Constitutional Amendments

**-The Executive Branch-**

**Amendment Title: *Amendment V, Article II, Section I***

Amendment: The Executive Branch shall consist of the USF Student Body President, hereinafter referred to as the Student Body President; USF Student Body Vice President, herein after referred to as the Student Body Vice President; Tampa Governor; St. Petersburg Governor; Sarasota-Manatee Governor; Tampa Lieutenant Governor; St. Petersburg Lieutenant Governor; Sarasota-Manatee Lieutenant Governor; all department, office, bureau, and agency employees; and all executive appointees; hereinafter may be referred to as executive officers. No executive employees may hold an office in any other branch of Student Government during their term of office in the Executive Branch, unless otherwise provided in the Constitution or Statutes.

Summary: *The Lieutenant Governors deserve to be included in the Constitution as elected officials. They are essentially the equivalent of the Vice President to the President but respective to the local Governors, which means they should be included similarly to the Student Body Vice President. The change is deemed necessary to be representative to all of the Executive branch leaders we have at both the federal and local levels.*

**Amendment Title: *Amendment VI, Article II, Section II***

Amendment: All university-wide executive powers of the Student Body shall be vested in the Student Body President. The Student Body President holds the highest office within the Executive Branch and shall seek the counsel of each campus to nominate and appoint, and with the advice and consent of the Student Government Senate, hereinafter referred to as the Senate, all federal department and office/cabinet members. Their respective duties and roles within the USF Executive Branch shall be outlined within Statutes.

Summary: *This new section is intended to formalize the input and representation of local campuses on the hiring process for federal executive cabinet members. This already exists in practice— local campuses were invited to participate in the federal hiring process by the Student Body President, but this amendment seeks to formalize the process into the USF Student Body Constitution.*

**Amendment Title: *Amendment VII, Article II, Section IV***

Amendment: The Student Body President shall seek the counsel of each campus to nominate and appoint, with the advice and consent of the Senate, the Attorney General, Chief Justice, as well as Justices to the USF Supreme Court. When appointing the Justices to the USF Supreme Court, the Student Body President shall seek the counsel of the appointed Chief Justice.

Summary: *Putting the verbiage “appoint the Federal Cabinet positions” is broad enough to include all of the other positions within statutes that the Student Body President appoints but it still clarifies that the Attorney General and other positions are included in this. Also, SG Advising oversees the ERC now and it is not appropriate for the Supervisor of Elections to be under the appointments of the Student Body President which is why this part is deleted.*

**Amendment Title: *Amendment VIII, Article II, Section VIII***

Amendment: The Student Body President shall address the Student Body at least once during the fall and spring semesters and may on other occasions as the need arises.

Summary: *The Student Body President is obligated to address students on the status of the University events and projects that they are a part of as well as the administrative side of their executive office within SG and the initiatives they ran on during election. Allowing the President to address students a minimum number of times per year ensures students hear from their elected representation as well as allows the President to address students in times of unforeseen circumstances outside the minimum requirement.*

**Amendment Title: *Amendment IX, Article II, Section XI***

Amendment: No candidate shall be elected or appointed to any executive office until a certification attesting that the candidate has met all qualifications set forth by this Constitution has been completed by Student Government Advising Offices.

Summary: *This section is meant to outline and clarify the appointment process of SG candidates to ensure that they comply with all qualifications that are required.*

**Amendment Title: Amendment X, Article II, Section XV**

Amendment: ​​All branch Campus executive powers of the Student Body shall be vested in each USF Campus Governor. There shall be an elected Tampa Governor, St. Petersburg Governor, and Sarasota-Manatee Governor, hereinafter known as the Governors. The Governors are elected alongside a Tampa Lieutenant Governor, St. Petersburg Lieutenant Governor, and Sarasota-Manatee Lieutenant Governor, respectively. The Governors shall have the power to nominate and, with the advice and consent of the Campus Councils, hereinafter referred to as the Councils, appoint all Campus department, office, and agency directors. Each Campus’ Executive Branch shall also consist of a Student Legal Advocate and a Deputy Financial Officer who shall be appointed by the Campus Governor and confirmed by the Campus Council, as outlined in Statutes. Their respective duties and roles within the USF Executive Branch shall be outlined within Statutes.

Summary: *The Lieutenant Governor positions are elected by their local student bodies and should be represented in the constitution as well. This should not add any confusion as to who “the Governors” are as the first sentence in this part clarifies already that they include the Tampa, St. Pete, and Sarasota-Manatee Governors. This sentence does not include the Lieutenant Governors where the hereinafter is described, so it only refers to the three Governors and not all six Governors and Lt. Governors even if the Lieutenant Governors are mentioned in the next sentence. These two positions (Deputy Attorney and Deputy Public Defender) were previously combined to be the Student Legal Advocate so this edit would reflect that change.*

**-The Legislative Branch-**

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**Amendment Title: *Amendment XII, Article III, Section I***

Amendment: The university-wide legislative authority of the Student Body shall be vested in the Student Government Senate, hereinafter referred to as the SG Senate*.*

Summary: *This change is to allow for another reference to what the organization may call itself outside of the formal name of Student Government Senate.*

**Amendment Title: *Amendment XII, Article III, Section II***

Amendment: The Senate will be composed of representatives from each of the campuses. The total number of Senate seats will be 40. The apportionment of the seats will be 3 guaranteed seats per campus with the other 31 seats set according to the percentages of the total number of students enrolled at each Campus as outlined within Statutes.

Summary: *Based on the current percentile enrollment numbers this would equate to 28 extra seats for Tampa and 2 extra seats for St. Pete and 1 extra seat for Sarasota-Manatee for the 3rd consolidated term. The 31 seats will vary based on the campus enrollment numbers every spring semester.*

**Amendment Title: *Amendment XIII, Article III, Section III***

Amendment: No student may be a candidate for election to the Legislative Branch until a certification attesting that the candidate has met all qualifications set forth by this Constitution and has been filed with the Office of the Senate President Pro Tempore.

Summary: *This section is meant to outline and clarify the candidacy process to the Legislative Branch since consolidation created Campus Council Representatives in addition to Senators. Students cannot run in an election for the SG Legislative Branch unless a certification of the candidate qualifications has met all terms of the Constitution, and filed with the Senate President Pro Tempore.*

**Amendment Title: *Amendment XIV, Article III, Section IX***

Amendment: The Legislative Branch shall have the authority to approve and allocate all Activity and Service (A&S) fee appropriations by a majority vote.

Summary: *As the Legislative Branch is composed of both the local Campus Councils and the Federal Senate, this amendment ensures all parties have their respective allocation authority based on the level of which A&S fee requests.*

**Amendment Title: *Amendment XV, Article III, Section XVI***

Amendment: All Campus legislative powers of the Student Body shall be vested in each USF Campus Council. There shall be an elected Tampa Council, St. Petersburg Council, and Sarasota-Manatee Council, hereinafter known as the Councils. The Councils shall have the power to confirm all Campus department, office, and agency directors, and recommend allocations of the Activity and Service Fee to the Senate entity as outlined in statutes. The Council Chairs shall be Campus Council Representatives, elected by their respective Council, as outlined in Statutes. Their respective duties and roles within the Councils shall be outlined within Statutes and Rules of Procedure.

Summary: *This change calls for the proper powers to be written out formally to allow for the local campus councils to function and allocate legislation and A&S fees as necessary.*

**Amendment Title: Amendment XVI, Article III, Section XVII**

Amendment: The Councils may propose amendments to the Constitution and the Statutes to the Senate Policy Committee, however, shall not make changes without the advice and consent of the Senate. Each Council shall have the authority to create its own Standard Operating Procedures that shall not conflict with this Constitution and with the advice and consent of the Senate.

Summary: *This addition enables the Councils to bring up their concerns with the SG governing documents and voice their opinion, however, keeps a check on any changes to be made by making Senate approval necessary. Additionally, Standard Operating Procedures allow the Councils to maintain smooth and orderly functioning of the body and hold members accountable.*

**-The Judicial Branch-**

**Amendment Title: Amendment XVII, Article IV, Section I**

Amendment: The university-wide judicial powers of the Student Body shall be vested in The Student Government Supreme Court, hereinafter referred to as The Supreme Court. The Supreme Court shall have jurisdiction over all cases and controversies, excluding those delegated to other entities by the University Board of Trustees or by Florida State Statutes, involving the Student Body and Student Government, including the power to declare any act of Student Government unconstitutional. Any decision or ruling made by The Supreme Court may be appealed, according to habeas corpus, only by the prosecution or the defense in the controversy or case, to the Dean of Students of the Division of Student Success. Any elected or appointed SG officer who has been disciplined, suspended, or removed from office, shall have the right to directly appeal such decision to the Vice President of Student Success, the Dean of Students, or designee.

Summary: *Per the House Bill 233 that was passed by the FL Legislature, Student Government must comply with state laws.*

**Amendment Title: Amendment XVIII, Article IV, Section IV**

Amendment: The Supreme Court shall be comprised of nine (9) Justices, three (3) from the Tampa Campus, three (3) from the St. Petersburg Campus, and three (3) from the Sarasota-Manatee Campus. The Student Body President shall nominate and with the advice and consent of the Senate, appoint Justices who shall serve no more than three (3) terms, unless re-appointed by the Student Body President. These terms shall run concurrently with the terms of the other branches. No Justice may hold an office in any other branch of Student Government.

Summary: *To maintain equal representation across all three campuses, the Judicial Branch proposed changing the 5-2-2 seat structure to 3-3-3. Additionally, Justices’ terms reverted back to the three one-year term duration that existed before consolidation.*

**Amendment Title: Amendment XIX, Article IV, Section VI**

Amendment: Cases of impeachment of a Justice shall be tried by a Judicial Review Committee. The Judicial Review Committee shall be composed of nine (9) Student Government officials, five (5) appointed by the Student Body President and four (4) appointed by the Senate President. A Justice may only be removed from office by a two-thirds vote of the Judicial Review Committee.

Summary: *A change to reflect that the Judicial Branch eliminated Judges due to lack of work/need.*

**Amendment Title: Amendment XX, Article IV, Section VII**

Amendment: In the case that The Supreme Court cannot fill an Associate Justice position after two (2) months of advertising and listing the job application at the respective campus from which the seat is held, an Associate Justice may be hired from the other campuses and serve one (1) term. The Associate Justice position must be advertised and listed on all three campuses following the standard hiring procedures. After the Justice’s term expires or the seat becomes empty before the term ends, the seat will return to its respective campus.

Summary: *This section will serve as a contingency plan for when a Supreme Court position cannot be filled, and ensures that the Supreme Court can meet quorum to address business.*

**-The Elections Process and Voters Rights-**

**Amendment Title: Amendment XXI, Article V, Section I**

Amendment: All students enrolled at the University of South Florida shall be entitled to vote in the general, mid-term, and all other elections of Student Government. All students enrolled in the University of South Florida may vote for the Student Body President and Student Body Vice President. Any student has the right to call for a University-Wide initiative/referendum election provided that a petition is signed by at least 5% of the USF student body and is submitted as outlined in Statutes. Any campus specific student has the right to call for a senatorial recall election and/or a campus council recall election provided that a petition signed by at least 60% of the number ofvotes cast for those seats within the most recent general election is submitted as specified by Statutes. Any student has the right to call for a University Wide Student Body Presidential recall election, provided that a petition signed by at least 60% of the total number of votes cast for the presidential ticket in the General Election is submitted as specified by Statutes. Any respective campus student has the right to call for a Campus-Wide Gubernatorial recall election, provided that a petition signed by at least 60% of the total number of votes cast for the gubernatorial ticket in the General Election is submitted as specified by Statutes**.** Student Body enrollment figures shall be determined and certified by the SG Advising Offices at the time of the initiative/referendum/recall.

Summary: *This amendment allows for students to call for a campus-wide recall election of the Gubernatorial election to mimic that of the Student Body Presidential recall election.*

**Amendment Title: Amendment XXII, Article V, Section II**

Amendment: All candidates for the offices of Student Body President and Student Body Vice President shall form joint candidacies, hereinafter known as tickets, so that each voter shall cast a single vote for a ticket. The General Election for Student Body President and Student Body Vice President shall take place four (4) consecutive business days beginning on the Monday nine (9) business days prior to Spring Break. Run-off elections, if necessary, shall be held no later than the Tuesday and Wednesday of the fourth business week following the election. The Student Body President and Student Body Vice President shall take office the first business day following the last Spring Commencement. The Student Body President and Student Body Vice-President shall serve a one-year term of office. No Student Body President or Student Body Vice-President may serve more than two consecutive terms.

Summary: *The purpose of this section is to further outline the process of electing the Student Body President and Vice President when a Run-Off election must occur that is compatible with the voting preparation and timing needs to hold such election.*

**Amendment Title: Amendment XXIII, Article V, Section III**

Amendment: ~~The General Election for the Senate shall take place four (4) consecutive days beginning on the Monday, nine (9) business days prior to Spring Break. Run-off elections, if necessary, shall be held the following Tuesday and Wednesday. Senators shall take office the first business day following the last Spring Commencement. Senators shall serve a one-year term of office.~~

Summary: *This change deletes the entire section since it is repetitive and not necessary (Article V, Section III)*

**Amendment Title: Amendment XXIV, Article V, Section III (New proposed section-formerly Section IV)**

Amendment: All candidates for the offices of Governor and Lieutenant Governor shall form tickets so that each voter shall cast a single vote for a ticket for the Governor and Lieutenant Governor on their respective Campus. Elections for the Governors and Lieutenant Governors shall take place four (4) consecutive days beginning on the Monday, nine (9) business days prior to Spring Break. Run-off elections, if necessary, shall be held no later than the Tuesday and Wednesday of the fourth business week following the election. The Governors and Lieutenant Governors shall take office the first business day following the last Spring Commencement. The Governors and Lieutenant Governors shall serve a one-year term of office. No Governor or Lieutenant Governor may serve more than two consecutive terms

Summary: T*his change was proposed to provide additional time for the SG Advising Offices to download the data necessary to create the ballots for the run-off elections. This change would become the new Article V, Section III.*

**Amendment Title: Amendment XXV, Article V, Section IV**

Amendment: The General Election for the Legislative Branch shall take place four (4) consecutive days beginning on the Monday, nine (9) business days prior to Spring Break. Run-off elections, if necessary, shall be held no later than the Tuesday and Wednesday of the fourth business week following the election. Senators shall take office the first business day following the last Spring Commencement. Senators shall serve a one-year term of office.

Summary: *This section outlines the General Election process for the Legislative Branch of Student Government.*

**Amendment Title: Amendment XXVII, Article V, Section V (New proposed change)**

Amendment: The interim elections for the Senate and Councils shall take place as deemed necessary by Statutes and the duration of the election shall be two (2) consecutive business days.

Summary: *This section, formerly Section VI, is the new section V upon the former section V being deleted.*

**Amendment Title: Amendment XXVIII, Article V, Section VI**

Amendment: If the election process enumerated in the Constitution and the Statutes cannot select an official and sworn Student Body President and Student Body Vice-President or Governors and Lieutenant Governors before the Monday of the second week of Summer A and C, then the Senate of the newly elected term shall select from the certified pool of Campaign Tickets, a joint Student Body Presidential ticket to be the Student Body President and Student Body Vice-President. The respective Campus Councils of the newly elected term shall select, from the certified pool of Campaign Tickets, a joint Gubernatorial ticket to be the respective campus Governor and Lieutenant Governor. If the Student Body President and Student Body Vice-President or Governors and Lieutenant Governors have been selected by this section, then they shall be subject to a Student Body Vote of Confidence by their constituency in the next midterm election. Should the President and Vice-President or Governors and Lieutenant Governors fail the Vote of Confidenceby a supermajority vote (2/3 of the voters), then they shall be removed from their positions the next business day, and the Order of Succession shall determine the new officers. A Special Election shall take place four weeks after the mid-term election and shall beas outlined within Statutes, except that the dates mentioned in the General Election Statutes shall be modified to reflect the Special Election date and time.

Summary: *This section outlines the procedure in case a President and Vice President, and the Governors and Lt. Governors cannot be selected and sworn in through the standard election process. In such a case, the Senate will select a Presidential ticket and Campus Councils will select a Gubernatorial ticket from their prospective campus. If this process is implemented, the appointed ticket must pass a Vote of Confidence in the next midterm election. If they do not pass this Vote of Confidence, the subsequent process is also outlined in the section above.*

**-Constitutional Amendments-**

**Amendment Title: Amendment XXIX, Article VI, Section I**

SECTION I: Amendments to this Constitution shall be placed at the end of this document and shall be approved by a majority vote of the Student Body, during a General, Mid-Term Election, or a Special Election after a recommendation by the Senate. All final appeals by the Student Body of changes to this Constitution or the Student Government Statutes shall be heard by the University Board of Trustees or the University President or designee.

If there should ever be conflict between the Student Body Constitution, the Statutes, or other SG Governing Documents, the Student Body Constitution shall prevail. If there should ever be a conflict between an amendment to this constitution and a prior standing article, the amendment shall prevail.

Summary: *This change reflects SG looking to encompass all governing documents and processes when looking to ensure the student body has a say in how changes are made to said governing documents.*