, Office of the President

Legal Review by: N/A

Submitted by: President Bill Merwin
Florida Gulf Coast University Board of Trustees  
April 20, 2004

SUBJECT: Florida Gulf Coast University Student Government Constitution

PROPOSED BOARD ACTION
Approve revised FGCU Student Government Constitution

BACKGROUND INFORMATION
Section 1004.26, Florida Statutes, requires that the Florida Gulf Coast University Student Government (“Student Government”) be organized and maintained by students and be composed of at least a student body president, a student legislative body, and a student judiciary. The statute further requires that Student Government adopt internal procedures governing its administration and operation.

The FGCU Student Government Constitution is the seminal governance document prescribing Student Government’s internal procedures. During this academic year, an ad hoc committee consisting of the Student Body President, Student Body Vice-President, Senate President, Student Government Chief of Staff and Student Government Advisor reviewed the existing constitution and proposed changes to the Student Senate Legislative Committee. On February 10, 2004, the Legislative Committee approved the proposed amendments and forwarded them to the Student Senate for consideration. The Student Senate approved the revisions on February 17, 2004. In accordance with the current student government constitution, the proposed amendments will be presented to the FGCU student body during the election on April 8, 2004, and the amendments must receive a plurality of the votes cast in the election to pass.

Substantive changes to the constitution revise the procedures for recall elections, conform the suspension and removal of officers’ provisions to state law, clarify the roles of the student government branches (executive, legislative and judicial) and conform the constitution to current Student Government operating procedures.
Section 1001.74(10), Florida Statutes, provides that “[e]ach board of trustees shall approve the internal procedures of student government organizations.”

Supporting Documentation Included: (1) Copy of the proposed revised FGCU Student Government Constitution, and (2) Copy of the current FGCU Student Government Constitution.

Prepared by: Dr. Vincent G. June, Dean of Student Affairs
Wendy S. Morris, General Counsel

Legal Review by: N/A

Submitted by: Provost Brad Bartel
Florida Gulf Coast University
Student Government Constitution
Article I
GENERAL PROVISIONS

Section 1. Student Body.

Every student in the current term at Florida Gulf Coast University shall be a member of the Student Body and have an equal voice and vote to that of his or her fellow students. Every student shall be subject to the constitution and laws of the Student Body.

Section 2. Eligibility.

Any degree seeking member of the student body who is not on academic probation shall be eligible to run for and hold any elected or appointed position in student government.

Section 3. Student government.

Student government is the governing organization and representative of the Student Body; its actions, not otherwise limited by the constitution, supersede those of all other student organizations.

Section 4. Branches of government.

(a) The powers of student government shall be divided into legislative, executive, and judicial branches. No person belonging to one branch shall hold office in another branch unless expressly provided for in this constitution.

(b) The student senate may, by law, provide for those positions that are considered exclusionary, provided that the following positions shall always be exclusionary:

(1) student body president, student body vice president, student body treasurer, supervisor of elections, agency heads, and cabinet directors for the executive branch;

(2) student senator for the legislative branch; and

(3) chief justice of the supreme court and justices of the supreme court for the judicial branch.

(c) No person may hold more than one exclusionary office. Being elected or appointed to one exclusionary office constitutes a de jure resignation from the previous office.

(d) This section shall not prohibit any person having a position within student government from serving in a position ex-officio.

(e) This section shall not prohibit any person having a position within student government from being a member of a statutory body having only advisory powers.

Section 5. Discrimination prohibited.

Student government shall not discriminate on the bases of race, ethnicity, creed, sex, sexual orientation, national origin, age, religion, disability, or any other classification as provided by law.
Article II
LEGISLATIVE BRANCH

Section 1. Legislative powers.

All legislative powers of the Student Body shall be vested in the student senate.

Section 2. Composition.

The student senate shall be composed of twenty to eighty members elected in the spring general election from the colleges recognized by the university senate as apportioned by law. Students classified as graduates shall be considered a college within the meaning of this section. The student senate shall apportion senate seats on the basis of enrollment in each college as nearly equal as practicable, provided that each college shall receive a minimum of one seat. Transferring from a college shall constitute de jure resignation.

Section 3. Apportionment.

The student senate shall reapportion itself once per year during the fall academic term to be effective for the spring academic term. The student senate shall determine the number of senators within the constitutional limits.

Section 4. Student senate during the summer term.

(a) The student senate during the summer term shall have the same authority as it does during the fall and spring terms.

(b) A student senator who will not attend the summer academic term, or any portion of the term, may nominate a summer replacement senator, subject to confirmation by the student senate by May 1. The summer replacement senator shall serve only during the summer academic term, or designated portion of the term. The student senator resumes office upon return to the university.

Section 5. Officers of the student senate.

The student senate president shall be the chief administrative officer of the legislative branch and preside over the student senate. The student senate president pro tempore shall assist the student senate president.

Section 6. Powers of the student senate.

The student senate shall have the power to:

(a) determine its rules and procedures;
(b) censure or expel a member by a two-thirds vote of the membership, provided the affected student senator has received prior written notice and an opportunity to be heard on the matter;
(c) determine the time and place of its meetings, provided that it meets once every two school weeks;
(d) provide for the elections of the Student Government;
(e) decide all tie elections at its first meeting following validation;
(h) approve appointments and recommendations of the student body president to student government administrative agencies and university committees;
(j) require information and appearance from any student government official or officer of any organization receiving Student Body funds;
(k) provide for the filling of vacant senate seats;
(l) approve, by resolution, affiliations between student government and any university, regional, or national organization;
(m) enact all laws necessary and proper for the general well being of the Student Body; and
(n) exercise any other power or duty provided for in the constitution or laws of the Student Body.

Section 7. Prohibitions.

The student senate shall not:

(a) enact any law that abridges its powers delegated by the constitution;
(b) appropriate funds for a period of more than one year;
(c) infringe the secrecy of the ballot in any Student Body election;
(d) deny speaking privileges in the student senate to the student body president, student body vice president, student body treasurer, cabinet directors or agency heads;
(e) meet in a closed session;
(f) change the dates of Student Body elections in the nine weeks before the scheduled election;
(g) change the election laws during the five weeks before the scheduled election to be effective for that election; or
(h) enact any law embracing more than one subject and matter properly connected to that subject.

Section 8. Procedures.

(a) No bill shall become law unless a student senator introduces the bill, the bill is read, and passes by majority vote during two meetings of the student senate.
(b) No bill shall become law without the signature of the student body president, except when the student body president has not vetoed the bill within 10 days after presentment, in which case the bill shall become law.
(d) The student body president may veto a proposed law. The student body president must notify the senate president in writing detailing the reasons for the veto.
(e) The student body president shall have the power of line item veto for budgets and allocation bills. Each line item vetoed shall be considered a separate veto for the purpose of a senate override.
(g) A vetoed bill may be enacted notwithstanding the veto of the President of the Student Body if it is read a third time in full and passed by a two-thirds vote of the members of the Student Senate present and voting at a regular meeting. The student senate has 10 days to consider this third reading or the veto shall stand.
(h) Quorum necessary to conduct business shall be a majority of the total membership of the student senate;
(i) Legislation of the student senate shall only be classified as a(n):

(1) bill of law which is subject to veto;
(2) budget or allocation bill which shall be considered a bill of law and subject to veto;
(3) authorization – a directive requiring a two-thirds vote for enactment that advises, orders, or prescribes the method for an officer to fulfill a duty provided for in the constitution and is not subject to veto;
(4) resolution – an expression of the sentiment of the student senate requiring a two-thirds vote for passage and not subject to veto.
Article III
Executive Branch

Section 1. Executive Powers.

All executive powers of the Student Body shall be vested in the President of the Student Body, assisted by a Vice President and a Treasurer.

Section 2. Election of the President and Vice-President.

The President and Vice President of the Student Body shall be chosen in the Spring Election. The President and Vice President shall be elected on a joint ticket. Any candidate for President shall not have been convicted of a felony in this state or any other state. The President and Vice President shall be required to enroll as students for all academic semesters during their term. Enrollment shall be defined as completing registration for classes and paying of required enrollment fees.

Sections 3. The Treasurer.

The Student Body President shall appoint a Treasurer. The Treasurer must be confirmed by a 2/3rd vote of the senate before taking office.

Section 4. Vacancies.

If the office of President becomes vacant, such vacancy shall be filled by a succession of the Vice President to that office and afterward succession shall be as provided by law.

Section 5. Powers and Duties of the President.

(a) The President shall be the chief executive of the Student Body;
(b) Take care that all provisions of this Constitution and the laws of the Student Body are faithfully executed;
(c) Appoint all executive committees or commissions not provided in this Constitution which may be deemed necessary;
(d) Issue Executive Orders which set policies and procedures for the Executive Branch as long as these orders do not conflict with Student Body Law or this Constitution;
(e) Call Special Meetings of the Student Senate;
(f) Give a report to the Senate on executive activities at least twice a semester.
(g) Require the written interpretation of the Student Body Supreme Court of any provision of the Constitution, law of the Student Body, or Student Senate Act;
(h) Appoint staff assistants or aides not provided for in this Constitution or laws of the Student Body;
(i) Perform any other power or duty provided for in this Constitution.

Section 6. Powers and Duties of the Vice President.

(a) The Vice President shall exercise the powers and duties of the President in the absence of the President;
(b) Assist the President in the conduct of the government
(c) Serve as coordinator of the Executive Cabinet and University Committees on which students serve. The Vice President shall regularly review the work of cabinet officers and committee representatives and
make recommendations to the President concerning corrective action or dismissal;

(d) Serve as the Student Government liaison to the Faculty Senate;
(e) Appoint staff assistants or aides not provided for in this Constitution or laws of the Student Body;
(f) And perform any other powers or duties provided for in this Constitution.

**Section 7. Powers and Duties of the Treasurer.**

(a) The Treasurer shall serve as the chief financial officer of the Student Government;
(b) Keep complete and accurate accounts of all student body funds on deposit with the University;
(c) Process all requisitions for the expenditure of student body funds,
(d) Shall give a full financial report to the Student Senate at least twice monthly;
(e) Assist the President in the conduct of government;
(f) Appoint staff assistants or aides not provided for in this Constitution or laws of the Student Body;
(g) And perform any other Treasurer’s powers or duties provided in this Constitution.

**Section 8. Executive Cabinet.**

The President shall appoint, with concurrence of a majority of the Student Senate’s members, the officers of the Executive Cabinet who shall be responsible to the President for the execution of their duties and shall be subject to removal from office by the President.

**ARTICLE IV**

**JUDICIAL BRANCH**

**Section 1. Judicial Powers.**

All judicial power of the Student Body shall be vested in the Student Body Supreme Court.

**Section 2. Composition.**

The Student Body Supreme Court shall be composed of a Chief Justice and four Associate Justices. The Chief Justice and Associate Justices shall be appointed by the Student Body President and Confirmed by a 2/3 vote of the Student Senate in order to take office. A justice shall serve until that justice ceases to be a student, is suspended from office, resigns or is removed from office.

**Section 3. Jurisdiction of the Student Body Supreme Court.**

(a) The Student Body Supreme Court shall upon written request of the President of the Student Body or upon written petition of twenty (20) members of the Student Body, interpret any part of this Constitution or any laws enacted by the Student Senate.
(b) The Student Body Supreme Court shall upon written request of any student and for good cause shown, order any Officer of the Student Government or of any subsidiary organization, to perform any lawful act or refrain or desist from any unlawful action.
(c) The Student Body Supreme Court shall serve as the arbiter of any election conflict or dispute as provided by law.
(d) The Student Body Supreme Court shall maintain a permanent file of official election results for every General Student Body Election.
Section 4. Procedures.

The Student Body Supreme Court by a majority vote of the Justices shall make and publish its Rules of Procedure.

ARTICLE V
ELECTIONS

Section 1. Qualifications to vote.

The Student Body, as defined by Article I Section 1, shall comprise the electorate. Each member of the electorate shall be entitled to vote in Student Body elections.

Section 2. General election.

The three days of the spring general election shall be the fourth Tuesday in March and the two succeeding calendar days. A plurality of the vote shall be required to win an elected office.

Section 3. Election conflicts.

If any hour of any day of a general or run-off election conflicts with a religious or school holiday or if any other conflict exists, the student senate shall, by resolution, designate different days for the affected election.

Section 4. Validation of election results.

The student senate shall validate general election results no later than 10 school days after the last day of the election.

Section 5. Time of assuming office.

(a) The Student Body President and Vice-President shall assume office at 8:00 p.m. on May 1 and shall serve one year.
(b) Student senators shall assume office at the first meeting following validation by the student senate.

ARTICLE VI
SUSPENSION AND REMOVAL OF OFFICERS

Section 1. Recall Election.

Any elected or appointed student government officer may be removed from office by recall election. A 2/3rd vote of the senate approving a recall resolution or a verifiable recall petition containing the signatures of 15% of the student body, submitted to the Chief Justice of the Student Supreme Court, may initiate such an election. The grounds for removal of a student government officer by recall resolution or recall petition must be expressly contained in the recall resolution or petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony. The election must be held within 30 calendar days of its initiation. A simple majority vote of the student body is required for removal. In the event of removal the normal process of succession shall take place.
Section 2. Impeachment.

Any elected or appointed student government officer may be impeached for malfeasance, misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties. Five student senators must co-file the impeachment resolution and the affected person must receive a true copy of the impeachment resolution for impeachment proceedings to be initiated. The impeachment shall be tried at the next meeting of the Student Senate. The Student Senate shall provide in their rules and procedures for the manner in which the impeachment trial will be conducted. A 2/3rd vote of the senate shall be required for removal.

Section 3. Suspension from Office based upon Felony Charge.

(a) The Student Government President may by executive order suspend from office any elected or appointed student government officer who is indicted or informed against for commission of any felony in this State or any other state. In such case, the office may be filled for the period of the suspension in accordance with the procedures for filling an absence or vacancy in the respective office, or where no such procedures exist the office may be filled through the applicable election or appointment procedures.

(b) The Senate may suspend the President upon a two-thirds (2/3s) vote where the President has been indicted or informed against for commission of any felony in this State or any other state. In such case, the Vice President shall fill the office for the period of the suspension.

(c) During the period of the suspension, the officer shall not perform any official act, duty or function or receive any pay, allowance, emolument, or privilege of office.

(d) If the officer is found not guilty, or the charges are otherwise dismissed, the suspension shall be revoked.

Section 4. Removal from Office for Conviction of a Felony.

Any elected or appointed student government officer is automatically removed from office upon the conviction of a felony in this state or any other state during his or her term in office. Such conviction shall constitute a de jure resignation.

ARTICLE VII
AMENDMENTS

Section 1. Proposal by the student senate.

The student senate may propose amendments to the constitution by a two-thirds vote in two regular meetings occurring not later than twenty-eight days before the ratification election. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.

Section 2. Proposal by initiative.

Students may propose amendments to the constitution by submitting along with the amendment a verifiable petition containing the signatures of 15% of the student body to the Chief Justice of the Student Supreme Court not later than twenty-eight days before the ratification election. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.

Section 3. Requirement for ratification.

A three-fifths approval vote of those voting in the spring general election is necessary to ratify all constitutional amendments. Unless otherwise specified in
the amendment, a ratified amendment shall be effective at 8:00 p.m. on the first day of May following the spring general election.

Section 4. Publication requirement.

The text of all amendments and the ballot summary shall be published in a campus-wide print media publication one week before and on all three days of voting.
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Florida Gulf Coast University
Student Government Constitution

Mission Statement

The mission of the Student Government is to provide an intellectual, social, and cultural environment that maximizes student potential and enhances student success. The purpose of the Student Government is to provide equal representation for all students at Florida Gulf Coast University. Students needs rather than institutional preference determine priorities for academic planning, policies, and programs. Student Government will serve as an institutional resource to further the development of the student as a contributing member of the community. The Student Government will serve as a bridge between all aspects of Florida Gulf Coast University and the Student Body. In order to establish such partnerships the Student Government is committed to maintaining high levels of communication between the student body, faculty, staff, and the community. Student Government will act as the official voice, through which student opinion may be expressed, thus producing students engaged in both university activities and community affairs.

Preamble

We, the students of Florida Gulf Coast University desiring to:

Preserve and defend the rights and privileges of student self-governance;
Provide an official and representative student organization;
Investigate student problems and take appropriate action;
Provide the official voice, through which student opinion may be expressed;
Encourage the development of responsible student participation in the overall policy and decision making process of the University community;
Foster an awareness of the student's role in the academic community;
Enhance the quality and scope of education at the University;
Provide means for responsible and effective participation in the organization of student affairs;
DO ORDAIN AND ESTABLISH this Constitution for the Student Government of Florida Gulf Coast University.
Article I: Membership and Eligibility

Section 1: The Student Government at Florida Gulf Coast University shall be referred to as the "Student Government." All students by virtue of their registration at Florida Gulf Coast University are members of the student body and are granted all the rights and privileges of this Constitution.

Section 2: All members of the Student Body, not on academic or disciplinary probation, as documented by the Office of the Registrar of Florida Gulf Coast University, shall be eligible to campaign for and hold elective or appointed office within the Student Government.

Section 3: Student Government shall be comprised of the executive, legislative, and judicial branches. The powers and duties of these branches are set forth in this Constitution, which powers cannot be altered except by amendment to this Constitution as set forth herein.

Article II: The Executive Branch

Section 1: All executive powers herein granted shall be vested in the Executive Officers of the Student Government.

Section 2: Composition

A. The Executive branch shall consist of the President, Vice President, Cabinet officers, and all executive appointees, hereinafter referred to as Executive Officers.

B. The Student Body President and Student Body Vice President shall be elected in the Spring semester as set forth in Article V., herein. All Presidential and Vice Presidential candidates shall run on a joint ticket.

C. The President/Vice President must each have a cumulative grade point average of 2.0 or better to run for office and must maintain a cumulative grade point average of 2.0 while in office. Neither the President nor Vice President may be under academic or disciplinary probation, suspension, or expulsion.

D. No individual shall serve as either President or Vice President for more than more two terms or six (6) semesters.

Section 3: Powers and Duties of the President

A. The President shall be the Chief Executive of the Student Body.

B. The President shall faithfully execute all acts of the Constitution.
C. The President shall represent the Students of Florida Gulf Coast University and shall sit on the university Board of Trustees as an ex officio member with full voting power.

D. The President shall be authorized to appoint students to serve on all university and community committees. Said appointments do not need Senate confirmation or review and shall go into effect immediately. The President may dismiss a member on the said committee(s) subject to approval of the senate by a majority vote.

E. The President or his/her designee shall give a report at each Senate meeting unless there are no matters to discuss.

F. Under extraordinary circumstances, the President shall have the power to convene the Senate by giving notice to all Senators at least forty-eight (48) hours before the proposed special session.

G. The President shall sign or veto, within 14 days of passage, any bill of law, Student Government Statues, or budgetary allocations. The President's failure to act within the established time shall be deemed as approving any bill of law, Student Government Statues, or budgetary allocations. Senate Resolutions and Student Government Senate Bylaws do not require a presidential signature and cannot be vetoed upon passage within the senate. The Senate may override the President’s veto by a two-thirds (2/3rd) vote. Said vote must occur by the second (2nd) official senate meeting after receipt of said veto. The Senate President must be notified of all presidential vetoes. With respect to budgetary allocations or constitutional amendments, the President shall have the authority to veto an allocation or constitutional amendment(s), in whole or by line item within 14 days of passage. The Senate may override the President’s line item veto(s) by a two-thirds (2/3rd) vote. Said vote must occur by the second (2nd) official senate meeting after receipt of said veto(s). Failure of the Senate to act within the specified time shall be deemed as approving said veto(s). All non-vetoed provisions of any budgetary allocation or constitutional amendments shall be deemed approved.

H. The President may call for as many as three referendums per term.

I. The President, upon vacancy of a Justice, shall appoint a new Justice to the Judicial Branch. Said appointment shall be notified to the Senate President and shall be submitted for Senate review. The Senate shall confirm the Presidents appointment by a majority vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said appointment. Failure of the Senate to act within the specified time shall be deemed as approving said appointment.

J. The President, upon vacancy of a Senator, shall appoint a new Senator from the respective college or at-large position, to the Senate. Said appointment shall be notified to the Senate President and shall be submitted for Senate review. The Senate shall confirm the President’s appointment by a majority vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said appointment. Failure
of the Senate to act within the specified time shall be deemed as approving said appointment. The President may not fill senate vacancies that have been submitted to the Elections Supervisory Chair by the Senate President for elections during the Spring Semester.

Section 4: Powers and Duties of the Vice President

A. The Vice President shall faithfully execute all acts of the Constitution.
B. The Vice President shall support and assist the Student Body President.
C. The Vice President shall have speaking rights in the senate and shall have no voting power unless the senate is equally divided.
D. The Vice President or his/her designee shall serve as coordinator of University committees on which students serve. The Vice President or his/her designee shall be responsible for reviewing the general efficiency of each committee, investigating student participation on the committee(s) and recommending corrective measures and/or dismissal of members to the President.
E. The Vice President, or designee, shall be responsible for overseeing and supervising the Student Government Transportation System, known as SPAN.

Section 5: Executive Cabinet

A. The President shall appoint the officers of the Executive Cabinet who shall be responsible to the President for the execution of their duties. Said appointments must be submitted to the Senate President and will be subject to by review of the senate. The Senate shall confirm said appointment(s) by a majority vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said appointment. Failure of the Senate to act within the specified time shall be deemed as approving said appointment.

Section 6: Presidential Succession

A. If the office of the President becomes vacant the vice President shall immediately fill the position. The Vice President’s position shall then be filled by the Senate President. The Senate President shall serve as Vice President until confirmation of the new successor for the Vice Presidential position. The appointment of the new Vice President shall be made by the incoming President within 14 days and shall require an approval of a majority of the senate present and voting. Said vote must occur by the second (2nd) official senate meeting. Failure of the senate to act within the specified time shall be deemed as approving said appointment.
B. If the office of the Vice President becomes vacant but not the office of the President, the President shall appoint a new Vice President. The Senate President shall serve as Vice President until confirmation of the new successor for the Vice Presidential position. The appointment of the new vice president shall be made by the President within 14 days and shall require an approval of a majority of the senate present and voting. Said vote must occur by the second (2nd) official senate meeting. Failure of the senate to act within the specified time shall be deemed as approving said appointment.

C. If the office of both the President and Vice President become vacant the Senate President shall assume the Presidency and the Senate Pro Tempore shall assume the Vice Presidency.

Article III: The Legislative Branch

Section 1: All legislative powers herein granted shall be vested in the Senate of the Student Government.

Section 2: Composition

A. Senators shall serve a term of (3) three semesters, not to exceed a total of four terms or (12) twelve semesters.

B. Senators are elected during the spring semester as set forth in Article V., herein. If the submitted vacancies given to the election supervisory chair remain unseated upon the conclusion of the Spring Elections, the President shall be able to appoint members to those vacancies again. The Senate shall consist of a minimum of three Senators from each college. There will be one Senator for every three hundred (300) students in each respective college, not to exceed ten (10) Senators from each college. There shall also be seven (7) at-large Senators representing the Undergraduate students as a whole and three (3) at-large Senators representing the Graduate students as a whole.

C. All members of the Senate must have a cumulative grade point average of 2.0 or above. No member of the Senate may be under academic or disciplinary probation, suspension, or expulsion.

Section 3: Powers and Duties of the Senate

A. The Senate shall be the official voice for the Student Body and shall provide just and prudent allocation of all Activity and Service Fee Funds, subject to Presidential approval.

B. The Senate shall select, by majority vote, a Senate President. The selection shall be made from the elected and appointed Senators. The Senate President shall serve during the term elected. The Senate
President can be removed from office at any time, by the Senate, with a two-thirds (2/3rd) vote.

C. The Senate President shall be a liaison between the three branches of the Student Government. The Senate President shall present a full report to the senate with regards to any matters that affect the senate unless there are none. The Senate President is also a senator and may vote on any matters the senate votes on.

D. The Senate President shall be responsible for appointing Senate Committee Chairs and Senate Committee members within the senate, subject to approval by a majority of the senate voting and present.

E. Under extraordinary circumstances, the Senate President shall have the power to convene the Senate by giving notice to all Senators at least forty-eight (48) hours before the proposed special session.

F. The Senate shall have the power to create special agencies to fulfill the needs of the Senate.

G. The Senate shall not take any official action without the presence of a quorum. A quorum shall consist of a majority of all Senators.

H. The Senate shall keep and maintain official minutes of all Senate meetings. All minutes shall be made available to any student, upon request.

I. The Senate shall enact all laws necessary and proper for the general well being of the student body, subject to Presidential approval. Senate Resolutions and Student Government Senate Bylaws do not need Presidential approval.

J. No Senate member shall vote by proxy.

K. The Chair of the Legislative Committee is the Senate Pro Tempore.

L. Upon the eleventh (11th) week of spring, the Senate President must disclose a list of all open seats within the senate to the Election Supervisory Chair. If there is no current Election Supervisory Chair, then the Senate President must file the said list to the Student Government Supreme Court.

Section 4: Bills of Law

A. This Constitution shall supersede any bill of law proposed by the Student Government Legislative Branch.

B. The Student Government Legislative Branch shall be governed in the following order of precedence: The Student Government Constitution, the Student Government Senate Bylaws and the Student Government Statues.

Article IV: The Judicial Branch

Section 1: All judicial powers granted herein shall be vested in the Supreme Court of the Student Government.
Section 2: Composition

A. Justices are appointed positions granted by the president. All justices of the Supreme Court shall be subjected to a merit vote every spring semester during the general elections. If a majority vote not to retain a supreme court justice, that justice shall be removed from office upon the first (1st) day of the first (1st) week of the first (1st) Summer semester. Any justice removed from office by merit vote cannot be reappointed as a justice. Upon the 11th week of the spring semester, the Chief Justice of the Supreme Court shall submit to the Elections Supervisory Chair the names of all justices currently on the court so that they will appear on the ballot for a merit vote.

B. The Supreme Court shall consist of three (3) Justices, with an additional two (2) Justices for every five thousand (5000) students, not to exceed seven (7) Justices.

C. The Supreme Court shall select, by majority vote, a Chief Justice. The selection shall be made from the current and appointed Justices. The Chief Justice shall serve during the term elected.

D. All members of the Supreme Court must have a cumulative grade point average of 2.0 or better. No member of the Supreme Court may be under academic or disciplinary probation, suspension, or expulsion.

E. The merit vote shall read on the ballot as follows: “Shall justice (Name goes here) be retained in office.”

F. No individual shall serve as Justice for more than twelve (12) semesters.

Section 3: Powers and Duties of the Supreme Court

A. The Supreme Court shall have the power to declare any act of the Legislative Branch or Executive Branch unconstitutional, if there is a violation of the Student Government Constitution.

B. The Supreme Court shall preside over all impeachment proceedings brought forth by the Senate.

C. The Supreme Court shall resolve all controversies involving student elections.

D. The Supreme Court shall resolve all controversies arising under this Constitution and any rules or regulations, which may be established pursuant to this Constitution.

Section 4: Rules of Procedures of the Supreme Court

A. The Supreme Court shall adopt rules for its practice and procedures including the time for seeking appellate review.
Article V: Elections

Section 1: Terms

A. General elections shall be held one (1) week between the twelfth (12th) and fourteenth (14th) week of the Spring Semester.
B. The elected officers shall participate in a transitional period beginning the week following elections. Elected officers shall take office the first (1st) day of the first (1st) week of the first (1st) Summer Semester. The term of the incumbent officer ends when the newly elected officials take office.

Section 2: Election Supervisory Board

A. Elections shall be conducted and overseen by the Election Supervisory Board. This shall include all elections required by this Constitution.
B. The President of Student Government shall appoint a Chair of the Election Supervisory Board by the second (2nd) week of the Spring semester. The Senate shall confirm the Presidents appointment by a majority vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said appointment. Failure of the Senate to act within the specified time shall be deemed as approving said appointment. The Chair shall not be on academic or disciplinary probation, suspension, or expulsion while holding office. The Chair shall serve until the end of the election period.
C. The Chair of the Election Supervisory Board shall assemble an Election Supervisory Board consisting of no less than six (6) students. The Senate shall confirm the appointments by a majority vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said appointment(s). Failure of the Senate to act within the specified time shall be deemed as approving said appointment(s).
D. The Election Supervisory Board shall be responsible for amending the Election Code to be submitted to the Senate for approval by a majority Senate vote. Said vote must occur by the second (2nd) official Senate meeting after receipt of said Election Code. Failure of the Senate to act within the specified time shall be deemed as approving said code. No election rules may be enacted within four (4) weeks prior to an election.

Section 3: Each student may cast one (1) vote for President/Vice President, one (1) vote for each available seat for the respective college in the Senate, and one (1) vote for each available at-large Senate seat and one (1) merit vote for each justice on the Supreme Court.
Section 4: A candidate or candidates must receive the highest number of votes cast, to be certified the winner by the Elections Supervisory Board.

Section 5: If in the event of a tie between the candidates running for President/Vice President or senate, the current Student Government Senate shall vote on those candidates. The candidate(s) who receive a majority of the votes of the senators present and voting shall be certified the winner for the position. In the case of a tie in the senate the current President shall cast the deciding vote.

Section 6: The Election Supervisory Board shall first hear election disputes and/or grievances. Decisions of the Election Supervisory Board may be appealed and heard by the Supreme Court. All decisions of the Supreme Court are final and cannot be appealed to the university.

Section 7: The Students of Florida Gulf Coast University shall not be allowed to vote by Proxy.

Section 8: Students at Florida Gulf Coast University shall only require a photo id to be able to vote in Student Government Elections.

Article VI: Removal

Section 1: Executive officers, members of the Senate, and members of the Supreme Court may be impeached and removed from office for failure to fulfill the duties and responsibilities mandated in this Constitution or in the Bylaws of the Student Government Senate.

Section 2: Five (5) members of the Senate must sponsor Impeachment legislation.

Section 3: In the event of impeachment, removal hearings shall take place in the next meeting of the Senate as the first order of business. The Chief Justice of the Supreme Court shall preside at such hearings. A three-fourths (3/4) vote of the Senate shall be necessary to remove any elected executive officer or a member of the Senate.

Section 4: Removal hearings shall be open to the public.

Section 5: Impeachment proceedings shall be run according to the outlined guidelines in the Student Government Senate Bylaws.

Section 6: A Judicial Review Committee shall try all cases of impeachment of Justices. The Judicial Review Committee shall be
composed of seven (7) students, four (4) appointed by the Senate and three (3) appointed by the Student Body President, not subject to Senate approval or override. A Justice may not be removed from office, except by a two-thirds (2/3rd) vote of the Judicial Review Committee.

Article VII: Initiative and Referendum

Section 1: Members of the Student Body, upon petition of a number of students equal to fifteen (15%) of the total Student Body, shall have the right of statutory initiative. Such initiative(s) shall be presented to the student body at the next scheduled election for a vote.

Section 2: The Senate, by majority vote, may refer any part of a pending action to the members of the Student Body for a vote at the next scheduled election, limited to three (3) per term.

Article VIII: Amendments

Section 1: Any amendment to this Constitution, proposed within the Student Senate, must be passed by a two-thirds (2/3) vote of the Senate. Such amendments shall be presented to the members of the Student Body at the next scheduled election for a vote.

Section 2: Members of the Student Body, upon petition of a number of students equal to thirty percent (30%) of the total Student Body, shall have the right of constitutional initiative. Such amendments shall be presented to the Student Body at the next scheduled election for a vote.

Section 3: Any proposed amendment to this Constitution shall be made available for public inspection a minimum of two (2) weeks prior to the election. A proposed amendment, together with the parts of the Constitution affected, shall be published in the student newspaper of Florida Gulf Coast University at least one (1) week prior to the election.

Section 4: If the proposed constitutional amendment(s) receives a plurality of votes cast in the affirmative, after elections, the proposed constitutional amendment(s) shall go into effect immediately, and shall be placed within the Student Government Constitution as deemed by the terms of the Constitutional Amendment(s).
Article IX: General Provisions

Section 1: No expenditures shall be allowed that would result in a deficit in any Student Government account.

Section 2: Each official of the Student Government, before entering the execution of his or her office, shall take the Student Government Oath of Office. The Oath of Office shall read, "I do solemnly swear (or affirm) that I will faithfully execute the office of the Student Government at Florida Gulf Coast University, and will to the best of my ability preserve, protect, and defend the Constitution of the Student Government."

Section 3: No two (2) elected and/or appointed offices shall be held simultaneously by the same person, nor shall two (2) persons simultaneously hold the same elected and/or appointed office.

Section 4: The Student Government as a whole may not formally endorse a candidate running for Student Government Office. Individual members of the Student Government may endorse a candidate formally.

Section 5: All officials elected and/or appointed under the requirements of this Constitution shall remain in their corresponding offices if they do exist and shall exercise their corresponding duties and responsibilities as set forth in this Constitution until their terms of office have expired. Any newly created offices shall be filled as soon as possible.

Section 6: This Constitution, its associated rules and regulations, and amendments thereto, are subject to the provisions of laws enacted through state statues.

Section 7: Florida Student’s Association Membership

A. The President of Student Government shall sit as a board of director on the Florida Student’s Association.
B. The Student Government Vice President shall sit as a member of the council of Vice Presidents within the Florida Student’s Association.
C. The Student Government Senate President and Senate Pro Temporary shall sit as members of the Senate Leadership Council within the Florida Student’s Association.
D. The Student Government Treasurer shall sit on the council of fiscal agents within the Florida Student’s Association.
E. The Student Government Chief Justice of the Supreme Court shall sit on the Governmental Relations Council within the Florida Student’s Association.