

# CHAPTER 2.

## Student Senate.

### Article 1. Standing Rules of the Senate.<sup>1</sup>

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#### Rule 0. Definitions and conventions used in these Rules.

- (1) A “**session**” of the Senate is all of the meetings of the assembly of Senators that are elected in a given Student Body election and their appointees.
- (2) A “**class day**” is a day in the fall or spring semester on which classes are scheduled to meet.
- (3) A “**full class week**” is five consecutive class days, on a Monday through a Friday.
- (4) “**Standard one-day notice**” refers to notice sent electronically to all Senators, in a manner prescribed by the President, no later than twenty-four (24) hours prior to the start of a meeting.
- (5) Names of offices refer to Student Senate Offices unless otherwise noted.
- (6) All majorities are of those Senators present and voting.
- (7) Senators shall accumulate seniority in the Student Senate for all terms served as Senator, Senate President, Student Body Treasurer, or Student Body Comptroller, provided that the terms are not interrupted by periods of non-service longer than the minimum possible to take new office.

#### Rule 1. Meetings of the Senate.

(a) **Meetings at the call of the President.** The President shall call meetings of the Senate as he or she deems appropriate, provided that the Senate shall meet at least once every two full class weeks, and that the regular meeting date and time of the Senate shall be on Wednesdays no earlier than 7:30 PM. The President shall call no less than two (2) meetings of the Student Senate at least one week apart during the spring semester of his or her election. The President shall provide notice of all meetings at least two class days in advance of the meeting date.

<sup>1</sup> As amended by: GB 02, 79th Session (1999-2000); SB 23 & SB 120, 85th Session (2005-2006); SB 64, SB 102, SB 105 & SB 108, 86th Session (2006-2007); GB 33, SB 36, SB 96 & GB 100, 87th Session (2007-2008); SB 21 & SB 32, 88th Session (2008-2009).

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(b) **Meetings at the call of the Senate.** At any time the Senate is in session, it shall be in order as a privileged motion for any Senator to move to schedule an additional meeting, for the date and time he or she shall prescribe in the motion. Such a motion shall be undebatable and shall require the consent of a simple majority of the Senate.

(c) **Meetings by petition of Senators.** At any time outside of a meeting, a petition to call a meeting, prescribing the date and time of the meeting and signed by at least one-half of all qualified Senators, may be submitted to the President. Upon receipt of a valid petition, the President shall provide notice of the additional meeting to all Senators via electronic mail, provided that the petition is submitted at least two days in advance of the date and time of the meeting as indicated in the petition.

### Rule 2. Membership of the Senate.

(a) **Qualification of Senators.** A member of the Student Body shall be considered a qualified Senator-elect upon receipt by the President of certification of his or her election to the Senate from the Elections Commission, or a qualified Senator-designate upon the approval by a simple majority of the Senate of his or her nomination by the President. Before such a qualified Senator-elect or Senator-designate may assume membership, he or she shall be administered the oath of office by the President as required by statute.

(b) *Reserved for future use.*

(c) **Appointment to fill vacant seats.** The President shall be empowered to nominate an eligible member of the Student Body for appointment to any Senate seat which is not to be filled for the remainder of the session by other action provided for in this Rule. The President shall make a reasonable effort to provide that such nominees are members of the constituency they are to be appointed to represent. The President shall send appropriate notice to College Councils as provided by §2-3.10 of these Statutes. Such nominations shall be subject to approval by a simple majority of the Senate as described in clause (a) of this rule.

(d) **Alternates.** A Senator may appoint an alternate to exercise full voting and debating privileges in his or her absence, provided that he or she meets all eligibility requirements to serve as a Senator. The absent Senator shall still be assessed an absence, regardless of whether an alternate is sent or not. The alternate shall present written confirmation from the appointing Senator of his or her appointment to the President no later than immediately prior to the opening roll call of the meeting at which the alternate will be serving. The President shall, if reasonable evidence of the alternate's eligibility exists, provide the alternate's name and the seat which they are filling to the Secretary.

(e) **Documenting Attendance.** Immediately after calling the Senate to order, and immediately before declaring the Senate adjourned, the President shall cause the roll to be called to establish the presence of a quorum and to confirm the attendance of Senators. Any Senator not in attendance for such a roll call, shall be assessed with one-half (1/2) of a Senate absence. The Chair of each respective Committee shall be required to document Senator attendance for formal Committee meetings; any Senator not in attendance for a Committee meeting shall be assessed with one-half (1/2) of a Senate absence. All absences shall be submitted to the Secretary.

(f) **Attendance Policy.** Should any Senator accumulate four (4) absences during a session, the committee on Government Operations shall conduct a hearing on the Senator's attendance, in which the Senator shall be provided a reasonable opportunity to provide either oral or written explanation of his or her absences. The committee shall determine if the absences merit expulsion from office, reprimand, or no action at all. Additional hearings shall occur for every two additional absences after the fourth absence.

### Rule 3. Order of Business.

(a) **Quorum.** A quorum of the Senate shall consist of a simple majority of all qualified Senators, and excluding all *ex-officio* members of the Senate. It shall be in order as a privileged request for any Senator to ask that the roll be called to establish the presence of a quorum. In the absence of a quorum, the Senate shall be permitted to entertain the motion to enter the committee of the whole until such time quorum returns. Such motion shall require consent of

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a majority of the remaining Senators present. Should no motion be agreed to following the loss of quorum, the President shall, at his or her discretion, be empowered to immediately declare the Senate to be adjourned, in recess, or dissolved into the Committee of the Whole Senate.

(b) **Order of Business.** After being called to order, the recitation of the Pledge of Allegiance to the United States flag, and calling the roll to establish the presence of a quorum, the Senate shall proceed with its business as follows:

- (1) Approval of the journal of the previous meeting;
- (2) Receipt of petitions and other correspondence addressed to the Senate;
- (3) Open Floor Comments from the Student Body;
- (4) Reports of the Officers;
- (5) Reports of Senate Standing Committees, in alphabetical order;
- (6) Reports of Senate Select & Permanent Committees, in alphabetical order;
- (7) Comments & Announcements;
- (8) Motions to fast-track appointments;
- (9) Approval of appointments of Senators and other Student Government Officials;
- (10) Election of Senate Officers;
- (11) Veto Messages from the Student Body President;
- (12) Consent Agenda;
- (13) First Reading of legislation;
- (14) Motions to fast-track;
- (15) Referrals to committee;
- (16) Second Reading of legislation;
- (17) Miscellaneous Business;
- (18) Comments & Announcements.

(c) **Approval of the journal.** At the appointed time in the Senate meeting, the Secretary shall move the approval of the journal for any meeting that has undergone proper electronic review. The motion that the journal be approved shall be decided without debate and shall require a simple majority for approval. Electronic review shall proceed as follows:

- (i) The Secretary posts online a draft of the journal by the Friday that is at least three days prior to the Senate meeting.
- (ii) The Secretary notifies the Senate of the draft by electronic mail, accepting corrections, and, inasmuch as practical, uploading revised drafts.
- (iii) A final draft copy of the journal shall be posted between thirty-six (36) and twenty-four (24) prior to the meeting of approval. Notwithstanding further corrections, this draft becomes the official minutes on approval.
- (iv) Prior to the approval meeting, Senators shall be entitled to submit written corrections to their own remarks and motions, which shall be applied unless objected to by a two-thirds majority of the Senate.

The Secretary shall post an initial draft journal within five (5) class days of the close of a meeting. The Government Operations Committee shall consider cases of controversy concerning the journal, including overseeing its revision should it fail to receive approval.

(d) **Open Floor Comments from the Student Body.** At the appointed time, the President shall recognize members of the Student Body requesting the floor for a period not to exceed three (3) minutes. This period shall be reserved exclusively for students who are not current or former members of the Student Government. The total time for Open Floor Comments shall not exceed fifteen (15) minutes.

(e) **Officer Reports.** At the appointed time, the President shall recognize each Student Body Officer, including him or herself, and the President *Pro Tempore*, to offer a written report on his or her official activities since the previous meeting and make any summary announcements he or she deems necessary for no longer than three (3) minutes. Additionally, the President may in his/her discretion forgo placing oral reports of the Officers on any given Senate agenda and instead direct the Senate to review the written reports submitted.

(f) **Committee Reports.** At the appointed time, the President shall recognize the Chair of each standing committee, in alphabetical order, and then each select or permanent committee, in alphabetical order, to report for no longer

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than three (3) minutes on the committee's activities since the previous meeting. Additionally, the President may in his/her discretion forgo placing oral reports of the committees on any given Senate agenda and instead direct the Senate to review the written reports submitted.

(g) **Comments & Announcements.** At the two (2) appointed times, the President shall recognize in turn Senators requesting the floor for a period not to exceed one minute. The total time for Comments & Announcements before the first reading of legislation shall not exceed fifteen minutes.

(h) **Consent agenda.** At the appointed time, the President shall sequentially proceed through such acts of legislation that have been previously placed on the consent agenda. Such acts shall be considered adopted by quasi-consent, unless five (5) Senators rise in objection thereto. All such acts so objected are immediately placed on the end of the calendar for second reading.

### Rule 4. Motions.

(a) **Debatable motions.** When a debatable motion is made and properly seconded, if a second is required, the President shall cause it to be read, and then proceed to state the question on the motion. After the question is stated, the motion shall be in the possession of the Senate and may not be withdrawn by the author except by unanimous consent.

(b) **Order of Precedence of Motions.** The order of precedence of motions shall be as follows:

- (1) to adjourn;
- (2) to recess;
- (3) questions of privilege;
- (4) to lay on the table;
- (5) the previous question;
- (6) to limit or extend debate;
- (7) to postpone to a time certain;
- (8) to refer to committee;
- (9) to amend;
- (10) to postpone indefinitely;
- (11) main motions.

All these motions shall have the characteristics assigned to them by *Robert's Rules of Order, Newly Revised*, except where they come into conflict with these Rules.

(c) **Motion to adjourn.** The motion that the Senate adjourn shall be decided without debate. All motions to adjourn shall be understood to adjourn the Senate to the next date and time scheduled, whether already placed on the schedule or added later by any of the methods prescribed by these Rules. The motion to fix the time to which to adjourn shall be out of order.

(d) **Motion to adjourn *sine die*.** The Senate shall only adjourn *sine die* by Senate resolution. Such a resolution shall set the date of adjournment *sine die* as the day immediately prior to the expected first meeting of the following session of the Senate. A session may also be considered adjourned *sine die* without a resolution when the President of the new session calls its first meeting to order.

(e) **Previous question.** The previous question, or motion to end debate and order an immediate vote, shall be decided without debate, and shall require the consent of a two-thirds majority of the Senate. The previous question shall be out of order on the consideration of the adoption of legislation unless at least half of the time allowed for debate in both the affirmative and the negative has expired. This rule may not be suspended.

(f) **Germaneness rule.** All amendments not germane to the subject of the motion under consideration shall be out of order in meetings of the Senate or any committee formed thereof.

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(g) **Points of order.** If any Senator has cause to believe that one or more of the Rules of the Senate is not being followed, he or she may rise and inform the President that he or she rises to a point of order. The Senator raising the point of order may interrupt the speaking Senator, and the President shall recognize all points of order. The President shall recognize the Senator raising the point of order for a period not to exceed one minute to explain his or her point. Following the President's ruling, the motion to appeal from the decision of the chair shall be in order. Such motion shall be debatable except in cases these rules provide otherwise, and a simple majority shall be required to overturn the ruling of the President.

(h) **Dilatory motions.** Any motion which is dilatory in nature shall be out of order in meetings of the Senate.

### Rule 5. Assignment of the Floor.

(a) **Recognition of Senators.** A Senator who seeks recognition shall rise at his or her seat, or stand in the well of the Senate Chamber, address the President, and shall wait to be recognized before addressing the Senate further, unless otherwise permitted by these Rules.

(b) **Recognition of non-Senators.** No one save members of the Senate shall be extended the floor, except by the President. No one save members of the Senate shall be recognized in debate, unless approved by two thirds of the Senate.

### Rule 6. Conduct of Debate.

(a) **Time and speech limits.** All debate time shall be evenly divided between affirmative and negative debate in the manner deemed appropriate by the President. No Senator shall be entitled to speak in debate more than twice on any one question. The total time for debate on a motion shall be as follows:

- (1) The total time for debate on the adoption of legislation shall not exceed twenty-one (21) minutes;
- (2) The total time for debate on other debatable motions shall not exceed ten (10) minutes.

(b) **Question period.** The President may, at his or her discretion, recognize the Senator making any motion for a period not to exceed five minutes, following the statement of the question but before proceeding into debate, during which time the Senator shall be entitled to yield to other Senators for questions. It shall be out of order for any Senator to use such time for debate.

(c) **Questions in debate.** Once debate has begun, a Senator speaking in debate shall be entitled to yield the floor to other Senators for questions. A Senator desiring to ask a question of the speaking Senator may interrupt him or her to request that the speaking Senator yield. The speaking Senator's response to such questions shall be counted against his or her debate time.

### Rule 7. General Decorum.

(a) **Decorum of Senators.** The President shall have general direction of the Senate Chamber and shall maintain the proper decorum of the Senate. All Senators shall observe decency of speech, avoid disrespect of personalities, leave the Chamber to engage in conversations, and avoid walking between a speaking Senator and the President.

(b) **Decorum of visitors.** Visitors to the Senate Chamber shall be seated around the back and side walls of the Chamber except at the discretion of the President. No visitor may be seated along the aisles or behind the rostrum. Visitors shall refrain from disrupting the business of the Senate. The President, with the aid of the Sergeant-at-Arms, may ask any visitor to leave the Chamber at any time for disorderly conduct.

### Rule 8. Voting.

(a) **Procedure for voting.** The Senate shall proceed to an immediate vote on the question before it when (1) the question is on the adoption of an undebatable motion; or (2) all debate on a debatable motion is exhausted; or (3) the

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previous question is ordered thereto. In initiating a vote, the President shall first, if necessary, cause the Sergeant-at-Arms to call all Senators from the lobby and, upon their entry, ensure that no Senator may enter or leave the Chamber during the voting procedure. The President shall then cause the motion to be read and put the question to a vote of the Senate. No Senator shall vote who was not present in the Chamber when the question was put. Any Senator may abstain from voting.

(b) **Voting rights of President.** The President shall have no vote but in the case of a tie.

(c) **Motions in order during a vote.** Only motions, parliamentary inquiries, and points of order pertaining directly to the vote on the question before the Senate shall be in order after the question is put. Any such motion, inquiry, or point of order may be offered at any time during a vote but shall not be taken up until after the voting procedure currently at hand is completed, but shall be taken up and disposed of before the final result is announced.

(d) **Votes by roll call.** It shall be in order as a privileged request for any Senator to ask that the yeas and nays be recorded in the journal on any question, with the consent of one-fifth of those Senators present. The yeas and nays shall be recorded by a call of the roll. The President shall proceed directly to a vote by roll call on the second reading of all legislation, without intervening voice vote or standing vote.

### Rule 9. Standing Committees.

(a) **Appointment of standing committees.** The President shall appoint each Senator to one of the seven standing committees, as follows:

- (1) Academics;
- (2) Campus Community;
- (3) Finance;
- (4) Government Operations;
- (5) Public Affairs;
- (6) Tuition and Fees;
- (7) University Affairs.

Each Senator shall be appointed to a standing committee within five (5) class days of his or her assumption of office. No Senator may be removed from a committee once appointed to it except by the consent of the Senator to be so removed, and no senator may be appointed to a committee except with the consent of the Senator to be so appointed.

(b) **Committee chairs.** The President shall appoint one Senator to serve as Chair of each standing committee no later than the last regular class day of the Spring semester. The Chair of a committee shall be considered a full voting member of the committee. The Chair of each committee shall serve at the discretion of the President.

(c) **Additional committee officers.** Each committee shall elect a Vice-chair from its membership at its first meeting following the complete appointment of elected Senators to committees, and again at such times the office might become vacant. Additional officers may be designated by the committee or the chair.

(d) **Duties of committee chairs.** Standing committee chairs shall be responsible for such duties typical of the office of chair, including coordinating committee meetings, recording the attendance of committee members, and preparing committee reports for the Senate. Standing committee chairs shall also perform duties pertaining to their committees by request of the President, not inconsistent with these Statutes. The Vice-chair shall fulfill the duties of the Chair at such times the Chair is unable to do so.

(e) **General duties of standing committees.** Standing committees shall be responsible for the consideration of all questions referred to them by the Senate or the President, the preparation of legislation they deem necessary for the welfare of the Student Body or as directed by the Senate in instructions, and the preparation of all reports required by these Rules or deemed necessary at the discretion of the Chair.

(f) **Membership size requirements for standing committees.** At no time shall any standing committee be composed of less than three (3) members, or less than the number prescribed elsewhere in these Rules for the committee, whichever is greater. Should membership of a committee fall below its allotted minimum, the President

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shall inform the Senate and seek Senators who wish to transfer to the committee. Should a committee be unable to obtain the prescribed minimum number of members, it may continue to operate, provided that a quorum of the committee shall be a simple majority of its minimum prescribed membership.

### Rule 10. Standing Committee Duties.

(a) **Committee on Academics.** The Committee on Academics shall be responsible for policies regarding academic reform, University academic policy, evaluation of professorships and courses, calendar issues, library operations, and physical education. The Committee on Academics shall affect liaison with the Faculty Senate Academic Policy Committee, the office of the Provost, the Teaching Effectiveness and Evaluation Committee, the Committee on Undergraduate Education, and the Department of Registration and Records.

(b) **Committee on Campus Community.** The Committee on Campus Community shall be responsible for promotion of Senate among the Student Body, creation and distribution of materials concerning Senate, including all official publications, communication between Senate and the university community, addressing issues of diversity concern with the assistance of the Diversity Commission, policies concerning University Housing, the Student Media Authority, the Inter-Residence Council, Greek Life and the student Greek councils, the Outer Residence Council, the Union Activities Board, Registered Student Organizations, campus traditions and events and Athletics, including Ticket Distribution Policies (SBS §9). The Senate President shall appoint one Senator as committee Diversity Coordinator, who shall serve as point person on diversity issues for the Senate and committee. The Committee on Campus Community shall provide a Senate liaison to the Inter-Residence Council.

(c) **Committee on Finance.** The Committee on Finance shall ensure responsible expenditure of Student Body Funds. The committee shall review finance bills, advise the Treasurer and other officials on spending practices, regularly review the current balance sheet, inspect budgets and expenses of agencies and departments, advise and oversee the Treasurer on matters of Student Government facility usage, and review all matters pertaining to revenue generation by Student Government and its agencies.

The Committee shall also review the annual Student Body Budget proposal as defined by statute (SBS §5-4).

The Committee shall be composed of at least five (5) members, excluding the Student Body Treasurer, who shall be an *ex-officio* non-voting member.

(d) **Committee on Government Operations.** The Committee on Government Operations shall be responsible for reviewing amendments to these Statutes and the Student Body Constitution, formulating election procedures, considering amendments to the rules of the Senate, reviewing matters of controversy in Senate procedure, reviewing policies concerning College Councils, evaluating the nature of Senate absences, and reviewing personnel matters, including conducting investigations regarding the impeachment of Student Government Officials, in accordance with the Senate punitive powers. The Government Operations committee shall affect liaison with student judicial boards, the Board of Elections, and the Department of Student Development. The committee shall be composed of at least five (5) members.

(e) *Reserved for future use.*

(f) **Committee on Tuition and Fees.** The Committee on Tuition and Fees shall formulate policy and consider legislation pertaining to student tuition, fees, and other monetary charges, the administration's budget priorities and requests, the budgetary process of the Board of Governors and the North Carolina General Assembly, and other matters of student costs and University funding. The Committee shall annually review all proposed student fee increases, including interviewing fee requesting units and submitting initial policy recommendations to the Senate by a date set by the Senate President. The Student Body Treasurer shall serve as an *ex-officio* non-voting member of the committee.

(g) **Committee on University Affairs.** The Committee on University Affairs shall be responsible for policies concerning the Campus Police, the Physical Plant Division, parking and transportation, campus planning, construction, buildings, and grounds, the Student Health Services, the Student Legal Services, the Counseling

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Center, University Dining, the NCSU Bookstores, environmental protection, and the implementation of Nightwalk. The Committee on University Affairs shall provide a Senate liaison to the Campus Police, the Department of Transportation, and University Dining.

### Rule 11. Permanent Committees.

(a) **Purpose of Permanent Committees.** The permanent committees of the Student Senate exist to guarantee the completion of certain core functions of the Senate's mission. Unlike standing committees, each permanent committee established in these Rules shall have at least one (1) or more specific objectives that must be completed in each legislative session.

(b) **Appointment of Permanent Committees.** The President shall appoint Senators to each permanent committee. No Senator shall serve on more than one permanent committee at any given time. The President shall ensure that at least one (1) Senator representing first-year students at-large serves on each permanent committee. Membership shall, in general, be accorded to current and aspiring leaders of the Senate. In addition, no permanent committee shall have more than nine (9) members.

(c) **Committee Officers.** The President shall appoint one Senator to serve as chairman of each permanent committee, except in the case of the Committee on Appropriations, for which the Senate President *Pro Tempore* shall be *ex-officio* chairman. The chairman of a committee shall be considered a full voting member of the committee. Each committee shall elect a vice-chairman from its membership at its earliest opportunity, except for the Committee on Appropriations which shall have an *ex-officio* vice-chairman as stipulated in the permanent committee charter. Additional officers may be designated by the committee or the chairman.

(d) **Quorum.** Quorum of a permanent committee shall be a majority of the voting members, thereby including the chair, but excluding non-voting *ex-officio* members. At no point shall quorum be established with less than three (3) Senators.

### Rule 12. Permanent Committee Duties and Composition.

(a) **Committee on Appropriations.** The Committee on Appropriations shall ensure a fair distribution of Student Body Funds to registered student organizations. The committee shall execute the process of student organization appropriations as defined by statute (SBS §5-2). The Committee on Appropriations shall be comprised of at least seven (7) senators, and the Student Body Treasurer, non-voting *ex-officio*. All members of the Committee on Appropriations shall be Senators representing one of the several colleges, schools, or recognized programs and at no time shall be comprised of, excluding the Chair, more than two (2) members of any given college, school, or recognized program Senate delegation.

The chairman of the Senate Standing Committee on Finance shall be the *ex-officio* vice-chairman of the Committee on Appropriations.

(b) **Committee on Leadership Development.** The Committee on Leadership Development shall ensure adequate advocacy and related training for all members of the Student Senate, provide for a smooth transition between sessions of the Senate, and generally be responsible for all leadership development initiatives of the Student Government. In particular, the committee shall (i) plan all Senate-related aspects of the Student Government retreat, (ii) plan and implement the Washington, DC advocacy event, (iii) maintain a three-year calendar for the Student Government to include, at minimum, all dates and deadlines stipulated in the Student Body Statutes and all dates included in the University's academic calendar, and (iv) provide a tentative schedule of all meetings of the successive session of the Senate.

The chairman of the Senate Standing Committee on Government Operations shall be an *ex-officio* member of the Committee on Leadership Development.

(c) **Committee on Public Affairs.** The Committee on Public Affairs shall be responsible for all advocacy initiatives and formulating policies regarding bodies of governance at the local, state, and federal level, including the Raleigh

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City Council, the UNC Association of Student Governments, the UNC Board of Governors, and the North Carolina General Assembly. The committee shall review all matters of student concern external to the University, except where another committee has direct jurisdiction. In particular, the committee shall (i) establish a two-year legislative agenda for Student Government to correspond with each biennium of the North Carolina General Assembly, (ii) have at least one (1) member in attendance at each business meeting of the Raleigh City Council, (iii) provide legislative oversight and implementation of the Pack the Polls voter mobilization program, and (iv) ensure adequate attendance at all meetings of the UNC Association of Student Governments, above and beyond the minimum delegation provided in Student Body Statutes §1-3.2 (“*Delegation Composition*”).

The chairman of the Senate Standing Committee on Tuition & Fees shall be an *ex-officio* member of the Committee on Public Affairs.

### Rule 13. Select Committees.

(a) **Appointment of select committees.** The formation of a select committee may occur at the discretion of the President or by motion of any Senator with the consent of a simple majority of the Senate. The President shall appoint the Chair and other members of the select committee, unless the motion creating the committee specifies some other method of selection.

(b) **Meetings and general duties of select committees.** Select committees shall meet at the discretion of the Chair, subject to any conditions which may be stated in the committee’s formation. Select committees shall be responsible for the consideration of all questions referred to them by the Senate and the preparation of legislation as directed by the Senate in their formation or subsequent instructions, and the preparation of all reports required by these Rules or deemed necessary at the discretion of the Chair.

### Rule 14. Committee Procedure.

(a) **Call of meetings.** Standing committees shall meet at least once every two full class (2) weeks during the fall and spring semesters, at the time and place prescribed by the chair. A simple majority of the committee’s membership may, by written petition, instruct the chair to schedule a meeting. The chair shall provide standard one-day notice for all meetings. A quorum of the committee shall consist of a simple majority of the membership of that committee, except as provided in Rule 9(f) for committees whose membership is below the minimum prescribed membership. Committees may enact such other rules, not inconsistent with these Rules, as they see fit.

(b) **Committee reports.** Committees may, upon completing their deliberations, report legislation to the Senate by a simple majority vote of the committee. Such a report shall be submitted in electronic form by the Chair of the committee in the manner prescribed by the President to him or her and to the Student Government Office, and may include recommendations for the Senate consideration of the legislation. Committee reports take effect immediately upon being filed.

(c) **Discharge from consideration.** Any legislation remaining in a committee may be discharged from the committee, provided that standard one-day notice has been given. Passage of the motion to discharge shall require a two-thirds vote.

(d) **Consideration of legislation.** Committees shall consider all legislation referred to them. No legislation may be considered at a committee meeting unless either the chair announced its consideration or a Senator announced intent to move for its consideration. Such announcements shall be sent by electronic mail to all Senators, at least twelve (12) hours prior to the meeting in the case of a Senator and at least twenty-four (24) prior in the case of the chair.

(e) **Report of legislation.** All reports recommending Senate consideration of legislation must be submitted no later than noon two (2) days prior to the day for which the meeting is scheduled, in order to be placed on calendar for second reading at that meeting by the President. It shall be in order as privileged motion to accept the committee report of legislation not already on calendar, thereby calendaring it, provided that standard one-day notice is given. Such motion shall be decided without debate, and shall require concurrence of a simple majority of the Senate.

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(f) **Recommendation of Legislation for Consent Agenda.** Committees may, on report of legislation for second reading, recommend that the bill or resolution be placed on the consent agenda. The Senate President shall review the recommendation, and shall place the act of legislation on the consent agenda unless he or she deems it unlikely to receive consent agenda passage.

(g) **Suspension of Membership for Non-Attendance.** In the event that a committee member misses all of three (3) consecutive committee meetings, they shall be suspended from the committee effective at the close of the third meeting. Such suspension shall last until they again appear at a meeting of the committee, but will resume in the event of another two (2) consecutive missed committee meetings. Suspended members shall continue to accrue committee absences, but shall not count towards the total size of the committee.

(h) **Senator participation in committees.** Any Senator may attend and participate in the deliberations of any committee, but he or she shall have no vote unless a member of said committee.

**Rule 15. Committee of the Whole Senate.**

(a) **Dissolution into Committee of the Whole.** It shall be in order as a privileged motion for any Senator to move to dissolve the Senate into the Committee of the Whole Senate, subject to the approval of a simple majority of the Senate, and such a motion shall be decided without debate. In the absence of a quorum, the President shall be empowered to declare the Senate dissolved into the Committee of the Whole Senate, as provided under Rule 3(a).

(b) **Business in order in Committee of the Whole.** The Committee of the Whole Senate may consider any main motion which is referred to it by the Senate or is on the calendar for the present meeting.

(c) **Chair of the Committee of the Whole.** The Committee of the Whole Senate shall be chaired by the President *Pro Tempore*. In no case shall anyone serving as President also preside over the Committee of the Whole Senate. The President shall have all the rights and privileges of a Senator in meetings of the Committee of the Whole Senate.

(d) **Quorum in the Committee of the Whole.** A quorum of the Committee of the Whole Senate shall consist of one-fifth of all qualified Senators.

(e) **Debate in the Committee of the Whole.** Debate in the Committee of the Whole shall not be restricted, unless any Senator should so move with the consent of two-thirds of the Committee. All rules regarding the decorum of the Senate shall apply.

(f) **Motions in order in the Committee of the Whole.** The motion that the Committee of the Whole Senate rise and report, the motion to report the pending question to the Senate, motions to amend the pending question, and such inquiries, points of order, and motions related to debate and voting as are necessary for its operation shall be the only motions in order in the Committee of the Whole. All questions to be considered by the Committee of the Whole Senate must be reported before the motion that the Committee rise and report shall be in order.

(g) **Types of Reports by the Committee of the Whole.** It shall be in order for any Senator to move that the Committee of the Whole Senate report the pending question, and such a motion shall contain a recommendation that the Senate vote immediately or that it debate further. Such a report shall be decided without further debate and shall require the consent of a simple majority of the Committee.

(h) **Reports by the Committee of the Whole.** The President shall bring before the Senate, in the order reported, all main motions reported by the Committee of the Whole Senate upon reconvening the Senate. If the Committee reported a question with a recommendation that the Senate vote immediately, the President shall put the previous question on that motion to an immediate vote of the Senate.

**Rule 16. Closed Rule on Amendments.**

(a) **Effect of the Closed Rule on Amendments.** When under the closed rule on amendments, no amendments to a given act of legislation shall be in order in the Senate except by general consent.

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(b) **Invocation of the Closed Rule on Amendments.** Legislation may be placed under the Closed Rule on Amendments (1) by the corresponding sponsor at any time prior to first reading, upon a letter to that effect submitted in writing to the President; (2) by a committee upon recommending legislation to the Senate for second reading; or (3) by the Senate, following the sponsor's report but before debate has begun, upon a motion to that effect adopted by a majority vote of the Senate. Such a motion shall be considered without debate.

(c) **Revocation of the Closed Rule on Amendments.** The Closed Rule on Amendments for any given piece of legislation may be revoked at any time upon a motion to that effect adopted by a two-thirds majority of the Senate or a majority vote of the committee the legislation is referred to. Such a motion shall be considered without debate.

### Rule 17. Legislation Generally.

(a) **Types of Legislation.** The Senate shall recognize two types of legislation, which shall be known as Bills and Resolutions. The President shall determine the proper format for the presentation of all forms of legislation and inform all Senators of the requirements thereof.

(b) **Bills.** All legislation creating or affecting a change in the Student Body Statutes or other body of law within the legislative powers of the Senate, or providing for the budgeting and appropriation of Student Body Funds, shall be presented in the form of a Bill. The specific bill types shall be as follow:

- (1) **Budget Bill.** A budget bill either sets or modifies the Student Government budget.
- (2) **Finance Bill.** A finance bill authorizes or instructs the expenditure of funds previously budgeted. This includes allocating funds to registered student organizations (SBS §5-2), establishing co-sponsorship with other organizations, and for purchasing goods or contracting services for Student Government.
- (3) **Government Bill.** A government bill amends the Student Body Statutes or other body of law within the legislative power of the Senate. Additionally, bills providing for both use of the Student Body funds as well as amending bodies of law shall be in the form of a government bill.
- (4) **Senate Bill.** A Senate Bill amends the Standing Rules of the Student Senate or other bodies of law under the discretionary authority of the Student Senate.

(c) **Resolutions.** All legislation creating or affecting a change in Student Government policy shall be in form of a Resolution. Resolutions shall not amend any portion of the Student Body Statutes, the Student Government Budget, or any other body of law within the legislative powers of the Senate. Any resolution with the effect of supporting an increase in tuition or student fees shall require passage by a two-thirds (2/3) majority.

(d) **Senate Resolutions.** All legislation exercising one or more privileges of the Student Senate, shall be in the form of a Resolution, but shall be distinguished from Resolutions designated in Rule 17(c) by being identified as a "Senate Resolution".

(e) **Legislative expiration.** Upon adjournment *sine die* of a session, all legislation not definitely disposed of by the Senate is to be considered postponed indefinitely and can only be brought up in a new session by reintroduction.

### Rule 18. Introduction of Legislation.

(a) **Initial introduction.** A Senator may file legislation for introduction by submitting an electronic copy in the manner prescribed by the President to him or her and to the Student Government Office staff. Legislation filed by noon at least two (2) days prior to a Senate meeting shall be placed on the agenda for first reading at that meeting. The President shall also cause the legislation to be posted on the Senate website no later than one class day following its filing for introduction.

(b) **Late Introduction.** Legislation filed up to one (1) day late may be calendared by simple majority vote of the Senate, without debate, provided standard one-day notice is given. Late legislation so calendared shall be ineligible for fast-track by any means.

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(c) **Sponsorship of legislation.** Any Senator(s) filing legislation with the Student Government Office for first reading shall be designated as the primary sponsor(s) of the legislation filed. After the first reading of any piece of legislation, any number of Senators may join as secondary sponsors of the legislation with the consent of the primary sponsors. The Senate shall not amend the names of primary or secondary sponsors without the consent of those Senators whose names are to be amended.

(d) **Fast-track of Legislation.** A Senator may move that legislation receive its first and second readings at the same meeting. This procedure shall be known as "fast-tracking" the legislation. Such a motion shall be considered by the Senate at the meeting at which the legislation is on the calendar for first reading, and shall only be in order provided that standard one-day notice has been given. The motion to fast-track a resolution of appointment confirmation shall be in order only if recommended by the committee of relevant jurisdiction, as determined by the President.

(e) **Emergency Fast-track of Legislation.** Very urgent legislation filed for introduction, but not yet first read, may be scheduled for immediate second reading by the emergency fast-track procedure. This procedure applies only to resolutions and not to any form of bill. At least twenty-four (24) hours prior to the start of the meeting:

- (i) the resolution must be properly filed for introduction; and
- (ii) the Senator requesting emergency fast-track must have served standard one-day notice.

The privileged motion to approve an emergency fast-track shall require a two-thirds vote of all serving Senators for passage, and can be raised prior to the primary fast-track period. In all other regards, rules applying to ordinary fast-track shall apply to emergency fast-track.

### Rule 19. First Reading of Legislation, Fast-Tracking, and Referral to Committee.

(a) **First Reading of legislation.** At the appointed time, the President shall cause all legislation on the calendar for first reading to be read by title only, unless any Senator should ask for a full reading with the consent of one-fifth of those Senators present.

(b) **Incidental motions.** Immediately after first reading, the President shall recognize any Senator wishing to make an incidental motion relating to the pending legislation, including points of order and objections to consideration.

(c) **Motions to fast-track.** At the appointed time, the President shall recognize all Senators who properly submitted their intent to move to fast-track legislation as required by Rule 18(d) in turn for the purpose of making such a motion. Such a motion shall be decided without debate, and shall require the consent of a two-thirds majority of the Senate.

(d) **Referral to Committee.** At the appointed time, the President shall refer all legislation read for the first time and not fast-tracked to the committee he or she deems appropriate according to these Rules.

### Rule 20. Second Reading of Legislation and Senate Consideration.

(a) **Two reading rule.** All legislation shall be read twice, and such readings shall occur at two different meetings except as provided elsewhere in these rules.

(b) **Placement on calendar for second reading.** Legislation shall be placed on the calendar for second reading by the President once it is reported by the committee pursuant to Rule 14(b), for a meeting no more than four weeks following the committee's authorization of the report. Any legislation which is successfully fast-tracked shall be considered placed at the end of the calendar for second reading.

(c) **Procedure for second reading.** At the appointed time, the President shall cause the first item of legislation on the calendar for second reading to be read by title only, unless any Senator should ask for a full reading with the consent of one-fifth of those Senators present. Following the reading of the item of legislation, the President shall recognize the author(s) of the committee report (if any) on the legislation for a period not to exceed five minutes, during which time the author(s) shall give a summary of the committee's report. At the conclusion of the report, the President shall state the question on the adoption of the legislation, and the motion to object to its consideration shall be out of order.

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(d) **Second reading question period.** After stating the question on the adoption of an item of legislation, the President shall then recognize the author of the legislation under consideration for a period not to exceed ten minutes, during which time the Senator may yield to other Senators for questions. It shall be out of order for any Senator to use such time for debate.

(e) **Amendment of legislation.** All motions to amend legislation during second reading shall be written and shall be submitted to the Legislative Secretary at the time of their introduction.

### Rule 21. Engrossment and Enrollment of Legislation.

(a) **Engrossment of Bills and Resolutions.** Within two class days of the adoption of a Bill or Resolution which must be submitted to the Student Body President, the President shall cause a copy of the Bill or Resolution, corrected by the Legislative Secretary, to be engrossed and submit an engrossed and signed copy of the Bill or Resolution to the Student Body President for his or her signature.

(b) **Enrollment of legislation.** The President shall cause such legislation to be enrolled and cause the distribution of the legislation necessary to achieve its purpose within two class days of:

- (i) the receipt of a Bill or Resolution signed by the Student Body President;
- (ii) the adoption of a motion to override a veto by the Student Body President;
- (iii) the expiration of the tenth class day following the submission of a Bill or Resolution to the Student Body President with no communication from him or her; or
- (iv) the adoption of legislation not requiring presentment to the Student Body President.

(c) **Automatic Veto Override.** The Student Senate may automatically override any potential veto of the Student Body President if:

- (i) Upon filing, the bill includes in the resolved section a provision for an automatic veto override;
- (ii) If provided as an amendment, standard twenty-four (24) hour notice is served to the Student Government listserv stating an amendment will be offered to include an automatic veto override clause;
- (iii) A committee may not amend a bill to include an automatic veto override; and,
- (iv) If any automatic veto override is to be considered enrolled, the bill must pass the Senate by a 3/4th vote of all members present and voting provided a quorum exists.

### Rule 22. Senate Officers.

(a) **President.** The presiding officer of the Senate shall be the Student Senate President, as duly elected by the Student Body. The President shall be responsible for all Constitutionally prescribed duties, including forwarding all legislation requiring the Student Body President's signature to him or her within two class days of its adoption by the Senate; calling all meetings of the Senate; appointing the Chairs of the Senate Standing Committees; coordinating the education of Senate members; and shall also be responsible for performing all other duties prescribed for him or her under these Rules. At no time may the President be permitted to serve as a member of any standing or permanent committee.

(b) **President Pro Tempore.** The Senate shall elect from its membership a President *Pro Tempore*, who shall perform all duties of the President when he or she is unable to do so, serve as Chair of the Committee of the Whole Senate and as Chair of the Permanent Committee on the Budget, and monitor and report to the Senate on the activities of the Faculty and Staff Senates. At no time shall the President *Pro Tempore* serve as an officer of any standing committee, nor shall the President *Pro Tempore* serve as a member of any standing committee without the consent of the committee chair.

(c) **Secretary.** The Senate shall elect from its membership a Secretary, who shall maintain the journal, voting records, and attendance records, and assist in distributing legislation to Senators and in preparing and distributing legislation considered by the Senate to the Student Body.

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(d) **Parliamentarian.** The President shall appoint from the membership of the Senate a Parliamentarian, subject to the majority approval of the Senate, who shall advise the President and individual Senators on matters of Senate Procedure, the Student Body Statues, and the Student Body Constitution.

(e) **Sergeant-at-Arms.** The Senate shall elect from its membership a Sergeant-at-Arms, who shall assist the President in preserving order in the Senate Chamber during meetings; and at the request of the President or a simple majority of the Senate, explain expectations of order to visitors and Senators. The Sergeant-at-Arms shall not simultaneously serve in this position and be a member of the Senate Government Operations Committee.

(f) **Legislative Secretary.** The Senate shall elect from its membership a Legislative Secretary, who shall maintain an accurate record of all legislation and amendments thereto. The Legislative Secretary shall be empowered, without the consent of the Senate, to make such corrections to legislation as are necessary to maintain proper spelling and grammar and the format determined by the President. He or she shall forward all records relating to a Senate meeting to the Secretary for inclusion in the journal within four (4) days of the meeting.

(g) **Senate Webmaster.** The President shall appoint from the membership of the Senate a Webmaster, subject to the majority approval of the Senate, who shall be responsible for the maintenance of the Student Senate website, consistent with SBS §3-8.

(h) **Historian.** The President shall appoint from the membership of the Senate a Historian, who shall keep an accurate record of the corrected journal and all legislation considered, and prepare the Student Government Yearbook, as specified by statute.

(i) **Press Secretary.** The President shall appoint from the membership of the Senate a Press Secretary, subject to the majority approval of the Senate, who shall prepare a summary news release immediately (no later than 24 hours) following each Senate meeting, assist the various committees with publicizing their activities, and provide Senate-related news content for the Senate website.

### Rule 23. Election of Senate Officers.

(a) **Occurrence of Elections.** Elections for Senate Officers shall occur as follows:

- (1) All elective offices shall be opened for election at the initial meeting of the session, and the term of officers so elected shall expire when their successors are elected pursuant to part (2) of this rule.
- (2) All elective offices, shall be opened for election at the meeting which the elected first-year Senators enter office.
- (3) Upon the vacation, or notification of such vacation, of an office a special election for that office shall be held, with the results of said election effective upon date of vacation of the said office.
- (4) Upon the order of two-thirds the Senate, an election for any single office shall be held. The individual previously holding the office shall not be barred from seeking the position again. No such election shall be held unless standard one-day notice is given.

(b) **Order of Elections.** In the event of multiple nominations the election shall proceed in the order of the offices in Rule 22.

(c) **Nominations.** The Chair shall call for nominations for the office to be elected. Any Senator may nominate another Senator, and nominations may be closed by a two-thirds vote of the Senate.

(d) **Elections.** Each nominee shall be allowed to speak for a period not to exceed ninety (90) seconds, in reverse the order of nomination, followed by a period of questions for all nominees simultaneously that will not exceed ten (10) minutes. Nominees shall be asked to leave the chamber prior to a period of debate, not to exceed ten (10) minutes. This period of debate shall be general and not divided among the nominees. No senators debate shall exceed one (1) minute. The nominees shall be requested to re-enter the room immediately before the chair puts the question to the Senate. The vote shall be conducted by an anonymous written ballot.

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**Rule 24. Ethics in Leadership Requirement.**

No member of the Senate who has previously been impeached for dereliction of duty or other such offenses shall be permitted to hold any position beyond that of Senator, including, but not limited to, any Senate Officer position as specified in Rule 22, any committee chairmanship, or any other officer position in any committee. Additionally, no such members shall be permitted to serve on any permanent committee.

**Rule 25. Confirmation of Appointments.**

(a) **Presentation of Appointments.** The appointing authority shall give notice to the Student Senate President of the intention to present an appointee to the Senate no later than 9 o'clock AM on the Monday prior to the Wednesday for which the meeting is scheduled. The Student Senate President shall place the appointee, with name and position of appointment, on the agenda for consideration at the aforementioned Wednesday meeting.

(b) **Introduction of Confirmation Resolutions.** Upon notice to the Senate President per part (a) of an appointment external to the Student Senate, a Senate Resolution bearing no sponsor shall be automatically introduced providing for the confirmation of the individual appointment. This Senate Resolution shall be considered on first reading and referred to committee, notwithstanding fast-track, as provided by rule.

(c) **Confirmation of Appointments.** The appointee shall be allowed to speak for a period not to exceed ninety (90) seconds, followed by a period of questions for the appointee that will not exceed five (5) minutes. Appointees shall be escorted from the chamber prior to a period of debate, not to exceed five (5) minutes. No senators debate shall exceed one (1) minute. Consideration of the an appointment confirmation on the Senate floor shall proceed by the same manner regardless if a simple motion is under consideration or a confirmation resolution is on second reading.

(d) **Affect of Committee Reports.** Favorable committee reports shall affect resolutions of confirmation in the same manner as standard reports. Committees may issue provisional negative reports on confirmation resolutions, indicating likelihood that the committee will issue a full negative report in the future, and thereby suspending any acting status. In the event of a negative report on a confirmation resolution, the confirmation shall be considered defeated unless the confirmation is successfully discharged at the subsequent Senate meeting.

(e) **Standards of Communication.** It shall be the responsibility of the chair of the committee considering a confirmation motion or resolution to notify the appointee of a confirmation hearing. A reasonable attempt shall be made to accommodate the appointee's schedule, and at least three (3) class days notice shall be given.

(f) **Administration of Oath.** All confirmed appointees shall be administered the oath of office prior to the conclusion of the period of appointments.

**Rule 26. Academic Delegations.**

(a) **Composition and Operation.** There shall be a Student Senate Academic Delegation for each of the Recognized Schools and Colleges of SBS §2-3.4. All Senators elected or appointed to a Senate seat in a recognized school or college shall automatically be a member of school's or college's Academic Delegation. Senators elected as At-Large First-Year students shall be automatically designated members of the academic delegation relevant to their declared major. Senators not automatically a member of a delegation may be invited by the delegation to join its membership.

(b) **Officers.** Each delegation shall be headed by the ranking member, in terms of Senate seniority. If a delegation does not have a single ranking member, or the ranking member does not wish to head the delegation, the delegation shall elect a chair from within its membership. The delegation shall have discretion to designate other officers. No student not enrolled in the delegation's college or school shall be considered ranking member or designated chair; except in the case that no member of a delegation is enrolled in the delegation's college or school.

(c) **Delegation meetings.** All meetings shall be at the call of either the chair or ranking member. Meetings shall be announced to all members of the delegation at least forty-eight (48) hours, but need not be announced to the entire Senate. Delegations shall not be considered public bodies. Attendance shall be recorded and published publicly

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online, but shall not count towards Senate absence totals. Senators absent from delegation meetings because of required attendance at another Student Government body shall be recorded as absent and exempt.

(d) **Delegation reports.** Delegations may file a written report to the Student Senate, provided the delegation has met since the date of last report.

(e) **College Councils.** Each delegation shall be responsible for electing such Senate representatives as may be required by the delegation's college council at a meeting functioning as a public body. At minimum, the delegation head shall designate a member to monitor the activities of the relevant college council. The delegation shall maintain records of the officers, meetings, and structure of its college council, and shall submit contact information into a central record for Student Government use.

**Rule 27. Matters Regarding these Rules.**

(a) **Suspension and amendment of these Rules.** The Senate may, by the consent of a two-thirds (2/3) majority, temporarily suspend or permanently amend one or more of the Rules of the Senate. However, no Rule may be suspended or amended which specifies otherwise, or derives its authority from any other portion of the Student Body Constitution or Statutes, or federal, state, or local law. Furthermore, no clause mandating advance notice, including dates and times for submission of documents, may be suspended, unless suspended prior to the advance notice deadline.

(b) **Matters not covered by these Rules.** All procedures not covered by these Rules shall be governed by *Robert's Rules of Order, Newly Revised*. In cases where a conflict arises, these Rules shall govern.

## Article 2. Punitive Powers of the Senate.<sup>2</sup>

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### §2-2.1. **Definitions and Conventions.**

Within this article, the following definitions and conventions shall apply:

- (a) A “**charge**” is an allegation that some specific regulation on official conduct, as listed within this article, has been violated by a Student Government Official.
- (b) A “**specification**” is an allegation of some action by a Student Government Official that supports a particular charge.
- (c) “**Evidence**” is some form of testimony or document that supports or refutes an allegation made in a specification.
- (d) “**Contacting**” an individual, when not defined otherwise, refers to either establishing two-way communication or sending notice in such a manner that an individual has a reasonable time to receive it and transmit a response.
- (e) All terms of adjudication refer to the punitive process, and not the student judicial process, unless otherwise specified.

### §2-2.2. **Effective Date of Punitive Statutes.**

No act shall be in order in the Student Senate amending this article of statute that does not take effect on the adjournment sine die of the Senate session. No punitive resolution shall be in order in the Student Senate that specifies charges not in statute at the time of alleged infraction. Punitive resolutions that allege infractions in a past session, when otherwise permitted, shall be in order in the Student Senate only when specifying charges applicable under both the punitive statutes in effect the session of the punitive resolution and those in effect at the time of the alleged infraction.

### §2-2.3. **Punitive Process.**

Recognizing that the Student Body places a certain trust in all officials of the Student Body Government, it is necessary to maintain a process in which sanctions may be duly leveled against those who breach that trust.

### §2-2.4. **Scope of Punitive Powers.**

The punitive powers of the Student Senate shall extend to all elected and appointed officials, including those in which these statutes do not require consent of the Senate on appointment, as further delineated by this article.

<sup>2</sup> As amended by: GB 79, 82nd Session (2002-2003); SB 105, 86th Session (2006-2007).

**§2-2.5. Standard of Proof.**

The Government Operations Committee shall report a bill of charges containing only specifications supported by a preponderance of the evidence.

**§2-2.6. Initiation of Punitive Process.**

In all cases, the punitive process shall be initiated by the introduction of formal charges pursuant to SBS §2-2.7.

**Part I. Formal Charges.****§2-2.7. Form of Formal Charges.**

All formal charges shall be introduced into the Student Senate as Senate Resolutions containing a bill of charges, in a context appropriate to the official status of the accused official and the sanction sought. Such a Senate Resolution must clearly state the sanction sought against the official.

**§2-2.8. Bills of Charges.**

A bill of charges shall be a resolving clause listing each charge alleged against an official and the specifications thereto. Any bill of charges lacking clearly defined charges and sustainable specifications shall be out of order in the Student Senate or any committee thereof.

**§2-2.9. Context of Formal Charges.**

The bill of charges shall be in the form of:

- (a) a resolution of impeachment, in cases in which the removal from office is sought against a Senator, Student Body Officer, or member of the Judicial Branch;
- (b) a resolution of rescission of appointment, in cases in which the removal from office is sought against an appointed official not included in part (a); or
- (c) a resolution of censure, in cases in which a strong formal reprimand is sought against an official.

**§2-2.10. Introduction of Formal Charges.**

All Senate Resolutions containing formal charges shall be filed pursuant to Senate Rule with either:

- (a) the sponsorship and signatures of five (5) Student Senators;
- (b) the sponsorship of a Student Senator and the signature of four (4) Judicial Board members, only in cases of accusations against the Student Chief Justice;
- (c) the sponsorship of a Student Senator and the signature of the Student Body Auditor, only in cases of accusations against the Treasurer, the Comptroller, or another official in the Department of the Treasury.

**§2-2.11. Retention of Sponsorship.**

Throughout consideration, formal charges shall retain at least the same number of Senate sponsors as when introduced per SBS §2-2.9. Remaining sponsors shall be provided a reasonable amount of time, never to extend beyond the time of adoption, to replace lost sponsors.

**§2-2.12. Notification of Charges.**

As soon as practical following filing of a bill of charges, the Senate Sergeant-at-arms shall notify the accused official by written statement, which shall include the resolution in full, by either hand delivery or registered mail, return receipt. At no point shall the Committee on Government Operations issue a final report on the resolution or the Senate consider the resolution on second reading without notice having been given. At the determination of the Committee on Government Operations that the accused official has deliberately avoided notice for at least two (2) class weeks, notice may be given by publication.

**§2-2.13. Charges Concerning the Student Senate President.**

Should the Student Senate President be accused in any bill of charges, all Presidential duties affecting the involved Senate Resolution shall be discharged by the Student Senate President *Pro Tempore*.

**§2-2.14. First Reading.**

All Senate Resolutions containing a bill of charges shall be referred to the Committee on Government Operations by the Senate President following first reading, notwithstanding points-of-order or dismissal by objection to consideration.

**§2-2.15. Use of Special Investigation Committee.**

A Special Investigation Committee shall be convened for a particular bill of charges to act in the place of Government Operations in the following cases:

- (a) the bill of charges concerns the Student Senate President;
- (b) a majority of the Government Operations Committee are sponsors of the bill of charges; or
- (c) the Senate, by two-thirds majority vote, elects to use such a committee prior to the referral of the bill to committee.

**§2-2.16. Selection of Special Investigation Committee.**

A Special Investigation Committee shall have five (5) members, with a chair elected by and from the membership. The members of the committee shall be elected by the Senate, via cumulative voting as follows:

- (a) Each Senator shall have a number of votes equal to the number of seats available to fill, and he or she may accumulate such votes upon one or more candidates;
- (b) Votes shall be tabulated and the top voter-getters up to the seats available shall be elected. A run-off shall be conducted in case of a tie for the last seat.

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**§2-2.17. Committee Consideration.**

- (a) Within two (2) class weeks of referral, the Committee on Government Operations shall schedule a preliminary hearing on the bill of charges, at which time the accused official shall have the right to present an initial defense on the charges. At this preliminary hearing, the committee shall verify probable cause exists to continue the inquiry. The accused official shall have the right to seek and receive clarification to any charge or specification while at this hearing.
- (b) Should after the preliminary hearing the Committee on Government Operations believe that the bill of charges merits additional investigation, the Committee shall schedule one or more evidentiary hearings, at which the sponsors and the accused shall be permitted to present evidence supporting or refuting the specifications of the bill of charges.
- (c) The committee shall attempt to have the accused official present for all hearings. All meetings must be announced forty-eight (48) hours in advance; the accused shall respond within eighteen (18) hours on if he or she can attend. The committee may consider the matter *in absentia* if the accused does not respond, or if the committee determines, by two-thirds vote, that the accused is deliberately missing meetings to frustrate the process.
- (d) At any point in its investigations on a bill of charges, the Committee on Government Operations shall be empowered to remove or reduce any specification, charge, or sanction contained therein.
- (e) At the conclusion of its investigations, the Committee on Government Operations shall issue a final report either dismissing the charges or recommending that the Senate consider them. In a report recommending Senate action, the Committee shall detail evidence supporting the specifications, justify the charges based on the specifications, and explain why the charges merit the ordered sanction.

**§2-2.18. Discharge of Committee Consideration.**

In ordinary cases, it shall be the policy of the Student Senate to allow the Committee on Government Operations discretion on length of committee investigation on a bill of charges. Should it be deemed in interest of justice, the Senate may, following a two-thirds majority vote of the Senate, discharge a resolution with charges from committee, provided that least five (5) class weeks have elapsed since the date of referral.

**§2-2.19. Second Reading of Censure or Rescission of Appointment.**

Second reading of resolutions of censure or rescission of appointment shall proceed according to the Senate Rules, with the following exceptions:

- (a) Following the presentation of the committee report of investigation and the sponsors' clarification period, the accused official shall have no less than thirty minutes to present a defense, which may include testimony;

- (b) There shall be no less than thirty (30) minutes of debate, evenly divided into three (3) periods of alternating positive and negative debate; and
- (c) Adoption of a resolution of censure shall require a two-thirds vote, and adoption of a resolution of rescission of appointment shall require a three-fourths vote. No resolution of censure or rescission shall be subject to the veto of the Student Body President.

**§2-2.20. Second Reading of Impeachment.**

Second reading of resolutions of impeachment shall proceed according to the Senate Rules, with the following exceptions:

- (a) Following the presentation of the committee report of investigation and rebuttal statement from the accused, each taking no more than ten (10) minutes, the Senate shall proceed immediately into a thirty (30) minute period of debate, evenly divided into three (3) rounds of alternating positive and negative debate; and
- (b) Adoption of a resolution of impeachment shall require a two-thirds vote, and shall have the effect of indicting the official on the specified charges and scheduling a trial on the date specified by the resolution, or two (2) class weeks hence, whichever is later. No resolution of impeachment shall be subject to the veto of the Student Body President.

**§2-2.21. Impeachment Trial.**

The trial of an impeached Student Government Official shall occur on the date provided by SBS §2-2.20(b), or on a date not more than three (3) weeks hence, in the event the Senate President finds such would enable the impeached official to attend. Should an impeached official fail to attend, the trial shall be conducted *in absentia*. The procedure for the trial shall be as follows:

- (a) The Chairman of the Government Operations Committee, or another author of the final report of the committee, shall first present a report of the evidence, including witness testimony, found during the investigation of the accused. The accused shall then respond to the charges and may call witnesses on his or her behalf. The Senate as a whole may question the accused or any witness that may be summoned.
- (b) Following the hearing of evidence, the accused shall then be asked to leave the Senate Hall, and the Senate shall enter into deliberations.
- (c) Senators shall have unlimited debating privileges during deliberations. When voting is completed, the meeting shall be opened and the President shall immediately announce the result of the vote before the Senate.
- (d) An impeached official shall only be convicted by a three-fourths (3/4) majority of the Senate.

**Part II. Sanctions.****§2-2.22. Sanctions Generally.**

No sanction shall be implemented not explicitly provided for by this article. Sanctions shall be listed in this article in order of increasing severity, and at no point shall a Senate Resolution under consideration by the Senate or a

committee thereof be amended by replacing or supplementing a sanction with one of greater severity.

**§2-2.23. Censure.**

Censure shall be considered a major sanction, and shall be the strongest possible rebuke provided by this article.

**§2-2.24. Suspension of Stipend.**

Suspension of Stipend shall be considered a major sanction, but can only be invoked concurrently with censure.

**§2-2.25. Removal from Office.**

Removal from Office shall be considered a major sanction, and shall only be invoked by conviction in an impeachment trial or enactment of a resolution of rescission of appointment. No removal from office shall carry with it a ban on future service.

**§2-2.26. Applicability of Ethics in Leadership Requirement.**

All officials affected by this section shall consequently be subject to the Senate Ethics in Leadership Requirement as specified in Senate Standing Rule 24.

**Part III. Specific Charges.**

**§2-2.27. Charges Generally.**

As fair punitive process requires officials to be aware of clear conduct expectations, all resolutions containing formal charges shall only include charges explicitly defined by this article.

**§2-2.28. Abuse of Power.**

The charge of Abuse of Power shall apply to cases in which the execution of an official power has been in a manner inconsistent with its just purpose or fair use, to the detriment of the Student Body or the Student Government.

**§2-2.29. Neglect of Duty.**

The charge of Neglect of Duty shall apply to cases in which an official willful failed to execute a specific duty to the best of his or her ability.

**§2-2.30. Fraudulent Misrepresentation on Official Documents.**

The charge of Fraudulent Misrepresentation on Official Documents shall apply to cases in which an official files an official document on false pretense or containing maliciously untrue information.

**§2-2.31. Breach of Ethical Duty.**

SBS §1-1.5 defines a pattern of ethical behavior for Student Government Officials. Realizing that in many cases the specific ethical provisions can be mutually exclusive or impractical to obtain to perfection, charges of Breach of Ethical Duty shall be limited to cases in which the breach is both substantial and willfully malicious.

**§2-2.32. Improper Qualifications to Hold Office.**

The charge of improper qualification to hold office shall apply to cases in which a Student Government official lacks one or more qualifications to hold the office in which they serve.

**§2-2.33. Reserved for future use.**

**§2-2.34. Reserved for future use.**

**Part IV. Non-Punitive Dismissal.**

**§2-2.35. Eligibility for Non-Punitive Dismissal.**

Non-punitive dismissal shall be reserved for appointed positions in the executive branch not provided directly for by the Student Body Constitution.

**§2-2.36. Non-Punitive Dismissal Process.**

Non-punitive dismissal may be exercised by the Senate without cause, and does not imply wrongdoing on the part of the dismissed official, only a desire of the Senate to re-fill the position. Non-punitive dismissal shall be effected by the adoption, via a two-thirds vote, of a Senate Resolution providing such dismissal. Prior to Senate vote on such resolution, the affected official shall be permitted to address a Senate committee on why he or she should retain his or her position.

**Part V. Miscellaneous Punitive Powers.**

**§2-2.37. Removal of Senators-Elect.**

In the event that a qualified Senator-Elect has failed to take the oath of office after at least two regular meetings of the Student Senate, a Senate Resolution providing for the vacation the Senator-Elect's seat shall be in order. Such a Resolution shall require a three-fourths (3/4) vote for adoption, and no motion to fast track or effectively fast track shall be in order.

**§2-2.38. Expulsion for non-attendance.**

The Senate shall be empowered to expel its own members from office for excessive absences. Such expulsion shall be by Senate Resolution, and shall proceed as follows:

- (a) the Committee on Government Operations deems the absences excessive and recommends expulsion from office, as specified in Senate Rule;
- (b) a representative of the Committee on Government Operations files for introduction a Senate Resolution specifying the Senator's absences and resolving removal from office;
- (c) the Senate President shall notify the accused Senator of the resolution;
- (d) on first reading, notwithstanding objection to consideration or points of order, the resolution shall be referred to the Committee on Government Operations, which shall provide an opportunity for the accused Senator to respond at a meeting;

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- (e) on second reading, the accused Senator shall be permitted ten (10) minutes to present a defense following the committee's report on the resolution;
- (f) adoption of the resolution shall require a three-fourths (3/4) vote, and shall have the effect of immediately removing the Senator from office.

**§2-2.39. Contempt.**

Any Student Government Official failing to reasonably comply with good-faith oversight or investigative power exercised by a Senate Committee shall be guilty of contempt. On report of such charges by committee, and with the concurrence of the Senate, such matter shall be referred to the Judicial Affairs Office of the Student Judicial Boards for further adjudication.

**Part VI. Removal by Other Processes.****§2-2.40. Dismissal by Officer.**

Student Government Officials empowered to make appointments shall generally have the authority to

terminate said appointment. This clause shall not apply to members of the Student Senate or Student Judicial Boards.

**§2-2.41. Resignation.**

All Student Government Officials shall be permitted to resign their office in writing. Such resignation shall be effective at the date specified by the resignation. Such resignation must be accepted:

- (a) by the officials' public body, in the case of members of public bodies,
- (b) by the Senate, in the case of Student Body Officers, or
- (c) by the supervisory official, in all other cases.

**§2-2.42. Exclusivity.**

Except as provided elsewhere in these statutes for discipline within agencies, the provisions of this article shall exclusively contain processes for termination of any Student Government Office.

## Article 3. Composition of the Senate.

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- §2-3.1. **Apportionment defined.**
- §2-3.2. **Rules of apportionment.**
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- §2-3.10. **Appointment by the President.**
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- §2-3.11. **Membership Reports.**

### §2-3.1. **Apportionment defined.**

Within this Article, “**apportionment**” is the determination of the constituency that each Senate position shall represent.

### §2-3.2. **Rules of apportionment.**

The Senate shall enact an apportionment no later than three (3) years from the date of the previous apportionment, subject to the following provisions:

- (a) There shall be a total of sixty-four (64) Senators, each elected by the students of a recognized School or College of the University (SBS §2-3.3);
- (b) Representation by the Senators shall be divided amongst the Schools and Colleges, and if possible, the classes within each School and College, such that each Senator represents, as nearly as possible, an equal number of students; however, each recognized School or College shall elect at least one (1) Senator; and
- (c) The number of students in each School or College shall be determined by the number of full time equivalent (FTE) students.

### §2-3.3. **Effective Date of Reapportionment.**

- (a) The Spring General Election following the adoption of an act of reapportionment shall consider the elective Senate seats as reapportioned.
- (b) No act of reapportionment shall affect a Senate in session.

### §2-3.4. **Recognized Schools and Colleges.**

For the purposes of this Article, the recognized Schools and Colleges of the University shall be:

- (a) the College of Agriculture and Life Sciences (CALC);
- (b) the College of Design;
- (c) the College of Education;
- (d) the College of Engineering;
- (e) the College of Natural Resources;
- (f) the College of Humanities and Social Sciences (CHASS);
- (g) the College of Management;
- (h) the College of Physical and Mathematical Sciences (PAMS);
- (i) the College of Textiles;
- (j) the Graduate School;
- (k) the College of Veterinary Medicine;
- (l) the First-Year College; and
- (m) Life-Long Education students.

### §2-3.5. **Current apportionment.**

Each School and College, and class within the School or College, shall be represented by the following number of Senators:

- (a) First-year undergraduate students from all Schools and Colleges – eleven (11);
- (b) CALC Agricultural Institute – one (1)
- (c) CALC sophomores – two (2);
- (d) CALC juniors – two (2);
- (e) CALC seniors – three (3);
- (f) Design – one (1);
- (g) Education – one (1);
- (h) Engineering sophomores – three (3);
- (i) Engineering juniors – three (3);
- (j) Engineering seniors – four (4);
- (k) Natural Resources – two (2);
- (l) CHASS sophomores – two (2);
- (m) CHASS juniors – three (3);
- (n) CHASS seniors – three (3);
- (o) Management – five (5);
- (p) PAMS – two (2);
- (q) Textiles – one (1);
- (r) Graduate – ten (10);
- (s) Veterinary Medicine – one (1);
- (t) First-Year College – one (1); and
- (u) Life-long Education – three (3).

### §2-3.6. **Graduate Apportionment Correction.**

The Student Senate shall adopt an apportionment allocating seats to the Graduate School in proportion to their percentage FTE enrollment no later than February 18, 2004.

### §2-3.7. **Selection of Senators.**

Senators shall be selected to represent the Schools and Colleges by (i) election or (ii) appointment by the President.

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**§2-3.8. Apportionment for Fall Election.**

The following Senators shall be elected in the Fall General Election and shall not be considered for election in the Spring General Election:

- (a) all Senators representing first-year undergraduate students; and
- (b) two (2) Senators representing first-year students in the Graduate School.

**§2-3.9. Elections Publicity Committee.**

The Student Senate President shall appoint, no later than May 1st, at least 2 members to a Select Senate Committee on Fall Election Publicity. The committee shall be charged with fully publicizing both the filing and voting of the Fall General Election.

**§2-3.10. Appointment by the President.**

Should there be an insufficient number of Senators representing a School or College (SBS §2-3.5), the President shall appoint an eligible student (SBS §1-2) to represent said School or College as a Senator, to be approved by a simple majority of the Senate. Senators appointed in this way shall, if possible, be enrolled in the School or College they are appointed to represent.

**§2-3.10A. Reappointment of Technical Administrators.**

Any Senator who forgoes pursuing re-election to serve as a Technical Administrator as defined in Chapter 7, Article II of the Student Body Statutes shall be appointed to the first applicable vacancy in the Senate, upon majority approval of the Committee of Government Operations prior to the Senator's service as a Technical Administrator. Until such time as the Senator is reappointed, the Senator will continue to serve as an ex-officio non-voting member of the Senate with no loss in seniority.

**§2-3.11. Membership Reports.**

The Student Senate President shall notify a College Council if one of the respective college's seats has become vacant or has been recently filled by appointment within ten class days of the vacancy or appointment.

