



Florida International University

SGA Constitutional Revision Committee

MINUTES

SGA Constitutional Revision Committee Meeting October 5th, 2018

IN ATTENDANCE

Jefferson Noël, President (BBC)
Jonathan Espino, Vice President (BBC)
Brandon Aquino, Speaker Pro (MMC) (2:00P.M.)
John Habib, Speaker/Arts, Sciences, & Education (BBC)
Larissa Adames, Assistant Director of Campus Life & SGA Advisor (BBC)
Jerome Scott, Campus Life Coordinator (MMC)
Dr. Anthony DeSantis, Assistant VP of Student Affairs

GUESTS

Dr. Kerrie Montgomery, Campus Life Director (BBC)
Kayla Brown, SGA Graduate Assistant (MMC)
Anthony Jones, Front Desk Assistant (BBC)
Iris Elijah, Associate General Counsel
Silvana Rogelis, A&S Finance Manager
Michelle Castro, Assistant Director of Campus Life (MMC)
Matilda

CALL TO ORDER

The meeting was held on October 5, 2018 – Locale **SGA Conference Room** on the Biscayne Bay Campus **Room WUC 301**. The meeting was called to order at **1:34 pm**, approximately, by **Dr.DeSantis** who presided over the meeting in its entirety.

WELCOME

Dr.Desantis...

- Welcomed everyone to the meeting and asked that everyone pull up the document that he sent via email.
- Reminded the committee that there were 4 areas that needed to be addressed from the previous meeting:
 - Qualifications for the house
 - Qualifications for the budget

- Purpose and power of the house
- Make sure that the congress, senate, and the house are all correct
- Stated, “Therefore, what we are going to do, with limited conversation is start at the top of this document and go all the way through and make sure everything lines up. You all should have already read through the document since it was sent out prior to today’s meeting and since many things are already approved, we should be able to go through this document fairly quickly.”

PREAMBLE

Dr.DeSantis, “The Preamble was approved, my one suggestion is that since it is a run-on sentence it just needs to be reworded. So I will work on that and give it to everybody this weekend so that it will be available for the upcoming senate meetings.”

Mr.Noel, “So during our final approval today, how will the motion sound?”

Ms.Castro and Dr.Desantis responded to Mr.Noel’s question.

Dr.DeSantis, “I am asking for a vote from the 6 of us that are here for the approval of the Preamble to be edited for grammar corrections.”

Mr.Espino moved to amend the current document to add grammatical edits.

Mr.Noel seconded the motion.

The motion passed unanimously.

AUTHORITY

Dr.Desantis, “Authority was approved by the committee in June so we’re not going to touch that.”

ARTICLE 1; SECTION 2-JURISDICTION

Dr.Desantis, “This was approved by the committee on the 15th of June.”

Mr.Scott, “If there is something that might contradict it later on should I wait till the second time its mentioned or the 1st time?”

Dr.DeSantis, “The 1st time.”

Mr.Scott, “For Jurisdiction it says all students by virtual registration however, we changed “registration” to “matriculation” under Article 3.”

Dr.Desantis, “So Article 1, Section 2-Jurisdiction, you've replaced the word “registration” with “matriculation.” Do we have a motion to approve?”

Mr.Habib moved to amend Article 1, Section 2-Jurisdiction to replace the word “registration” with “matriculation.”

Mr.Noel seconded the motion.

The motion passed unanimously.

Mr.Noel, “Since we are going to do one big vote at the end , do we have to go through and vote section by section? Or can we just say the changes and say whether or not we agree without going through the formal voting process?”

Dr.DeSantis, “Is everyone ok with that?”

All responded, “yes.”

ARTICLE 1, SECTION 3

Dr.DeSantis, “Iris this is the section that we are going to need your help with which is, “The Constitution’s governed by and therefore must not contradict with Federal laws, Florida State statutes that provide for its establishment...”

Dr.DeSantis, “This was the section that was still left to be approved, So I know that it was brought up by some of the students that they didn’t feel that the Senior VP of Academic & Student Affairs should have the power to alter the constitution, But I think that we need your input, Iris on where we should stand on this.”

Ms.Elijah gave her input as to how the language should be worded and her thoughts on the section.

Mr.Habib moved for 2 minutes of discussion.

Mr.Noel seconded the motion.

The motion passed unanimously.

Mr.Espino, “I feel that the section should be removed, I feel that there is no need for that sentence to be in the constitution.”

Mr.Noel, "I have been conflicted about it these past few months, if this document does go through as it stands, then I would prefer for it to be in there."

Mr.Espino, "For me, removing that sentence, it doesn't really take away from what administration needs to do for us."

Ms.Adames, "If administration feels like we are not doing what we are supposed to be doing then they are going to stop it regardless. Having this sentence in there is just giving them an edge."

Mr.Habib, "I'm a little conflicted too. I'm scared for the sake of the amount of limited budget that could come to FIU's smaller locations."

Mr.Noel moved to extend discussion for 5 minutes.

Mr.Habib seconded the motion.

The motion passed unanimously.

Mr.Noel, "What are your thoughts Jerome on the VP of Student affairs has the right to alter the constitution?"

Mr.Scott, "I would leave it to whatever the students are wanting to decide."

Mr.Espino, "I think administration still has the power to make sure that we wouldn't do anything to harm the students even with that line being removed "

Mr.Noel, "For example, let's say that the budget committee is comprised of students from I-75 and they say that they want most of the money to be allocated to issues only pertaining to I-75, without this line can the university step in."

Ms.Adames, "Yes, President Rosenberg is the one who has the last say on the budget."

Dr.Montgomery, "I think you are moving away from the point, this says that the Senior VP for Academic & Student Affairs has the power to alter this constitution. Its saying that the Senior VP or anyone who they may designate can go in and say for example, "I don't want them to apply and run for office, I'm amending this", without consulting you."

Mr.Scott, "I would say, only because of the situation that we are in now with it being a new constitution and a new structure in itself. There may be a time in the coming year where something that is currently put in the document absolutely needs to be changed because it is just

not working whatsoever. So this sentence would create the option to be able to just automatically change it without a vote from the entire student body.”

Dr.DeSantis, “I agree with Jerome’s point.”

Mr.Noel, “I think that's a fair point.”

Mr.Noel, “what if we add, “with consulting the student first before making any changes” ?”

Mr.Noel moved to add “after consulting SGA” behind the last sentence in Article 3, Section 3.

Mr.Habib seconded the motion

Mr.Espino-Nay

Mr.Habib-Abstain

Mr.Noel-Yay

Ms.Adames-Yay

Mr.Scott-Yay

By a vote of 3-1-1 the motion passed.

STUDENT RIGHTS

Dr.DeSantis, “Student Rights were approved on June 15 so we will move past that.”

LIMITS, GUARANTEES OF RIGHTS

Dr.DeSantis, “These were all approved on July.”

Dr.DeSantis, “Larissa had a comment on Section 3 of the Rights, number 3: “For official complaints to be considered by the SGA Supreme Court” Larissa had a question asking if they should instead go to the lower courts?”

Mr.Scott, “Could it just state, “SGA Judicial Branch”?”

Mr.Scott moved to change Article 2-Student Rights, Section 3-Rights: A3, to say “Submit official complaints to be considered by the SGA Judicial Branch.

Mr.Habib seconded the motion.

The motion passed unanimously.

Mr.Noel moved to remove the word “Legal” from Section 3, A3.

Mr.Habib seconded the motion.

The motion passed unanimously.

Mr.Aquino entered at 2:00PM.

ARTICLE 3-ORGANIZATION

Dr.DeSantis, “This was approved by the committee on June 15, any questions regarding this article?”

All responded, “No.”

ARTICLE 4-LEGISLATIVE DUTIES (BRANCH)

Dr.DeSantis, “This was approved by the committee on July 6, we still need to add definitions of Colleges, Schools, and Academic Unit Department.”

Dr.DeSantis, “So we did not vote on Section 5-Duties & Procedures, has everyone reviewed this section?”

The committee asked Ms.Elijah for clarification regarding Section 5-Duties & Procedures: Line G.

Ms.Elijah, “You don't even have to say what your statutes will be, they just are when you create them. That whole G section really could be deleted.”

Mr.Espino moved to remove Section G from Article 4 Legislative Branch, Section 5 Point of Duties and Procedures, from the Constitution.

Mr. Noel Seconded the motion.

The motion passed unanimously.

Dr.DeSantis, “Michelle, you had a question regarding the bullet that says senators should serve on at least one legislative committee.”

Ms.Castro, “No that just a point that was brought up during one of our discussions.”

Mr. Habib, "I think we agreed that we were going to have the committees be a part of congress as a whole and be joint between senate and the house."

Mr.Aquino, "Yes I remember that we discussed that but we said that the committees will be composed of both representatives and senators there so that there are joint committees. However, I believed that we for specific committees to be assigned to each body."

Mr.Habib, "So essentially you are saying that there's going to be committees for senate, committees for representatives and then there are going to be joint committees in between."

Mr.Aquino, "Last I remember, yes."

Mr.Habib, "I don't remember that."

Mr.Scott, "The specific committees though are not listed in the constitution because then we would have taken a whole other 2 months to come up with what those committees are, which is what the charge of the new committee should be."

Mr.Aquino, "Yes so it would be for the statutes specifically."

Dr. DeSantis, "So could we list in this that senators should serve on at least one committee as defined in the statutes?"

Mr.Aquino, "I agree."

Mr.Scott, "Or we could just leave it as is since the committees will be done in the statutes."

Dr.DeSantis, "Do we need a motion since we are not changing it, so everyone's good?"

All responded, "Yes."

Mr.Scott, "I would remove "D" because impeachment is instigated by the house not the senate."

Mr.Noel moved to remove Item D in Section 6 of Article 4-Legislative Duties.

Mr.Habib seconded the motion.

The motion passed unanimously.

The committee proceeded to read through each section of Article 4-Legislative Duties.

Point Of Personal Privilege-Mr.Habib:(2:12)

Mr.Habib returned at 2:15

Point Of Personal Privilege-Mr.Espino:(2:17)

The committee read through sub-sections A-I and removed repeated sentences.

Mr.Aquino moved to remove the entire section of G from Section 8-House Of Representatives Duties & Procedures from Article 4-Legislative Branch.

Mr.Noel Seconded the motion.
The motion passed unanimously.

The committee continued to read through each section of Article 4.

Mr.Espino returned at 2:25

Mr.Scott moved to remove section 11-Congress Duties and Procedures.
Mr.Aquino seconded the motion.
The motion passed unanimously.

Ms.Adames, "Letter F is the same thing as Letter C on the house so do we want just the house to do this or do we want congress to do it."

Mr.Aquino, "Its for both."

Ms.Adames moved to delete letter F from Section 11-Powers of the Congress, Article 4.
Mr.Habib seconded the motion.
The motion passed unanimously.

ARTICLE 5-EXECUTIVE COUNCIL

Dr.DeSantis, "Any suggestions for the Executive council and the purpose?"

Mr.Scott, "I just took it straight for the current MMC document, The purpose of the Executive council is to discuss matters of SGA leadership and ensure interbranch corporation."

Mr.Scott moved to add "The purpose of the Executive council is to discuss matters of SGA leadership and ensure interbranch corporation." under Article 5-Executive Council, Section 1-Purpose.

Mr.Noel seconded the motion.

Mr.Espino-Yay

Mr.Habib-Nay

Mr.Noel-Yay

Ms.Adames-Yay

Mr.Scott-Yay

Mr.Aquino-Yay

By a vote of 5-1-0 The motion passed.

Mr.Scott suggested for Article 7 under Executive Branch, Section 2, to read, “The Executive Branch will be composed of the student body president, EVP, and all other VP’s, Comptroller, and Executive Cabbinent.”

Mr.Aquino suggested that Section 4-Powers of the President read, “Appoint all executive branch positions unless otherwise elected by the student body.”

Mr.Scott suggested to move Article 6-Executive Branch, Section 3-Duties & Procedures, Executive Board, to Section 5 under the Executive Council.

Mr.Noel returned at 2:45

Dr.DeSantis, “Before we move into the next section, whats everyones time? Could we potentially add another half hour to this meeting?”

Ms.Castro, “I have to leave at 3:00.”

Dr.DeSantis, “Ok I can continue to make the edits so I'll just pick up where you left off. I just want to make sure that everyone is ok with an extra half hour.”

All Council members responded, “Yes that is ok.”

Mr.Scott proceeded to go through his suggestions with the rest of the council regarding edits within the document.

Dr.DeSantis, “Can I ask for a 5 minute recess?”

Mr.Habib moved for a 5 minute recess.

Mr.Noel seconded the motion.

The motion passed unanimously.

Dr.DeSantis called the meeting back to order at 3:09PM

Dr.DeSantis, “So I appreciate the opportunity for us to talk about all of this. As staff, we realize that we are going to have to vote on the final constitution via email so that you all will have time to review this document.”

Mr.Habib, Just for clarification, who is currently on the committee for MMC, voting members, even those who are not present at the moment?”

Dr.DeSantis, “Brandon & Jerome.”

Mr.Habib, “So Jose sirven is still on the committee as a voting member?”

Dr.DeSantis, “Yes.”

Dr.DeSantis, So the process of the budget is in the statutes not the constitution. The timeline for the budget is not in the constitution its in the statutes. There's nothing in the constitution besides when its due to the president, that gives a timeline. So all the details around the budget is in the statutes.”

Dr.DeSantis does anyone disagree with any of that?”

Mr.Noel, “I disagree with that.”

Mr.Noel, “ I thought we already agreed earlier in the meeting that if there is going to be changes whether it be grammatically or structurally that when we move to approve it would be worded into the motion. For example, like how we did the Preamble. We would have a vote for the entire constitution understanding those changes. So if the reason why we are going to vote is due to grammatical errors then that falls in line with what we agreed on earlier.

Dr.DeSantis, “Just so that we aren't having a bunch of side conversations.”

Mr.Noel, “Does that make sense?”

Dr.DeSantis, “Yes, but we are now at the point where we are just moving things around in the constitution but the content is not changing and we need to be spending time on the things that really need to be addressed.”

The committee reviewed Article 12-University Wide Budget Committee

Ms.Adames, "I would remove sections 1,2, 3, & 4 and just leave section 5. And rename the article "Budget."

Mr.Noel, "Where did this come about, the idea that we should or have to vote through email?"

Ms.Adames, "Well we can vote right now."

Dr.DeSantis, "Yes we could vote now, with edits that need to be made unless there's any edits or changes that the students would like to see. Right now there's only staff related changes that have to deal with edits and moving sections around."

Mr.Noel, "What are your thoughts Brandon?"

Mr.Aquino, "I do agree that we should at least see the final document and then vote on it after we see the final document. I would think it's fine that we just go to the email vote at this point because i think the document is good right now unless there are any other major changes that need to be made however, I feel that there aren't any more massive changes, only grammatical fixes that can be done by administration."

Mr.Noel, "So when will the document be sent out?"

Dr.DeSantis, "By tomorrow night."

Mr.Noel, "I have a question for administrators, do you all feel that this process has been student led?"

Dr.Montgomery, "Up to this point, yes. The content has been student led and now we are just talking about adjusting the content in reference to where it lives within the constitution."

Mr.Habib, "I dont think it's student led."

Mr.Scott, "I believe it has been student led."

Mr.Habib, "Student led would be if they asked us first to see if this would be something that we would like to do, this is being administration led."

Dr.DeSantis, "This was a very collaborative process between everyone in this room, so this is not the time for us now to say who led this because we were all part of the process. We are also

lacking feedback from specific members of this committee which ultimately impacted our timeline and that falls on all of us, students and administrators.”

Dr.DeSantis, “If you all can trust us to make the minor grammatical and structural changes, then we will will send you out a document by whatever time you want it so that you all can review it, vote, and send it to your senates.”

Mr.Aquino, “I’m ok with the email.”

Mr.Habib, I guess I’m ok with the email.”

Mr.Noel, “I’m not ok with the email.”

Mr.Habib, “Neither am I.”

Ms.Adames, “So would you like to vote for it now?”

Mr.Noel, “That's what I would prefer.”

Mr.Scott moved to make the edits within the constitution now and take the vote in the current meeting.

Mr.Noel seconded the motion

The motion passed unanimously.

Mr.Aquino moved to extend the meeting by 30 minutes.

Mr.Scott seconded the motion.

Mr.Noel moved for a friendly amendment to Mr.Aquino’s motion, to extend time by an hour instead of 30 minutes.

Mr.Aquino accepted the friendly amendment.

The motion passed unanimously.

The committee continued the meeting by discussing the budget and how it will fit within the constitution.

Dr.DeSantis, “Are there any other edits from the students, or additional things that you all would like to see in the constitution so that we can finish this document.”

Mr.Noel, “All the things that I would want to change at this point within the constitution have already failed when motioned.”

Dr.DeSantis, “Jeff are you saying that everything that you wanted to see in this constitution has been voted down? That there hasn't been a compromise throughout this process?”

Mr.Noel, “No I’m not saying that, there has been a lot of compromise. Not everything that I have presented has been voted down.”

Mr.Aquino suggested to amend Article 7-Executive Branch, Section 5-Terms & Vacancies, Subsection D, to strike “Executive Vice President” to say “President”

Dr.DeSantis, “Can I call a recess for 15 minutes?”

Mr.Espino moved for a 15 minute recess.

Mr.Noel seconded the motion

The motion passed unanimously.

The meeting resumed at 4:45PM

Mr.Espino moved for a hard vote on the final constitution at 4:55 P.M.

Mr.Noel seconded the motion

The motion passed unanimously.

The committee reviewed the edited constitution that was before them.

Mr.Noel, “In reference to page 12, It states that cabinet members must not have any time constraints, I feel that that is too stringent.”

Mr.Scott, “That was put there to benefit transportation to and from campuses.”

Mr.Noel moved to go into the voting procedure in regards to the proposed Constitution pending any grammar and formatting.

Mr.Habib seconded the motion.

Roll Call Vote:

Mr.Espino-Nay

Mr.Habib-Nay

Mr.Noel-Nay
Ms.Adames-Yay
Mr.Scott-Yay
Mr.Aquino-Yay
Dr.DeSantis-Yay

By a vote of 4-3-0 The proposed constitution was approved pending any grammar and formatting changes.

Dr.DeSantis thanked the committee for their time and hard work in regards to this meeting and the meetings prior.

ADJOURNMENT

Mr.Scott moved to adjourn the meeting at 4:59 P.M.
Mr.Aquino seconded the motion.
The motion passed unanimously.