

# **STUDENT GOVERNMENT ASSOCIATION**



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## **STATUTES**

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# **The Florida International University Student Body Statutes – Amended April 2025**

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# **The Florida International University Student Body Statutes – Amended April 2024**

## **Title I: System of Statutes**

### **Section 1.00 – Jurisdiction of the Statutes**

- 1.00.1 All students, by virtue of their registration at Florida International University, are members of the Student Body and are granted all the rights and privileges of the Student Body Constitution and the Student Body Statutes.
- 1.00.2 Hereinafter all mention of the Student Government Association Constitution and the Student Government Association Statutes shall be abbreviated to SGAC for the Student Government Association Constitution and SGAS for the Student Government Association Statutes.
- 1.00.3 Members of the Student Body shall be subject to the SGAC and SGAS, all University rules and regulations, well as all rules and procedures approved by the Student Government Association.
- 1.00.4 All organizations, entities, and groups funded by the Student Government Association Activity and Service Fee allocations shall be subject to these Statutes.
- 1.00.5 The Student Government Association shall have all powers as prescribed by the SGAC.
- 1.00.6 The Student Government Association shall oversee all student organizations through the organized agency accomplishing this task and Activity and Service Fee funded entities.
- 1.00.7 All Student Body laws of permanent effect and general public interest, or of legal or historical significance, shall be compiled in a codification known as Student Body Statutes. Except in unusual circumstances, this codification shall exclude non-governmental organizational charters, authorizations, resolutions, proposed constitutional amendments, the Budget and amendments thereto, and contracts of limited duration.
- 1.00.8 The Student Body Constitution shall be the superseding document for all actions or activities not previously superseded by the Student Government Constitution.

### **Section 1.01 – Structure of the Statutes**

- 1.01.1 All Statutes shall be arranged according to a decimal orientation, with Titles I through Title II being the only titles numbered in a single decimal orientation. The next seven titles shall be numbered in the thousands decimal place, starting with 3000 for Title III and continuing from that numbering point on until Title IX. The next titles, beginning with Title X, shall be listed by tens, starting with 10.00 for Title X and so on.
- 1.01.2 The Titles for the Student Body Statutes are listed below:
  - 1.01.2.1 Title I – System of Statutes, cited in 1.00 format
  - 1.01.2.2 Title II – Definitions and Parliamentary Authority, cited in 2.00 format

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- 1.01.2.3 Title III – The Legislative Branch, cited in 3000.00 format
- 1.01.2.4 Title IV – The Executive Branch, cited in 4000.00 format
- 1.01.2.5 Title V – The Judicial Branch, cited in 5000.00 format
- 1.01.2.6 Title VI – The Elections Code, cited in 6000.00 format
- 1.01.2.7 Title VII – The Finance Code, cited in 7000.00 format
- 1.01.2.8 Title VIII – The Ethics Code, cited in 8000.00 Format
- 1.01.2.9 Title IX – Requirements of SGA Officials, cited in 9000.00 format
- 1.01.2.10 Title X – The Executive Agencies, cited in 10.00 format
- 1.01.2.11 Appendix 1 – The Use of the SGA Logo and Seal
- 1.01.2.12 Appendix 2 – Documents that have changed the Statutes

**Title II: Definitions and Parliamentary Authority**

**Section 2.01 – Definitions**

- 2.01.1 Activity and Service Fee: The State of Florida has established a separate Activity and Service Fee. This fee is be collected as part of the student tuition as a dollar amount per credit hour, and is retained by the University and paid into a separate A&S fund.
- 2.01.2 Activity and Service Fee funded Entity: Any person, group, department, organization, or office that receives any funding from the Activity and Service Fee.
- 2.01.3 Bureau: Student organizations which serve specific identity groups within the student body, including, but not limited to: race; religion; ethnicity; sexual orientation; gender identity; disability; academic major; academic college or school; culture; affinity; social group; or any other purpose as approved by the Student Government Association.
- 2.01.4 Conflict of Interest: A conflict of interest, as identified by Sunshine Law, means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest. This shall include, but shall not be limited to, having an immediate relationship (by blood, by marriage, or through adoption), a business relationship, or a romantic relationship, with an individual for whom a student must make an official decision. This also includes being a member of the organization directly affected, and/or being a member of a board, commission or committee that is currently voting on or will be voting on dissolving or instating the subject matter at hand. In situations where it is too difficult to determine if there is a reasonable conflict of interest, the presiding officer of the meeting shall make the final determination by distinguishing whether there are personal interests that might benefit from a member's vote.
- 2.01.5 Executive Agency: An administrative division of the Executive Branch of the Student Government Association, established by statute, which exists to provide goods and/or services to the student body, acting on behalf of the Student Government Association to provide a function beneficial to the student body funded by Activity and Service Fees.
- 2.01.6 Malfeasance: The performance by a public official of an act that is legally unjustified, or contrary to law.
- 2.01.7 Misfeasance: The intentionally wrongful performance of a normally lawful act.
- 2.01.8 Nonfeasance: The omission of some act that ought to have been performed.
- 2.01.9 Senate Committee: The entities within the Senate with a specific purpose as outlined by these Statutes or by Senate legislation.
- 2.01.10 Senate Leadership: Senate Leadership shall be comprised of the Senate Speaker, the Speaker Pro Tempore, the Finance Chair, the Floor Leader, and all of the Committee Chairs.



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- 2.01.11 Student Government Official: Any official member of the Legislative, Executive, or Judicial Branch, or those other individuals as identified in these Statutes. Officials of Executive Agencies and of Bureaus shall be considered Student Government Officials.
- 2.01.12 Student Government Logo: The logo of the Association shall be the official graphic representation of SGA.
- 2.01.13 University Business Day: Any day Monday-Friday where there is at least one class from 9:00a.m. until 6:00 p.m.

### **Section 2.02 – Florida Statutes Compliance**

- 2.02.1 The Student Government Association, when fulfilling its duties and allocating the Activity and Service Fee funds, shall comply with Fla. Stat. Section 1009.24: State University Student Fees.

### **Section 2.03 – Transparency and Accountability**

- 2.03.1 Senate, Cabinet, Judicial, and all other meetings of the Student Government Association shall be documented in meeting minute format. These documents shall be made publicly available on the SGA website, and shall be immediately provided upon request.
- 2.03.2 All signed legislation must be scanned, stored electronically, and be accessible online. Legislation must be scanned with the Student Body President's signature or veto.

**Title III: The Legislative Branch**

**Section 3001 – Purpose and Powers**

- 3001.1 The purpose and duties of the Student Body Senate, hereinafter referred to as the Senate, shall be to serve as the legislative body of the Student Government, presenting and discussing legislation in the form of resolutions, appropriations, and bills for the benefit of the student body. In addition, the Senate shall serve as a venue for the Senators to report progress, discuss upcoming goals and ideas, investigate issues, and debate matters concerning student life at FIU.
- 3001.2 The Senate shall possess the following powers, subject to the Student Body Constitution:
- 3001.2.1 Enact all legislation necessary and proper for the general welfare of the student body.
- 3001.2.2 Consider, amend, and pass the final Activity and Service Fee Budget for each year, presented by the Activity and Service Fee Budget Committee, by a two-thirds (2/3) vote of the Senate.
- 3001.2.3 Allocate student funds paid through the Activity and Service Fee.
- 3001.2.4 Vote to approve or deny appointments made by the Student Body President, according to constitutional requirement.
- 3001.2.5 Override vetoes of the Student Body President with a two-thirds (2/3) vote of the Senate, unless specified otherwise in the Constitution.
- 3001.2.6 Create any ad hoc committee deemed necessary and proper to the operation of its duties, through a resolution which shall pass by a simple majority vote, not subject to veto by the Student Body President.
- 3001.2.7 Conduct audits of any organization or department receiving Activity and Service Fee funds to ensure compliance with the SGA governing documents.
- 3001.2.8 Expand the jurisdiction of the Supreme Court, and create lower courts of the judicial branch.
- 3001.2.9 Subpoena SGA officials and records to the Senate floor or to Senate committees.
- 3001.2.10 Open an impeachment case at the Supreme Court against an SGA official or officials, by a two-thirds (2/3) vote.
- 3001.2.11 Determine the rules of its proceedings, which shall be known as Senate Rules, through a bill which shall pass by a simple majority vote, not subject to veto by the Student Body President.
- 3001.2.12 Elect a Clerk of the Senate to perform such duties as provided by these Statutes and the Senate Rules.

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- 3001.2.13 Remove a Justice of the Supreme Court through a two-thirds (2/3) vote of the Senate and the approval of the Student Body President. Should the President veto the removal, the Senate may override the veto with a three-fourths (3/4) vote.
- 3001.2.14 Provide by statute for the policies governing the subsidization for on-campus room rentals with Activity and Service Fee funds.
- 3001.2.15 Vote to authorize expenditures of the Student Government Budget not pertaining to any individual branch or official.
- 3001.2.16 Impose requirements, duties, penalties, censure, and removal on Senators.

### **Section 3002 – Organizational Definitions**

- 3002.1 The quorum of the Senate shall be set at a simple majority of the membership of the Senate, excluding all vacancies. The Senate may not transact any substantive business without the presence of a quorum.
- 3002.2 A simple majority vote shall be defined as: more than half of the Senators present in a meeting and voting on a matter, not including abstentions.
- 3002.3 A two-thirds (2/3) majority shall be defined as: at least two thirds (2/3) of the Senators present in a meeting and voting on a matter, not including abstentions.
- 3002.4 A three-fourths (3/4) majority shall be defined as: at least three fourths (3/4) of the Senators present in a meeting and voting on a matter, not including abstentions.
- 3002.5 A three-fifths (3/5) majority shall be defined as: at least three fifths (3/5) of the Senators present in a meeting and voting on a matter, not including abstentions.
- 3002.6 The “entire Senate membership” and “the membership of the Senate” shall be defined as the total number of students serving as members of the Student Body Senate at any given time. This number shall exclude all vacant seats.
- 3002.7 A unanimous vote shall be defined as all members present in a meeting voting affirmatively on a matter, not including abstentions.

### **Section 3003 – Terms of Office**

- 3003.1 Senators shall assume office upon inauguration. Senators shall serve a one (1) year term beginning on the first day of classes of the Summer semester at 12:00 p.m. and ending on the first day of classes of the next Summer semester at 12:00 p.m. Senators may otherwise only be dismissed from office for reasons of formal resignation, failure to meet SGA qualifications to hold office, or by removal from office. Senators elected or confirmed to fill a vacancy shall serve the remainder of the term of the seat to which they were elected or confirmed.

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### **Section 3004 – Installation of Senators**

- 3004.1 Installation of Senators shall occur at the inauguration ceremony for the term that they are elected. Any Senators not sworn in at inauguration shall be sworn in at the next Senate meeting they are present. Installation of Senators filling a vacancy shall occur at the first Senate meeting at which they are present after being duly elected or confirmed. The installation of multiple new Senators may be done at once.
- 3004.2 The following oath of office shall be administered at Inauguration: *“I, (Officer’s Full Name), do solemnly (swear/affirm) that I will support the Constitution of the United States, the Constitution and the laws of the state of Florida, and the Constitution and the laws of the Student Government Association of Florida International University, and that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, to the best of my ability, (so help me God / on pain of removal).”* Candidates may choose to add the words “so help me God” or “on pain of removal” at the end of their oath when taking the oath of office. The person administering the oath shall inform the candidate of the option to add to the ending of the oath prior to the administration of the oath.

### **Section 3005 – Organization and Leadership of the Senate**

- 3005.1 The Student Body Vice President shall serve as the ex-officio presiding officer of the Senate when no other officer is able to preside, but shall cast no vote unless there is a tie.
- 3005.2 The Senate shall elect a Speaker of the Senate, hereinafter referred to as the Speaker, to serve as the chair of the Senate. The Speaker shall be a member of the University-Wide Council and the Budget Committee.
- 3005.3 The Senate shall elect a Speaker Pro-Tempore of the Senate, to assist the Speaker and serve as chair of the Senate in the Speaker’s absence. The Speaker Pro-Tempore shall be a member of the University-Wide Council and the Budget Committee.
- 3005.4 The Senate shall elect a Finance Chair, to serve as the chief financial officer of the legislative branch, the chair of the Finance Committee, and the Vice Chair of the Budget Committee. The Finance Chair shall be invited to attend meetings of the University-Wide Council as an ex-officio non-voting member.
- 3005.5 The Senate shall elect a Floor Leader, to manage the internal affairs of the Senate and serve as chair of the Internal Affairs Committee. The Floor Leader shall be a member of the University-Wide Council.
- 3005.6 The Senate shall elect the Chair of the Rules Committee and the Chair of the Student Life and Academic Concerns Committee.
- 3005.7 The Senate shall elect four (4) Senators to be members of the Finance Committee.

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- 3005.8 The Graduate and Professional Student Committee (GPSC) must be composed of all graduate students serving in the Senate, and shall elect its Chair and Vice Chair at its first meeting. The Chair of the GPSC shall be a member of the University-Wide Council and the Budget Committee.
- 3005.9 The Biscayne Bay Campus Legislative Council must be composed of all Senators who are students of the Biscayne Bay Campus (BBC), and shall elect its Chair and Vice Chair at its first meeting.
- 3005.10 The Speaker shall assign Senators to all other individual committees after an application process.
- 3005.11 Each committee shall elect its own Vice Chair.

### **Section 3006 – Election of Senate Officers**

- 3006.1 The following procedure shall be followed to choose the elected officers of the Senate.
- 3006.2 On the first day of a new Senate term, beginning the first day of classes of the Summer semester, the Student Body Vice President shall call the meeting to order and take the quorum call for the Senate.
- 3006.3 The Student Body Vice President shall read a statement to the Senate detailing the role of the Speaker of the Senate. The Student Body Vice President shall then address the Senate and open the floor to nominations for Speaker of the Senate.
- 3006.4 Each nomination shall require a second, and the agreement of the Senator who has been nominated. The Student Body Vice President shall ask the Senate, “are there any more nominations on the floor?” after each nomination has been noted. Once there are no more nominations, the Student Body Vice President shall close the nomination period.
- 3006.5 Each nominee shall then deliver an address to the Senate, not exceeding a length of two minutes, as to why they should acquire the position. These nominees shall deliver their addresses in the order in which they were nominated.
- 3006.6 Following all addresses, the Senate may choose to enter a discussion on whom to choose as the Speaker. This discussion shall be chaired by the Student Body Vice President.
- 3006.7 The Senate shall then vote by roll call for the position of Speaker of the Senate. Each Senator shall vote by stating the surname of the nominee who they are voting for.
- 3006.8 The nominee who achieves a simple majority of all votes cast shall become the Speaker of the Senate. Should no nominee receive a simple majority of all votes cast, a runoff election shall be held between the nominees who received the greatest number of votes.

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- 3006.9 The Senator chosen as Speaker shall be sworn into office by the Student Body Vice President, with the same oath delineated in section 3004.2 of these Statutes.
- 3006.10 The new Speaker of the Senate shall then take the position of chair and lead the remainder of the meeting.
- 3006.11 The Senate must then elect the remainder of its officers, in the following order: The Speaker Pro-Tempore, the Finance Chair, the Floor Leader, the Chair of the Rules Committee, and the Chair of the Student Life and Academic Concerns Committee. Those elections shall occur according to the following process.
- 3006.12 The Speaker shall address the Senate and read a statement detailing the role to be elected. The Speaker shall then open the floor to nominations for the position.
- 3006.13 Each nomination shall require a second, and the agreement of the Senator who has been nominated. The Speaker shall ask the Senate, “are there any more nominations on the floor?” after each nomination has been noted. Once there are no more nominations, the Speaker shall close the nomination period.
- 3006.14 Each nominee shall then deliver an address to the Senate, not exceeding a length of two minutes, as to why they should acquire the position. These nominees shall deliver their addresses in the order in which they were nominated.
- 3006.15 Following all addresses, the Senate may choose to enter a discussion on whom to elect.
- 3006.16 The Senate shall then vote by roll call. Each Senator shall vote by stating the surname of the nominee who they are voting for.
- 3006.17 The winner shall be the nominee who achieves a simple majority of all votes cast. Should no nominee receive a simple majority of all votes cast, a runoff election shall be held between the nominees who received the greatest number of votes.
- 3006.18 The Senator chosen for the position shall be sworn into office by the Speaker, with the same oath delineated in section 3004.2 of these Statutes.
- 3006.19 After the election of all officers of the Senate, the Senate shall then choose four (4) Senators to be members of the Senate Finance Committee.
  - 3006.19.1 The Speaker shall open the floor to nominations for Finance Committee members. Each nomination shall require a second, and the agreement of the Senator who has been nominated.
  - 3006.19.2 The Speaker shall make clear to all nominees that their active presence will be required throughout the Summer semester in order to be able to serve as a member of the Finance Committee. Any Senator unable to make this commitment may not be nominated to serve on the Finance Committee.

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- 3006.19.3 Once the nomination period has been closed, if there are four or fewer nominees then the nominees will immediately be announced as members of the Finance Committee.
- 3006.19.4 If there are more than four nominees, then the Senate shall vote for its top four preferred nominees via electronic ballot, the results of which shall be made publicly available. The ballot shall allow Senators to vote for up to four of the nominees. Once all present Senators have voted, the Speaker shall immediately announce the number of votes each nominee received, and announce the top four vote-receiving nominees as members of the Finance Committee.
- 3006.20 The Senate must elect its Speaker and Speaker Pro-Tempore in its first Senate meeting. Other elected positions may be elected at later meetings of the Senate, but the Senate may not transact any substantive business before completing the election of its officers and the Finance Committee members, except as absolutely necessary.

### **Section 3007 – The Clerk of the Senate**

- 3007.1 The Senate shall elect a Clerk of the Senate each year in the Summer semester.
- 3007.2 The Clerk of the Senate shall be chosen the following way:
- 3007.2.1 The Speaker shall open an application for Clerk of the Senate, and then advertise the opening of the position, leaving the application period open for at least one week. The Speaker may then close the application period.
- 3007.2.2 The Speaker shall interview applicants, and may include the Speaker Pro-Tempore, the Finance Chair, and the Floor Leader in those interviews.
- 3007.2.3 The Speaker shall then choose a minimum of two and a maximum of four applicants to present to the Senate for election as Clerk of the Senate. If there is only one applicant, the Speaker may present the one applicant to the Senate for election as Clerk of the Senate, or may reopen applications.
- 3007.2.4 The Senate shall then elect its Clerk using the same process as that which is used for election of Senate officers. The applicant receiving a simple majority of votes from the Senate shall be elected Clerk of the Senate.
- 3007.3 The Clerk of the Senate shall have the following duties:
- 3007.3.1 Taking minutes during Senate meetings. These minutes shall be full, complete, detailed, and accurately record all votes taken during the meeting.
- 3007.3.2 Ensuring the proper upload to the SGA Website of all Senate meeting minutes, committee meeting minutes, legislation, and all other public Senate records.

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- 3007.3.3      Serve as an assistant to the Speaker and Speaker Pro-Tempore.
- 3007.3.4      Email copies of a passed resolution or bill to every person that the legislation specifies as recipients of the legislation. The Clerk shall email legislation to all specified recipients within two (2) university business days of the passage of the legislation.
- 3007.3.5      Deliver passed bills to the Student Body President for signature or veto within two (2) university business days of passage in the Senate.
- 3007.3.6      Shall take minutes and notes at all Senate Town Halls.
- 3007.3.7      Assume all additional responsibilities assigned by the Speaker and Speaker Pro-Tempore.

### **Section 3008 – Rules of Decorum**

- 3008.1      Senators shall wear business casual, business formal, or an SGA polo to Senate meetings.
- 3008.2      Senators shall refrain from profanity or vulgarity when speaking to the Senate.
- 3008.3      Senators shall not take calls, texts, or emails during Senate meetings.
- 3008.4      Senators shall avoid personal insult, harassment, or obstruction during Senate meetings.
- 3008.5      Senators shall not speak over one another.
- 3008.6      Senators shall not intentionally falsify information they present to the Senate.

### **Section 3009 – Senate Committees**

- 3009.1      The Standing Committees of the Senate shall be the Finance Committee, the Internal Affairs Committee (IAC), the Graduate and Professional Student Committee (GPSC), the Rules Committee, and the Student Life and Academic Concerns Committee (SLAC).
- 3009.1.1      All Senators must serve on at least one Standing Committee, except the Speaker and Speaker Pro Tempore.
- 3009.2      The Biscayne Bay Campus Legislative Council (hereinafter, the BBC Legislative Council) shall be treated as a standing committee for all intents and purposes, but possesses certain exclusive powers.
- 3009.3      An Ad-Hoc Committee shall be formed by a resolution which shall pass with a simple majority vote of the Senate, or by order of the Speaker through an official memo sent to all members of the Senate.



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- 3009.3.1 The resolution or memo shall state the name of the committee; the purpose, objective, and scope of the committee; requirements of the committee; and the conditions for the dissolution of the committee, whether it be a date of dissolution, or upon successful completion of the committee's objectives.
- 3009.3.2 Upon formation of an Ad-Hoc Committee, the Senate shall elect the Chair of the committee at the same Senate meeting during which it was created, or at the next Senate meeting following the issuance of the memo.
- 3009.3.3 The Ad-Hoc Committee shall be subject to the same requirements as Standing Committees and any other requirements set forth in the resolution or memo.
- 3009.3.4 The Senate may dissolve any Ad-Hoc Committee by a two-thirds (2/3) vote.
- 3009.4 Each committee is responsible for selecting its Vice Chair, voted upon by the members of each committee during its first meeting.
- 3009.5 Committees shall meet every week to conduct business. Attendance and minutes shall be recorded by the Vice Chair, and distributed and filed with the Clerk of the Senate within forty-eight (48) hours of the meeting's adjournment.
- 3009.5.1 Committees shall be able to hold hearings on specific topics. These hearings shall count towards the committee meeting requirement.
- 3009.5.2 Senators may attend committee meetings virtually or in person at the discretion of the respective committee chair.
- 3009.5.3 Committee size shall be determined by the Speaker, except for the Finance Committee, GPSC, and the BBC Legislative Council.
- 3009.5.4 Any official decisions, projects, initiatives, or measures made by a committee must be brought before the Senate for approval. GPSC shall be exempt from this clause for all funding allocations; the Finance Committee shall be exempt from this clause for funding allocations to student organizations less than \$5,000 and for internal SGA projects less than \$2,000.
- 3009.5.5 Quorum for all committees shall be a simple majority of the total number of members of the committee.
- 3009.6 The Finance Committee
  - 3009.6.1 The Finance Committee shall be comprised of the Finance Chair, four (4) additional Senators elected by the Senate, the Director of the Registered Student Organizations Council (RSOC), and the Vice Director of Finance of RSOC.
  - 3009.6.2 The Director of RSOC and the Vice Director of Finance of RSOC shall be voting members of the committee only on matters concerning basic and special allocations

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to registered student organizations. They shall have no vote on other matters in the committee.

- 3009.6.3 The Advisor to RSOC and the SGA Advisor shall both serve as advisors to the Finance Committee and shall be present at committee meetings, assist the members of the committee individually and collectively, and shall facilitate the execution of the financial allocation decisions made by the committee.
- 3009.6.4 The purpose of the Finance Committee is to allocate basic and special allocation funding to registered student organizations in accordance with the Points System, maintain the Points System for registered student organizations in coordination with RSOC, to initiate and monitor all Senate appropriations, and to audit entities funded by Activity and Service Fees. The Finance Committee shall take all action through simple majority vote.
- 3009.6.5 The Finance Committee will also assist RSOC with the creation of the RSO Manual annually during each Summer semester.
- 3009.6.6 Once each fiscal year, the Finance Committee shall set the basic allocations rate for registered student organizations, by drafting a bill which must pass with a simple majority of the Senate. Should no such bill be passed in time, the basic allocations rate shall remain the same as the previous fiscal year unless adjusted by a bill passed by the Finance Committee and a simple majority of the Senate.
- 3009.6.7 Decisions for special allocations to registered student organizations shall be made by the Finance Committee in accordance with the Points System, and these allocations shall not need the approval of the full Senate, except for individual special allocations greater than \$5,000.
- 3009.6.8 The Finance Committee may make allocations out of all line items specified to pertain to the legislative branch, as well as out of the Accumulated Cash Balance account in accordance with all regulations enumerated in the Finance Code.
- 3009.6.9 The Finance Committee shall expend the line items under its purview for the following purposes: granting petitions for funding from student organizations, allocating funds for projects administered by non-SGA entities at FIU, allocating funds for internal SGA projects, and all other uses of its funds that the Senate shall deem appropriate.
- 3009.6.10 The Finance Committee may approve appropriations of funding of up to \$5,000 for student groups, registered organizations, and projects led by entities outside of SGA, without needing to bring the allocation to a vote of the full Senate. Allocations to registered student organizations exceeding this threshold shall require the approval of a simple majority of the Senate.
- 3009.6.11 The Finance Committee may approve allocations of funding of up to \$2,000 for internal SGA projects without needing to bring the allocation to a vote of the full

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Senate. Allocations for internal SGA projects exceeding this threshold shall require the approval of a simple majority of the Senate.

- 3009.6.12 If a request for funding is not approved by the Finance Committee, the entity that requested the funding may petition the Senate for reconsideration of the request through a petition sent to the Speaker and the Finance Chair. The Speaker shall permit this individual no more than two (2) minutes to address the Senate at the next Senate meeting, after which the Senate may deliberate and shall then vote on whether the Finance Committee shall reconsider the request, which shall require a simple majority vote in order to pass.
- 3009.6.13 If the Finance Committee does not approve an allocation request after reviewing it a second time, they must provide a summary paragraph to describe why the appropriation was not approved and the Senate may overturn the committee's decision with a simple majority vote of the Senate.
- 3009.6.14 The Finance Committee holds the power to audit any entity that receives A&S fees to ensure that funds are being used properly in accordance with the SGA Finance Code. The committee shall present its audit reports to the Senate immediately upon the conclusion of the audit and will provide a digital copy of the audit to all Senators as well as the Comptroller.
- 3009.6.15 The Senate may order an audit of any A&S fee funded entity by a two-thirds (2/3) vote, and the Finance Committee shall be obligated to conduct this audit.
- 3009.6.16 The Finance Committee has the authority to impose penalties upon any A&S-funded organization or entity found responsible for a violation of the Finance Code or spending policies. The imposition of these penalties shall be conducted in accordance with the procedures in the Finance Code. Such penalties may be imposed by a simple majority vote of the committee (excluding non-Senators serving on the committee, who may not vote on these matters).
- 3009.7 The Internal Affairs Committee
- 3009.7.1 The Internal Affairs Committee (IAC) shall be comprised of the Floor Leader, who shall serve as chair of the committee, and a number of additional Senators as determined by the Speaker. The total number of Senators in IAC, including the Floor Leader, must be an odd number. In addition, the Attorney General shall serve as an ex-officio non-voting member of the committee.
- 3009.7.2 The purpose of the Internal Affairs Committee (IAC) is to ensure Senator compliance with all requirements as well as ensuring compliance of SGA officials with all requirements and the Ethics Code.
- 3009.7.3 The IAC shall have the responsibility of maintaining the Ethics Code. All amendments to the Ethics Code must be first approved by this committee.

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- 3009.7.4 The committee will keep an active check on minutes, and ensure that legislation records are kept, minutes are maintained, and maintain records of compliance with the Statutes.
- 3009.7.5 The committee will create compliance reports on individuals whose fulfillment of duties may be questioned by the committee or Senate as a whole.
- 3009.7.6 The committee may issue subpoenas and conduct investigations of officials under SGA's jurisdiction.
- 3009.7.7 The committee will be responsible for submitting Writs against officials upon the finding of violation(s) of the Statutes or Constitution.
- 3009.7.8 The committee will be responsible for recommending repercussions for missing mandatory meetings, such as Senate meetings and Committee meetings, as well as not completing office hours.
- 3009.7.9 All Articles of Censure and all Articles of Impeachment must be passed by the Internal Affairs Committee before coming to the floor of the Senate.
- 3009.7.10 The IAC shall have the responsibility of maintaining the accountability of the judiciary. The IAC shall maintain regular records of meeting attendance for all Supreme Court Justices, and shall have the power to recommend to the Senate that a Justice be removed after the conclusion of an investigation.
- 3009.7.11 By request of a simple majority of the Senate, the committee can review the performance of the Chief Justice and Associate Justices, to then submit a positive or negative report to the Senate. If the committee submits a negative report, the report can be considered grounds for instigation of removal of a member of the judiciary, in accordance with the SGA Constitution.
- 3009.7.12 All judicial hearing reports may be reviewed by this committee, ensuring the legislative oversight over the Chief Justice and Associate Justices.
- 3009.7.13 The IAC may expel members of the Senate by a unanimous vote of the IAC and only as a consequence of gross nonfeasance after repeated warnings. A Senator expelled by the IAC shall be removed from their position. The expulsion shall be immediate, but may be appealed to the Senate or the Supreme Court and overturned by the agreement of a simple majority of either body.
- 3009.8 The Graduate and Professional Student Committee
- 3009.8.1 The purpose of the Graduate and Professional Student Committee (GPSC) is to facilitate and enhance the overall graduate and professional student experience by advancing the University's academic goals. Its primary goal is to fund graduate and professional students' research, conference and professional development and promote quality presentations and research efforts in scholarly forums. The GPSC

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shall also serve as an advocate for graduate and professional students, by working with the College of Law, College of Medicine, and the University Graduate School.

- 3009.8.2 The GPSC shall be composed of all graduate students serving in the Senate. The members of the GPSC shall elect a Chair and Vice Chair from amongst their members. During the GPSC's first meeting until it elects its Chair, the meeting will be temporarily chaired by the Speaker, or in their absence, the Speaker Pro-Tempore. The chair of the GPSC shall serve as a voting member on the University-Wide Council and the Budget Committee.
- 3009.8.3 The GPSC shall determine the application procedure and regulations graduate students must follow to request funding. The application will be an online document that will specify the details of the budget, research, conference, professional development, and the benefits of participation. Requests shall be approved by a simple majority vote of the GPSC. If a request for funding is approved by the GPSC, upon return of their event the requester has up to one (1) week to turn in all materials for reimbursement to the Student Government Association and is allowed up to four (4) weeks to claim the funds and provide all necessary documentation to the Student Government Association and to the A&S Business Office for the proper disbursement of the funds.
- 3009.8.4 If a request is not approved by the GPSC, the applicant shall have the right to file a written appeal with the Senate Speaker. Should the Speaker approve the written appeal, the applicant shall present their case before the Senate. With a simple majority vote of the Senate at a meeting where there is quorum the Senate can send back the application to the GPSC who shall reconsider the request. The GPSC is not obligated to approve the reconsidered request.
- 3009.8.5 If the GPSC does not approve a request after reviewing it for a second time, the Senate may overturn the committee's decision with a simple majority vote of the Senate.
- 3009.8.6 Changes to the procedures and regulations for GPSC funding requests shall require the simple majority approval of the Committee and a notification to the Senate.
- 3009.8.7 Funding shall benefit individual graduate students interested in the following:
- 3009.8.7.1 Research, as defined as an investigation that is necessary for the completion of a masters, doctoral or professional degree.
- 3009.8.7.2 Conferences, as defined as presentations (i.e. papers, posters, performances) on current and developing research that pertains to their respective masters, doctoral or professional degree. Funding can only be used for conference registration, travel costs, and accommodations.
- 3009.8.7.3 Professional development, as defined as events (i.e. workshops, seminars, conferences) that advances the knowledge of the graduate or professional

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students' academic career. Funding can only be used for conference registration, travel costs, and accommodations.

- 3009.8.8 Graduate and professional students shall be eligible to request funds from the committee as per the Committee's internal rules and procedures.
- 3009.8.9 The GPSC shall be able to allocate funds for Gradskellar events and Graduate Student Appreciation Week. Any other allocations except for travel funding, Gradskellar events, and Graduate Student Appreciation Week shall require the Committee to present a report of funding to the Senate, but not require a bill to disburse.
- 3009.9 The Rules Committee
- 3009.9.1 The Purpose of the Rules Committee is to keep and maintain the Senate Rules of Procedure, ensure the proper passage of legislation in the Senate, and update the Statutes after the passage of bills amending the Statutes.
- 3009.9.2 The Rules Committee shall be comprised of a committee chair and a number of additional Senators as determined by the Speaker. The total number of Senators on the committee, including the Chair, must be an odd number.
- 3009.9.3 The Rules Committee is charged with the responsibility of preparing and submitting the protocols, formats, and rules to allow for efficient working of the Senate and its committees.
- 3009.9.4 The Rules Committee shall prepare and maintain the Senate Rules of Procedure and submit them for approval by the Senate.
- 3009.9.4.1 These Rules of Procedure shall be amended by the same procedure as the Statutes but shall not be subject to Presidential veto.
- 3009.9.4.2 The Senate Rules of Procedure shall serve to detail internal procedures and policies of the Senate and shall not conflict with the Student Body Constitution or Statutes.
- 3009.9.4.3 Each semester, the Rules Committee shall review the Senate Rules of Procedure, and submit recommendations, if necessary, for the improvement of the document.
- 3009.9.4.4 All amendments to the Senate Rules of Procedure must be presented to the Rules Committee for its approval by a simple majority. Should a proposal be rejected by the Committee, and a Senator wish that the legislation be considered by the Senate, the Senate may overturn the committee's decision with a simple majority vote of the Senate.
- 3009.9.5 The committee shall have the responsibility of reviewing legislation to ensure the legality, proper format, constitutionality, implication, spelling, grammar, references,

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and syntax, when submitted to the Committee prior to the legislation reaching the Senate floor.

- 3009.9.5.1 The committee may pass, table, or fail all legislation sent or referred to the committee.
- 3009.9.5.2 Legislation is not required to be reviewed by the Rules Committee, except bills amending the Senate Rules of Procedure; but the Speaker or a simple majority of the Senate may refer legislation to the Rules Committee for review.
- 3009.9.5.3 Legislation passed by the committee may be done so with or without committee recommendations.
- 3009.9.5.4 Legislation tabled by the committee shall be reviewed in the next committee meeting or it will be considered failed in committee.
- 3009.9.5.5 Legislation failed by the committee on the basis of the aforementioned review standards shall be sent back to the author. The Chair of the committee shall inform the author as to why it failed.
- 3009.9.6 The committee will verify that all bills are signed by the President.
- 3009.9.7 Once legislation becomes law, it is the responsibility of the Rules Committee to update the Statutes with any amendments passed in the legislation. The Statutes shall be provided to the Rules Committee in an editable format to facilitate this duty.
- 3009.9.8 The Rules Committee will work in coordination with the Supreme Court to suggest updates and amendments to the Student Body Constitution and Statutes.
- 3009.9.9 The Rules Committee shall be responsible for informing all incoming Senators of the appropriate legislative format.
- 3009.9.10 Should spelling, grammatical, or scrivener's errors be identified in enacted legislation or the Statutes, the Rules Committee is authorized to make necessary changes to correct the mistakes. In all such cases, the legislative intent of the legislation must be preserved. Failure to preserve the legislative intent shall constitute an act of malfeasance.
- 3009.9.11 In cases of references found in the Statutes that no longer indicate the correct title, article, section, subsection, or paragraph, the Rules Committee is authorized to make such necessary changes to correct the mistakes. In all such cases, the legislative intent of the legislation must be preserved. Failure to preserve the legislative intent shall constitute an act of malfeasance.
- 3009.10 The Student Life and Academic Concerns Committee
  - 3009.10.1 The Purpose of the Student Life and Academic Concerns Committee (SLAC) is to advocate, support, and legislate to support students' academic, personal, and

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university-bound concerns as well as approve Agency and Bureau formation requests.

- 3009.10.2 SLAC shall be comprised of a committee chair and a number of additional Senators as determined by the Speaker. The total number of Senators on the committee, including the Chair, must be an odd number.
- 3009.10.3 This committee shall maintain record of current contact information for each of the Executive Board members of each Bureau and Executive Agency so as to be readily available to any Student Government Association member or any student when requested.
- 3009.10.4 This committee will be responsible for direct communication with each of the Bureaus and Executive Agencies of the Student Government Association. This includes but is not limited to contact via email.
- 3009.10.5 This committee will maintain contact with the President's Cabinet by specifically meeting with Cabinet members whose purpose directly correlates with student concerns and by requesting weekly Cabinet meeting minutes from the Chief of Staff. A representative of this committee shall be present at meetings of the President's Cabinet to gather issues relating to the purpose of this committee and also to report SLAC progress to the Cabinet.
- 3009.10.6 The Student Life and Academic Concerns Committee shall use the following procedure in the acceptance or denial of a request for a new Bureau or Executive Agency:
  - 3009.10.6.1 Make an application open and available each year which shall contain all such questions as required by these Statutes and the SGA Constitution.
  - 3009.10.6.2 Meet to vote on the requests for incorporation; votes will be passed through simple majority in the committee.
  - 3009.10.6.3 Once the committee has passed the petition for incorporation, the committee shall announce to the Senate the approval of the petition, and shall subsequently begin the process of drafting the bill to approve the incorporation of the organization as a Bureau or Executive Agency.
- 3009.11 The Biscayne Bay Campus Legislative Council
  - 3009.11.1 The Biscayne Bay Campus Legislative Council must be composed of all Senators who are students of the Biscayne Bay Campus (BBC) as specified in the Constitution, which shall include all BBC At-Large Senators, the BBC Housing Senator, the FIU at I-75 Senator, and any other Senator qualifying as a student of BBC as specified in Article VI, Section 5, of the Constitution.
  - 3009.11.2 The BBC Legislative Council shall be treated as a committee, but shall have certain exclusive powers, as delineated below.



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- 3009.11.3      The BBC Legislative Council shall confirm or deny all appointments made by the Governor of the Biscayne Bay Campus, by a simple majority vote.
- 3009.11.4      The BBC Legislative Council shall elect the Governor of the Biscayne Bay Campus in the event that the offices of Governor and Lieutenant Governor of the Biscayne Bay Campus are vacant.
- 3009.11.4.1      This process shall be initiated by the Chair of the BBC Legislative Council opening an application for the position of Governor of the Biscayne Bay Campus. The position shall be advertised to all students at BBC. Any member of the BBC Legislative Council who has applied to fill the vacancy for Governor must recuse themselves from the selection process.
- 3009.11.4.2      In the absence of the Chair and Vice Chair of the BBC Legislative Council, this process shall be led by the Speaker of the Senate, who shall have no vote, but shall chair the meetings in the absence of the Chair and Vice Chair of the BBC Legislative Council.
- 3009.11.4.3      The membership of the BBC Legislative Council shall interview the applicants for the position. After all interviews have concluded, the BBC Legislative Council may debate about the applicants.
- 3009.11.4.4      The BBC Legislative Council shall vote for whom to select as the Governor of the Biscayne Bay Campus by roll call, with each member stating the surname of the applicant they are voting for. Should no applicant receive a simple majority of votes, the BBC Legislative Council shall hold a runoff vote between the applicants who received the greatest number of votes.
- 3009.11.4.5      The applicant receiving a simple majority of the votes of the BBC Legislative Council shall become the Governor of the Biscayne Bay Campus. The new Governor shall then appoint a Lieutenant Governor of the Biscayne Bay Campus, to be confirmed by a simple majority vote of the BBC Legislative Council.
- 3009.11.5      The BBC Legislative Council shall elect its own Chair and Vice Chair. During the BBC Legislative Council's first meeting until it elects its Chair, the meeting will be temporarily chaired by the BBC Governor, or in the Governor's absence, the BBC Lieutenant Governor.

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### **Section 3010 - Procedure for the Introduction of Legislation**

- 3010.1 Once a Senator or group of Senators have finished the writing of a legislative item, it shall be sent to the official inbox of the Senate Speaker. Non-Senators may Sponsor legislation, but legislation must have a minimum of one Senator as a Sponsor to be introduced. Legislation may not be read on the Senate Floor unless it has been sent to the Senate Speaker.
- 3010.2 The Speaker shall then assign the legislation to one (1) committee, whichever committee to which the legislation most reasonably pertains.
- 3010.2.1 Legislation amending the Statutes, Constitution, or Senate Rules of Procedure shall be sent to the Rules Committee. Legislation concerning appropriations of funds shall be sent to the Finance Committee. Legislation concerning the Ethics Code, Articles of Impeachment, or legislation concerning the discipline of SGA officials shall be sent to the Internal Affairs Committee. Legislation concerning academic concerns, student life, a Bureau, or an Executive Agency shall be sent to SLAC. Legislation concerning graduate students shall be sent to GPSC. Legislation concerning the Biscayne Bay Campus shall be sent to the BBC Legislative Council. All other legislation shall be sent to a committee chosen at the discretion of the Speaker.
- 3010.3 The Speaker shall assign received legislation to a committee within five (5) university business days of receiving the legislation, and shall inform all sponsors that the legislation has been assigned. Should the Speaker not assign a piece of legislation to any committee within five (5) university business days, any Senator may move to discharge the legislation to the Senate floor, which shall require a simple majority vote.
- 3010.4 Should a piece of legislation fail to pass in committee, it shall be considered “dead.” Additionally, legislation shall be considered “dead” if the Speaker has not assigned it to a committee within five (5) university business days of receiving the legislation. Legislation may still be amended by its sponsors even once it is dead. Dead legislation may not be introduced on the Senate floor, unless the Senate votes to discharge the dead piece of legislation through a simple majority vote.
- 3010.5 For a piece of legislation to be eligible to be introduced on the Senate floor, it must pass through the committee to which it has been assigned, or be discharged to the floor by a simple majority vote.
- 3010.6 Once a piece of legislation is eligible to be introduced, the Speaker shall place the legislation on the next Senate agenda for a reading. Should an eligible piece of legislation not be included on a Senate agenda, the Senate may vote to add the legislation to the agenda by a simple majority vote. After the passage of such a motion, the legislation shall be read on the Senate floor during that meeting.
- 3010.7 Before the Senate can vote to adopt a piece of legislation, it is required to have been read at two separate meetings of the Senate, but the Senate may bypass the second reading of

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- any piece of legislation by a simple majority vote. Alternatively, in lieu of a second reading, the Speaker may choose to send all Senators a copy of the legislation at least 48 hours before the Senate meeting where it will have its first reading.
- 3010.8 After a piece of legislation has been read on the Senate Floor, the Speaker shall allow a question-and-answer period of up to five minutes on the legislation.
- 3010.9 Legislation may be amended by its sponsors at any time before it is voted on in the Senate. Should Senators wish to amend a piece of legislation during a Senate meeting, the amendment shall be submitted in writing to the Senate Speaker, unless the Senate Speaker chooses to allow verbal motions to amend legislation.
- 3010.9.1 Amendments proposed during a Senate meeting may be friendly or unfriendly. A friendly amendment shall have achieved the support of the legislation's sponsors and shall be considered adopted upon submission. An unfriendly amendment is not supported by one or more of the sponsors, and requires a two-thirds (2/3) vote of the Senate to be added to the legislation.
- 3010.10 Following the amendment procedure, the legislation will come to a vote of the Senate. Senators not present at the call for the vote will not be permitted to vote. No Senator may enter or leave the Senate Chamber during voting procedure. Should a piece of legislation be voted down, it may not be re-introduced until the next semester. However, legislation that is similar or identical to failed or dead legislation shall be permitted to be introduced in the same semester provided that it is sent to the Speaker as a new document.
- 3010.11 Following the passage of legislation, the Clerk of the Senate shall have 2 university business days to fill out the transmission form and Presidential signature form for the desired piece of legislation and send it to the Student Body President along with the legislation in its approved format.
- 3010.12 Should the President sign the legislation, it shall become adopted and no further action will be necessary unless constitutionally required. Should the President veto the legislation, the Senate will require a constitutionally prescribed majority to overturn the veto and adopt the legislation.

### **Section 3011 – Legislation Indexing**

- 3011.1 All legislation introduced in the Senate shall follow the following format and requirements.
- 3011.2 Legislation shall be indexed with a pair of initials, a session number, and an ordinal number. The Speaker of the Senate shall be responsible for ensuring the proper numbering and naming of legislation.

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- 3011.2.1 The initial designation will be: S.B. for a Senate Bill; S.R. for a Senate Resolution.
- 3011.2.2 The next designation will be the session number, based on the term of the Senate. The first session of the Senate shall be abbreviated 01 and shall increase by 1 each subsequent year at the beginning of the Summer Session.
- 3011.2.3 The next designation will be the ordinal number, based on the order in which the legislation was introduced. For the first piece of legislation of the session, it shall be entitled the designation 001, and will increase by 1 for each subsequent piece of legislation introduced. The Speaker of the Senate shall assign each piece of legislation an ordinal number immediately upon receipt of the legislation, in the order that it was received.
- 3011.2.4 The full index of a piece of legislation shall be S.B. 00-000 or S.R. 00-000.
- 3011.3 Senate Bills shall be acts of the Senate that add, amend, replace, or delete sections of the Statutes, propose amendments to the Student Body Constitution, acts that appropriate funding, acts that establish new Agencies or Bureaus, acts that establish changes to the Senate Rules of Procedure, and all acts that cause binding action using the authority granted to the Senate by the Student Body Constitution and Statutes.
- 3011.3.1 Bills that delete text from the Statutes, Constitution, or the Senate Rules of Procedure, shall strike out the text to be deleted.
- 3011.3.2 Bills that add text to the Statutes, Constitution, or the Senate Rules of Procedure, shall underline the text to be added.
- 3011.4 Senate Resolutions shall be acts of the Senate in favor or against a specific issue, policy, or standpoint, acts that establish student celebrations, acts that create Ad-Hoc Committees of the Senate, Articles of Censure, Articles of Impeachment, acts that are ceremonial or symbolic, and acts that are designed solely to express the will of the Senate. Senate Resolutions are not subject to veto by the Student Body President.
- 3011.5 Legislation may specify a list of individuals to whom the legislation must be sent after the legislation is passed. This list may include the Student Body President, other SGA members, the President of the University, other FIU administrators, some or all of the members of the Board of Trustees of FIU, some or all of the members of the Board of Governors of the State University System, the Chancellor of the State University System, the Governor of Florida, some or all of the members of the state legislature, the President of the United States, and any other individuals that the Senate shall deem appropriate. The Clerk of the Senate must email passed legislation to all specified recipients within two (2) university business days of the passage of the legislation.
- 3011.6 All pieces of legislation must also carry a formal name. The name must begin by specifying whether the legislation is a bill or a resolution. The formal name must be formatted according to the template. The formal title shall begin either as “A BILL to...” or “A RESOLUTION to...” and briefly describe what the legislation does.

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- 3011.7 Pieces of legislation may also carry an informal or abbreviated name, which shall be specified underneath the legislation index number on the front page of the legislation. Such names shall make legislation easily identifiable, but the official legal name of the legislation shall be the formal name of the legislation.
- 3011.8 All legislation shall state the date of introduction to the Senate, and the sponsor(s). The date of introduction is the date that the legislation was sent to the Speaker.
- 3011.9 The front page of the legislation may also, optionally, include the signatures of some or all of the sponsors of the legislation, but this is not required.
- 3011.10 All legislation shall have a section that states the committee to which the legislation was assigned, the total vote count within the committee including abstentions, the date of passage on the Senate floor, the total vote count on the Senate floor including abstentions, presidential action on the legislation if applicable, and a section for the signatures of the Speaker and Speaker Pro-Tempore, and the Student Body President if applicable.
- 3011.11 The Clerk of the Senate must transmit all passed bills to the Student Body President for signature or veto within two (2) university business days of the passage of the legislation.
- 3011.12 Upon receipt of a bill by the Student Body President, the President shall have five (5) university business days to sign or veto the legislation.
  - 3011.12.1 If no action is taken by the President within that time frame, the legislation shall be considered approved by the President and shall be uploaded to the SGA website by the Clerk of the Senate.
  - 3011.12.2 Should the President veto legislation, they must submit a written explanation to the Senate within the five (5) business day limit.
  - 3011.12.3 Vetoed legislation may be amended on the floor of the Senate. Amended vetoed legislation shall be considered new legislation and permitted to be resubmitted to the President for approval or veto within the five (5) business day limit.
  - 3011.12.4 Presidential vetoes may be overridden by a two-thirds (2/3) vote of the Senate. The Clerk of the Senate shall promptly upload all legislation for which a veto was overturned to the SGA website.
- 3011.13 All legislation must be submitted in the proper format, and all passed and/or signed bills must be uploaded to the SGA website in a timely manner.

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### **Section 3012 – Senate Procedure for Budgetary Passage**

- 3012.1 Following the passage of the budget by the Budget Committee, the Student Body President and the Comptroller will present the budget to the Senate. The Senate will then have up to five (5) university business days to review the proposed budget and draft any amendments to the proposed budget. The Senate shall pass the budget by a two-thirds (2/3) vote, not subject to approval or veto of the Student Body President. Should the Senate deny the budget, it will be sent back to the Budget Committee to make alterations and the process shall repeat until passage of the budget is achieved.

### **Section 3013 – Senate Approval of a Bureau or Executive Agency**

- 3013.1 For a Bureau or Executive Agency to be considered for approval, a petition for the creation of an Agency or Bureau must be submitted to the Student Life and Academic Concerns Committee (SLAC).
- 3013.1.1 The petition form shall request the following information: whether the organization is applying for Agency or Bureau status; the purpose of the organization; the organization's Constitution; a list of officers of the organization; advisor contact information; the average population of students served; reasoning for the need to be included as an Agency or Bureau; any additional rules or regulations that the organization has established; advisor contact information; what specific good or service the organization provides to the student body or the individual identity group that the organization represents; which department, division, or office of the university has pledged the organization its full administrative support and backing, and through which administrators and/or advisors; and the names, emails, and Panther ID's of at least 50 students who are members of the organization (only applicable to Bureaus).
- 3013.2 SLAC shall review all petitions received and shall invite the individual(s) who submitted the petition to come before the committee to speak and answer questions.
- 3013.3 SLAC leadership shall make it known to the Senate which petitions it has received. Senators interested in serving as a sponsor on the bill to form the Agency or Bureau shall contact the SLAC chair and Senate Speaker.
- 3013.4 Bills authorizing the creation of a new Agency or Bureau must have at least two Senators as sponsors. The chair of SLAC may assist in the creation of the bill.
- 3013.5 The bill must include the following information:
- 3013.5.1 Whether the organization is applying for Agency or Bureau status
- 3013.5.2 Purpose
- 3013.5.3 The Constitution of the organization

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- 3013.5.4 A list of officers of the organization
- 3013.5.5 Any additional rules or regulations that the organization has established
- 3013.5.6 The name of the department, division, or office of the university that has pledged the organization its full administrative support and backing
- 3013.6 After being sent to the Senate Speaker, the bill shall be assigned to SLAC.
- 3013.7 Following passage in SLAC, the bill will be entitled priority reading at the next available Senate.
- 3013.8 Agency or Bureau bills approved by a simple majority of the Senate and signed by the Student Body President shall take effect once the Agency or Bureau receives a funding allocation from the Budget Committee during the annual budget process. Should the organization not receive an allocation in the annual A&S budget, its Agency or Bureau request shall be considered dead. Should an organization which has already received a budget allocation be approved for Agency or Bureau status, it shall automatically become an Agency or Bureau following passage of the bill.

### **Section 3014 – Meet Your Dean**

- 3014.1 The Meet Your Dean event shall be a program that connects the student body with the Dean of each of the colleges within Florida International University.
- 3014.2 The Senate shall host the “Meet Your Dean” event twice each year.
  - 3014.2.1 One year is to be constructed as two consecutive academic semesters inclusive of each summer semester.
- 3014.3 The Meet Your Dean event shall be an event made available to every student at Florida International University.
- 3014.4 The Meet Your Dean event will invite the various deans and administrators from each delegation or college represented in the Student Body Senate apportionment.

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### **Section 3015 – Senate Town Halls**

- 3015.1 Senate Town Halls shall be events that connect the student body to their elected officials in the Senate.
- 3015.2 During the Fall and Spring semesters, the Senate shall host four (4) Senate Town Halls per semester.
  - 3015.2.1 Senate Leadership has the task of creating the schedules for the Senate Town Halls ahead of each semester respectively.
- 3015.3 Senate Town Halls shall consist of a rotating panel of senators to discuss legislation that they are working on in front of an audience of their constituents and peers, and a public forum section where members of the student body can make comments and ask the panel of senators questions.
  - 3015.3.1 Senate Town Halls shall be composed of three (3) to six (6) senators.
  - 3015.3.2 At the start of each semester, or their term if they fill a vacancy, each senator will be expected to claim one Senate Town Hall date that works within their availability.
  - 3015.3.3 Every senator will be expected to attend at least one Senate Town Hall per semester.
  - 3015.3.4 A portion of the beginning of the session will be reserved to update students on the current and passed legislation. The later portion will be reserved for a discussion (which may include a Q&A) between senators and the student body.
- 3015.4 At least one (1) Senate Town Hall will be held at the Biscayne Bay Campus per semester.
- 3015.5 Every Senate Town Hall shall include a hybrid option for students; however, Senators are expected to attend physically, with the only exception being the Online Senator.
- 3015.6 A senator can be a panelist on a town hall in lieu of doing their office hours for that week.
- 3015.7 The Clerk of the Senate, or in their absence the student staff of the SGA office, has the task of taking the minutes for each Senate Town Hall.
- 3015.8 Senate Town Halls will be moderated by a member of the Executive Branch, to be assigned by Senate Leadership and the Student Body President.



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### Section 3016 – Senate Inquiry and Investigations

- 3016.1 The Senate, the Finance Committee, or the Internal Affairs Committee (IAC), may issue a *subpoena for testimony* by a simple majority vote, in order to compel the presence of any official under SGA’s jurisdiction for investigative or audit hearings.
- 3016.1.1 “*Subpoena for testimony*” refers to a written notification served via email or hand delivery which compels the attendance and testimony of any official under SGA’s jurisdiction.
- 3016.2 The Senate, the Finance Committee, or the IAC may issue a *subpoena for documentation* by a simple majority vote in order to compel the deliverance of SGA documents or documents pertaining to an investigation, audit, or hearing.
- 3016.2.1 “*Subpoena for documentation*” refers to a written notification served via email or hand delivery which compels any official under SGA’s jurisdiction to deliver reports, documents, books, electronic recordings, audio recordings, video recordings, financial statements, or any other like items.
- 3016.3 The Floor Leader shall serve a subpoena on any official under SGA’s jurisdiction following the issuance of the subpoena by the Senate, Finance Committee, or IAC.
- 3016.3.1 The Senate may with a simple majority vote be able to nullify any subpoena issued by the Internal Affairs Committee or Finance Committee.
- 3016.4 Upon the issuance of a subpoena by the Senate, the Finance Committee, or the IAC, the Floor Leader shall notify the subpoenaed party on typed letterhead that they have been summoned and that their presence is commanded before the Senate, including the required date and required time of their appearance. The notification shall state the penalty for failure to answer a subpoena and the penalty for perjury. Subpoenas shall be either emailed to the subpoenaed party or hand-delivered to the subpoenaed party.
- 3016.4.1 For electronic email notifications, the SGA advisor, and if applicable, the faculty advisor of the subpoenaed official, shall be CC’d on the email notification.
- 3016.4.2 The Floor Leader shall retain signed and time-stamped copies of all notifications.
- 3016.4.3 Failure to comply with a subpoena amounts to nonfeasance and may serve as grounds for removal from office.
- 3016.5 Pursuant to the issuance of a subpoena, a hearing shall be held during a meeting of the Finance Committee or Internal Affairs Committee, and is to be used to investigate the actions of the subpoenaed official.
- 3016.5.1 In the case of an investigative hearing, the chair of the meeting shall administer the following oath or affirmation: “*Do you solemnly (swear/affirm) that you will tell the truth, the whole truth, and nothing but the truth, (so help you God/on pain of removal?)*”

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- 3016.5.2      In the case of summoning documentation, the party in possession of the subpoenaed document(s) must present the document(s) to the Senate, the Finance Committee, or the IAC within five (5) university business days of receipt of the subpoena.

### **Section 3017 – Expulsion of Senators**

- 3017.1      The Internal Affairs Committee (IAC) has the power to expel any Senator and remove that Senator from office, only by a unanimous vote of the IAC, and only as a consequence of gross nonfeasance. This process shall be known as Expulsion.
- 3017.2      Gross nonfeasance shall be defined as continued neglect to uphold Senator requirements after a minimum of two warnings issued by the Floor Leader. The following constitute gross nonfeasance: four or more unexcused committee absences, four or more unexcused Senate absences, or three or more weeks of incomplete office hours after being warned.
- 3017.3      The IAC shall evaluate all Senators found to be in gross nonfeasance and consider whether to draft Articles of Censure or whether to expel the Senator.
- 3017.4      The IAC may vote to expel any Senator found to be in gross nonfeasance, which shall require a unanimous vote of the IAC, not counting abstentions.
- 3017.5      Senators expelled from the Senate by the IAC shall be immediately informed by the Floor Leader that they are no longer a Senator and no longer an SGA member. The Floor Leader shall then inform the Speaker, the Clerk of the Senate, and the SGA Advisors that the Senator has been removed.
- 3017.6      All expelled Senators have the right to appeal their expulsion. A Senator who has been expelled may appeal the expulsion within five (5) university business days of expulsion. A Senator may appeal their expulsion to the Senate, which may overturn the expulsion by a simple majority vote; in addition, a Senator may appeal their expulsion to the Supreme Court, which may overturn the expulsion by a simple majority vote of the Court.

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### **Section 3018 – Censure and Impeachment**

- 3018.1 Articles of Censure are a Senate Resolution which shall accuse an official or officials under SGA's jurisdiction of malfeasance or nonfeasance and shall serve as an official reprimand from the Senate. Any official under SGA's jurisdiction may be censured.
- 3018.1.1 Articles of Censure must pass by a simple majority of the IAC before being considered on the Senate floor. The IAC may choose to issue subpoenas and conduct an investigation before voting on the Articles of Censure.
- 3018.1.2 The official(s) that are the subject of the articles shall be permitted to address the IAC and the Senate for no more than five (5) minutes per meeting to deliver self-defense. Alternatively, the official(s) may be aided by the Student Advocate.
- 3018.1.3 The Senate shall debate on the Articles of Censure before a vote.
- 3018.1.4 Articles of Censure shall require a simple majority of the Senate to pass. Upon passage, the resolution shall serve as an official reprimand and strongly urge the censured official and all other SGA officials from repeating similar behavior.
- 3018.1.5 Articles of Censure may optionally carry a temporary penalty which shall take effect upon passage. This penalty shall be limited to temporary removal of voting ability, temporary removal of Senate leadership or Chair authority, temporary removal of committee membership, or being required to sit through a presentation of a length no longer than 30 minutes on the topic of Ethics and Accountability to be delivered by a willing member of the Judicial Branch. No penalty for censure shall last longer than three weeks, defined as fifteen (15) consecutive university business days.
- 3018.2 Articles of Impeachment are a Senate Resolution which shall charge an official or officials under SGA's jurisdiction with malfeasance or nonfeasance, and when passed shall open a Supreme Court trial for removal from office.
- 3018.2.1 Articles of Impeachment cannot be filed against an SGA Senator. This is due to the fact that Senators can be removed through expulsion by the IAC. Articles of Impeachment can be filed against all other officials under SGA's jurisdiction.
- 3018.2.2 Articles of Impeachment must pass by a simple majority of the IAC before being considered on the Senate floor. The IAC may choose to issue subpoenas and conduct an investigation before voting on the Articles of Impeachment.
- 3018.2.3 The official(s) that are the subject of the articles shall be permitted to address the IAC and the Senate for no more than five (5) minutes per meeting to deliver self-defense. Alternatively, the official(s) may be aided by the Student Advocate.
- 3018.2.4 The Senate shall debate on the Articles of Impeachment before a vote.
- 3018.2.5 Articles of Impeachment shall require a two-thirds (2/3) vote of the Senate to pass. Should the Senate pass Articles of Impeachment, the official(s) noted in the articles

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shall officially be “impeached”, meaning officially charged by the Senate, but they shall still remain in office for the time being.

- 3018.2.6      Upon passage, the Floor Leader shall immediately inform the Chief Justice of the passage of the articles, and the Supreme Court shall proceed to a trial of the official or officials within seven (7) university business days.
- 3018.2.7      In the case of Articles of Impeachment, at trial the lead prosecutor before the Supreme Court shall be the Floor Leader by default. The Floor Leader may delegate this responsibility to the Attorney General, or to any Senator who was a sponsor on the Articles of Impeachment.

**Title IV: The Executive Branch**

**Section 4001 – Constitutional Authority**

- 4001.1 The Student Body Constitution establishes that the Executive Branch shall be composed of the Student Body President, Student Body Vice President, the Comptroller, the Attorney General, the Chief of Staff, the Press Secretary, the President’s Cabinet, the Presidential Staff, the Governor of the Biscayne Bay Campus, the Lieutenant Governor of the Biscayne Bay Campus, and the Governor’s Cabinet.
- 4001.2 These statutes serve to reiterate, clarify, and elaborate on the provisions of the Student Body Constitution and to create procedures for the functioning of the Executive Branch but shall not contradict any provision of the Student Body Constitution.

**Section 4002 – Elaboration of the Powers of the Student Body President**

- 4002.1 The Student Body President shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4002.2 The State of the Student Body Address
  - 4002.2.1 Once each Fall and Spring Semester, the Student Body President shall make an address to the Student Body and the Student Senate addressing the state of the student body, major policy platform initiatives, and any other components of the address that they wish to include. This address shall be made publicly available, and copies should be shared with the Senate Speaker and the independent student media and posted on the SGA website.
- 4002.3 Appointment and confirmation of Presidential appointments
  - 4002.3.1 Once an individual has been selected for appointment, the Student Body President shall create a letter of appointment and sign it. This letter shall be delivered to the Senate Speaker and the appointee. Following delivery of the letter, the Senate Speaker shall place the appointee on the next Senate agenda.
  - 4002.3.2 The appointee shall be invited to make an address before the Senate in accordance with any time limits the Senate sets. The Senate shall have the right to question the appointee as to the merits of the individual and the qualifications they hold, in accordance with any time limits the Senate sets. The Senate shall then deliberate on the appointment for as much time as the Senate wishes in accordance with any time limits the Senate sets. The appointee shall be confirmed by a simple majority vote unless a higher threshold is specified in the Student Body Constitution.

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### **4002.4 Presidential Executive Orders**

- 4002.4.1 The Student Body President may issue Executive Orders for the following purposes: temporary or permanent suspension of the requirements of SGA executive branch officials; the addition of requirements or details for SGA executive branch positions, not in conflict with the Constitution; acknowledgment of a specific event; the creation or appointment of new executive branch departments, commissions, committees, or task forces; the dispensation of the ACB account, subject to all Finance Code stipulations; acknowledgment of the deeds of a specific student or student group; creation of meetings; and any other acknowledgement or declaration that the President so chooses. Executive Orders shall carry the binding effect of Statutes.
- 4002.4.2 Executive Orders shall follow the Executive Order template and be signed by the Student Body President and affixed with the Seal of the Student Government Association. Copies of any Executive Order issued must be sent to all members of the University-Wide Council, all members of the Senate, all members of the Supreme Court, and the independent student media prior to taking effect. Copies of Executive Orders issued shall also be promptly posted on the SGA website and made available to the public as a public record.

### **Section 4003 – The President’s Cabinet**

- 4003.1 The President’s Cabinet shall be comprised of the President, the Vice President, the Chief of Staff, the Attorney General, the Comptroller, the Press Secretary, the Elections Commissioner, the Directors of every Executive Agency, the heads of any and all Departments and Commissions within the Executive Branch, and up to twenty (20) secretaries chosen and appointed by the President and confirmed by the Senate.
- 4003.2 Cabinet Members must report the business they have conducted during the cabinet meetings either through written form or verbally.
- 4003.3 The Cabinet shall assume any responsibilities assigned by the Student Body President.
- 4003.4 The Cabinet shall meet regularly each week at such days and times determined by the Student Body President or the Chief of Staff. Meetings of the President’s Cabinet shall be open to the public. Minutes shall be taken at each meeting and posted on the SGA website.
- 4003.5 Each Cabinet Secretary shall be responsible for putting together a weekly briefing on each of the departments and areas that the secretary oversees. This report shall be generated on the Friday of each week and delivered to the Student Body President on the Monday of the following week. The President can exempt any or all members of the Cabinet from submitting these reports.

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### **Section 4004 – Cabinet Secretaries**

- 4004.1 Cabinet Secretaries shall be appointed by the Student Body President and confirmed by the Senate.
- 4004.2 The following titles shall be members of the President’s Cabinet:
  - 4004.2.1 Secretary of Governmental Relations
  - 4004.2.2 Secretary of Health and Well-Being
  - 4004.2.3 Secretary of Safety and Transportation
  - 4004.2.4 Secretary of Athletics and Affinity
  - 4004.2.5 Secretary of Sustainability and Innovation
  - 4004.2.6 Secretary of Online and Remote Engagement
  - 4004.2.7 Secretary of Student Affairs
  - 4004.2.8 Secretary of Veterans Affairs
  - 4004.2.9 Secretary of Diversity and Inclusion
  - 4004.2.10 Secretary of International Student Advocacy
- 4004.3 The Student Body President may choose to not appoint one or more of the above mentioned Secretaries and replace this position with another title.
- 4004.4 The Student Body President may choose to create more Secretaries in addition to those enumerated above. The total number of secretaries may not exceed twenty (20).
- 4004.3 The Student Body President shall designate the titles and responsibilities of the Cabinet Secretaries at the beginning of their term through an Executive Order. Such Executive Order may be amended by the President at any time by a new Executive Order.

### **Section 4005 – The Student Body Vice President**

- 4005.1 The Student Body Vice President shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4005.2 The Student Body Vice President shall fulfill the duties of the Student Body President in their absence.
- 4005.3 The Student Body Vice President shall convene monthly meetings of the Council of Presidents, which shall be a Council composed of the Presidents of all Bureaus and chaired by the Student Body Vice President.
- 4005.4 The Student Body Vice President shall appoint one (1) student as Deputy Chief of Staff to the Vice President, subject to confirmation by a simple majority of the Senate.

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### **Section 4006 – The Chief of Staff**

- 4006.1 The Chief of Staff shall be appointed by the President, subject to confirmation by a simple majority of the Senate.
- 4006.2 The Chief of Staff shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4006.3 The Chief of Staff shall serve as the chief advisor to the Student Body President.
- 4006.4 The Chief of Staff shall manage and supervise the President's Cabinet.
- 4006.5 The Chief of Staff shall be responsible for the creation and delivery of the weekly Presidential briefing as stated in Statutes 4003.5

### **Section 4007 – The Comptroller**

- 4007.1 The Comptroller shall be appointed by the President and confirmed by the Senate.
- 4007.2 The Comptroller shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4007.3 The Comptroller shall serve as the chief financial officer of the Student Government Association.
- 4007.4 The Comptroller shall conduct audits of any organization or department receiving Activity and Service Fee funds to ensure compliance with the SGA Finance Code and governing documents of the Student Government Association.
- 4007.5 The Comptroller shall appoint one (1) student as Deputy Comptroller, subject to confirmation by a simple majority of the Senate.

### **Section 4008 – The Press Secretary**

- 4008.1 The Press Secretary shall be appointed by the President and confirmed by the Senate.
- 4008.2 The Press Secretary shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4008.3 The Press Secretary shall manage the communications and execution of SGA's public engagements.
- 4008.4 The Press Secretary shall be responsible for managing SGA events, activities, and engagements.
- 4008.5 The Press Secretary shall serve as the primary spokesperson for SGA to the independent student media, organize press releases, work with the independent student media, and be responsible for setting up interviews between all the branches of SGA and the independent student media.



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- 4008.6 The Press Secretary shall serve as the chief records officer of SGA and shall maintain copies of the minutes of all SGA meetings, copies of all legislation enacted, copies of all Executive Orders enacted, copies of all budgets enacted, and copies of the results of all elections and referendums that take place. They shall ensure that all of the aforementioned documents get promptly and regularly posted to the SGA website and make them available upon request from members of independent student media or from members of the public.
- 4008.7 The Press Secretary shall be responsible for all graphics and graphic media for SGA.
- 4008.8 The Press Secretary shall ensure public notices and appropriate publicity is provided for all SGA meetings and events.

### **Section 4009 – The Attorney General**

- 4009.1 The Attorney General shall be appointed by the President and confirmed by the Senate.
- 4009.2 The Attorney General shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4009.3 The Attorney General shall serve as a legal advisor to the Student Body President.
- 4009.4 The Attorney General shall serve as the prosecutor at the Supreme Court for all cases they choose to bring before the Court and all cases they are tasked with prosecuting before the Court.
- 4009.5 The Attorney General must keep up-to-date records of the attendance, office hours, and requirements of the members of the Student Government Association, in coordination with the Internal Affairs Committee.
- 4009.6 The Attorney General shall draft advisory opinions on legal questions and the interpretation of governing documents at the request of the Student Body President. These opinions shall be legally binding unless overturned by the Supreme Court, legislation, or Executive Order. The Attorney General shall be responsible for any actions taken upon their given advice should the action directly adhere to the advice.
- 4009.7 The Attorney General shall file a Writ against any official or group of officials under SGA's jurisdiction that has committed malfeasance or nonfeasance, or that is in violation of the Student Body Constitution, Statutes, or any relevant governing document under the jurisdiction of the Student Government Association.
- 4009.8 The Attorney General shall ensure the legality of legislation, actions, and proceedings of the Student Government Association with respect to the Constitution and Statutes, and shall review all legislation passed by the Senate and offer advice on the legality of the legislation with respect to the Constitution and Statutes.
- 4009.9 The Attorney General shall appoint one (1) student as Deputy Attorney General, subject to confirmation by a simple majority of the Senate.

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### **Section 4010 – The Governor of the Biscayne Bay Campus**

- 4010.1 The Governor of the Biscayne Bay Campus shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4010.2 Appointment and confirmation of Gubernatorial appointments
  - 4010.2.1 Once an individual has been selected for appointment, the Governor of the Biscayne Bay Campus shall create a letter of appointment and sign it. This letter shall be delivered to the Chair of the Biscayne Bay Campus Legislative Council (hereinafter BBC Legislative Council) and the appointee. Following delivery of the letter, the Chair of the Biscayne Bay Legislative Council shall place the appointee on the next BBC Legislative Council Agenda after receiving the appointment.
- 4010.3 Gubernatorial Executive Orders
  - 4010.3.1 The Governor of the Biscayne Bay Campus may issue Gubernatorial Executive Orders for the following purposes: temporary or permanent suspension of the requirements of members of the Governor’s Cabinet; the addition of requirements or details for BBC-based executive branch positions, not in conflict with the Constitution; acknowledgment of a specific event at BBC; the creation or appointment of new BBC-specific departments, commissions, committees, or task forces; acknowledgment of the deeds of a specific student or student group at BBC; creation of meetings at BBC; and any other acknowledgement or declaration pertaining to BBC that the Governor so chooses.
  - 4010.3.2 Gubernatorial Executive Orders shall follow the Gubernatorial Executive Order template and be signed by the BBC Governor. Copies of any Gubernatorial Executive Order issued must be sent to all members of the University-Wide Council, all members of the BBC Legislative Council, and the independent student media prior to taking effect. Copies of Gubernatorial Executive Orders issued shall be promptly posted on the SGA website and made available to the public as a public record.
  - 4010.4.1 The Governor of the Biscayne Bay Campus shall appoint one Deputy Chief of Staff to the BBC Governor, who shall be considered part of the Governor’s Cabinet. This official shall be subject to confirmation by a simple majority vote of the BBC Legislative Council.

### **Section 4011 – The Governor’s Cabinet**

- 4011.1 The Governor’s Cabinet shall be comprised of the Governor of the Biscayne Bay Campus, the Lieutenant Governor of the Biscayne Bay Campus, the Deputy Chief of Staff to the BBC Governor, and a number of Staff Secretaries chosen and appointed by

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the Governor of the Biscayne Bay Campus and confirmed by the BBC Legislative Council.

- 4011.2 Members of the Governor’s Cabinet must report the business they have conducted during the cabinet meetings either through written form or verbally.
- 4011.3 Members of the Governor’s Cabinet shall assume any responsibilities assigned by the Governor of the Biscayne Bay Campus.
- 4011.4 The Governor’s Cabinet shall meet regularly each week at such days and times determined by the Governor of the Biscayne Bay Campus or the Deputy Chief of Staff to the BBC Governor. Meetings of the Governor’s Cabinet shall be open to the public. Minutes shall be taken at each meeting and posted on the SGA website.
- 4011.5 Members of the Governor’s Cabinet shall be responsible for putting together a weekly briefing on each of the departments and areas that the cabinet member oversees. This report shall be generated on the Friday of each week and delivered to the Governor of the Biscayne Bay Campus on the Monday of the following week. The Governor can exempt any or all members of the Cabinet from submitting these reports.

### **Section 4012 – Staff Secretaries**

- 4012.1 Staff Secretaries shall be appointed by the Governor of the Biscayne Campus and confirmed by the BBC Legislative Council.
- 4012.2 The Governor of the Biscayne Bay Campus shall designate the titles and responsibilities of the Staff Secretaries at the beginning of their term through a Gubernatorial Executive Order. Such a Gubernatorial Executive Order may be amended by the Governor of the Biscayne Bay Campus at any time by a new Gubernatorial Executive Order.

### **Section 4013 – Lieutenant Governor of the Biscayne Bay Campus**

- 4013.1 The Lieutenant Governor of the Biscayne Bay Campus shall have all such duties, powers, obligations, and responsibilities as specified in the Constitution and authorized in these Statutes.
- 4013.2 The Lieutenant Governor of the Biscayne Bay Campus shall fulfill the duties of the BBC Governor in their absence.
- 4013.3 The Lieutenant Governor of BBC shall vote at meetings of the University-Wide Council and/or the Budget Committee only in the case that the Governor of BBC is not present.

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### **Section 4014 – Deputy Chiefs of Staff to the President**

- 4014.1 The Student Body President shall appoint a number of Deputy Chiefs of Staff who shall be considered a part of the Presidential Staff. These positions shall be subject to confirmation by a simple majority vote of the Senate.
- 4014.2 One Deputy Chief Staff of Staff appointed by the Student Body President shall be assigned to report directly to the Student Body President and shall perform such duties as assigned by the Student Body President. This Deputy Chief of Staff shall assist the Student Body President in managing their schedule.
- 4014.3 One Deputy Chief of Staff appointed by the Student Body President shall be assigned to report directly to the Chief of Staff and shall perform such duties as assigned by the Chief of Staff.
- 4014.4 Any additional Deputy Chiefs of Staff appointed by the Student Body President shall receive such assignments as the Student Body President so designates.

### **Section 4015 – Deputy Chief of Staff to the Vice President**

- 4015.1 The Student Body Vice President shall appoint one (1) student as Deputy Chief of Staff to the Vice President, subject to confirmation by a simple majority vote of the Senate.
- 4015.2 The Deputy Chief of Staff to the Vice President shall report directly to the Vice President and shall perform such duties as assigned by the Student Body Vice President.
- 4015.3 The Deputy Chief of Staff to Vice President shall assist the Vice President in managing the meetings of the Council of Presidents.
- 4015.4 The Deputy Chief of Staff to the Vice President shall serve as the Secretary of the Council of Presidents and take the minutes of the Council's meetings.
- 4015.5 The Deputy Chief of Staff to the Vice President shall assist the Vice President in managing their schedule.

### **Section 4016 – Deputy Chief of Staff to the BBC Governor**

- 4016.1 The Governor of the Biscayne Bay Campus shall appoint one Deputy Chief of Staff to the BBC Governor, who shall be considered part of the Governor's Cabinet, subject to confirmation by a simple majority vote of the BBC Legislative Council.
- 4016.2 The Deputy Chief of Staff to the BBC Governor shall report directly to the Governor of the Biscayne Bay Campus and shall perform such duties as assigned by the Governor of the Biscayne Bay Campus.
- 4016.3 The Deputy Chief of Staff to the BBC Governor shall be considered the Governor's Chief of Staff.

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- 4016.4 The Deputy Chief of Staff to the BBC Governor shall serve as the chief advisor to the Governor of the Biscayne Bay Campus.
- 4016.5 The Deputy Chief of Staff to the BBC Governor shall manage and supervise the Governor's Cabinet.
- 4016.6 The Deputy Chief of Staff to the BBC Governor shall oversee the Administrative Operations of the Governor's Office.
- 4016.7 The Deputy Chief of Staff to the BBC Governor shall take minutes of the meetings of the Governor's Cabinet.
- 4016.8 The Deputy Chief of Staff to the BBC Governor shall assist the Governor in managing their schedule.

### **Section 4017 – Bureaus and Executive Agencies**

- 4017.1 Bureaus are student organizations which serve specific identity groups of the student body, including, but not limited to: race; religion; ethnicity; sexual orientation; gender identity; disability; academic major; academic college or school; culture; affinity; social group; or any other purpose as approved by the Student Government Association.
  - 4017.1.1 Bureaus shall choose their officers and leadership through elections, an appointment process, or other procedure, as shall be dictated in the Bureau's constitution.
  - 4017.1.2 The following organizations are authorized Bureaus:
    - 4017.1.2.1 Black Student Union: Shall exist to provide programming and community for students identifying as African American, Black, Brown, or a Person of Color.
    - 4017.1.2.2 Pride Student Union: Shall exist to provide programming and community for students identifying as a member or an ally of the LGBTQIA+ community.
    - 4017.1.2.3 Medical Student Council: Shall exist to provide programming and community for students enrolled within the Herbert Wertheim College of Medicine.
    - 4017.1.2.4 Disabled Student Union: Shall exist to provide programming and community for students identifying as disabled, differently abled, neurodivergent, or an ally of these communities.
    - 4017.1.2.5 Nursing and Health Sciences Student Council: Shall exist to provide programming and community for students enrolled within the Nicole Wertheim College of Nursing and Health Sciences.
    - 4017.1.2.6 International Student Union: Shall exist to provide programming and community for international students.
  - 4017.1.3 The above list shall be updated any time the recognition of a new Bureau is approved by SGA.

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- 4017.1.4 In order to become a Bureau, the organization is required to have: a minimum active membership of fifty (50) members; a Constitution; an advisor; and the full administrative support and backing of a department, division, or office of the University, including but not limited to Campus Life, CSE, DRC, SLD, any academic department, college, or school, or any other equivalent unit of the university. The organization must also receive an allocation of A&S funds from the Budget Committee during the annual budget process in order to be eligible to be a Bureau.
- 4017.2 Executive Agencies, hereinafter referred to as Agencies, are administrative divisions of the Executive Branch of the Student Government Association created to provide goods and/or services to the student body, acting on behalf of the Student Government Association to provide a function beneficial to the student body funded by Activity and Service Fees.
- 4017.2.1 The following organizations are authorized Executive Agencies:
- 4017.2.1.1 Homecoming Council: Shall exist to provide programming leading up to and during the university's annual Homecoming week.
- 4017.2.1.2 Student Programming Council: Shall exist to provide programming, events, and community for the student body as a whole throughout the year.
- 4017.2.1.3 Registered Student Organizations Council: Shall exist to facilitate the process of approving the registration of student organizations, providing registered student organizations with guidance, information, and resources, and programming events such as organization fairs and tabling fairs.
- 4017.2.1.4 Panther Power: Shall exist to provide programming surrounding the university's athletic events and competitions, and to inspire institutional affinity and pride for the Panther Nation.
- 4017.2.2 The above list shall be updated any time a new Agency is created by SGA.
- 4017.2.3 In order to become an Agency, the organization is required to have: a defined good or service provided to the student body; an advisor; and the full administrative support and backing of a department, division, or office of the University, including but not limited to Campus Life, CSE, DRC, SLD, FSL, any academic department, college, or school, or any other equivalent unit of the university. The organization must also receive an allocation of A&S funds from the Budget Committee during the annual budget process in order to be eligible to be an Agency.
- 4017.2.4 The highest-ranking position of each Agency is the Director. All Agencies shall choose their Director through the following process:
- 4017.2.4.1 The outgoing Director of the Agency is responsible for coordinating the application and nomination process. In the event that the outgoing Director is re-applying for another term as Director, the highest-ranking officer not applying for a position will coordinate the process.

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- 4017.2.4.2      A nominations committee shall be established to assist with interviews and provide input throughout the process. The committee will consist of:
- The highest-ranking member of the Agency’s leadership not re-applying for consideration, and/or the outgoing Director of the Agency if not reapplying
  - A current member of the Agency not applying for a leadership role
  - The Agency’s graduate assistant (if applicable)
  - The Agency’s advisor
  - The Student Body President, or their designee who must be a member of the Executive Branch of SGA
  - The Student Body President-elect (if applicable), or the Student Body Vice President-elect as their designee
- 4017.2.4.3      The nominations committee of the Agency shall review all applications for Director. It shall then nominate a student to be the Director of the Agency, through a simple majority vote of all members of the committee. Once the Director nominee has been chosen by the nominations committee, the Student Body President is obligated to immediately pen a letter of appointment for the nominee chosen by the committee, and send this letter of appointment to the SGA Senate Speaker for inclusion on the next Senate agenda.
- 4017.2.4.4      The Director of each Agency must be confirmed by a simple majority vote of the SGA Senate. Should the Senate reject a nominee, the nominations committee of the Agency shall nominate a new student and follow the same process. Once the Senate approves the Director nominee, the nominee shall be considered approved and confirmed.
- 4017.2.4.5      The remainder of the leadership positions of the Agency shall be filled and appointed in accordance with the specific procedures delineated for that Agency.
- 4017.2.4.6      The above described process shall occur in the Spring semester for all Agencies except the Homecoming Council, for which the process shall occur in the Fall semester after the conclusion of Homecoming week.
- 4017.2.4.7      Should the position of the Director become vacant, the vacancy shall be filled using the above process with final approval by the SGA Senate.
- 4017.2.5      The Director of each Agency is a member of the SGA Cabinet. As such, the Director of each Agency is required to attend all SGA Cabinet meetings, and shall be subject to all other requirements applicable to all members of the SGA Cabinet.
- 4017.2.5.1      The Director can assign another member of the Agency’s leadership board to attend that SGA Cabinet meeting in their place, but all Agencies must send an officer to be represented at weekly SGA Cabinet meetings.

**Title V: The Judicial Branch**

**Section 5000 – Constitutional Authority**

- 5000.1 The Student Body Constitution establishes that the Judicial Power of the Student Body shall be vested in the Judicial Branch, which shall be composed of the Supreme Court, a Student Advocate, the Elections Board, and all such lower courts as the Senate may ordain and establish.
- 5000.2 These statutes serve to reiterate, clarify, and elaborate on the provisions of the Student Body Constitution and to create procedures for the functioning of the Judicial Branch but shall not contradict any provision of the Student Body Constitution. The Supreme Court is authorized and directed to strike down any statutes or provisions thereof that violate any provision or right guaranteed by the Student Body Constitution.

**Section 5001 – Judicial Appointment and Terms of Office**

- 5001.1 In accordance with the Student Body Constitution, all Justices of the Supreme Court are appointed by the Student Body President and confirmed by the Senate with a two-thirds (2/3) vote.
- 5001.2 In accordance with the Student Body Constitution, Justices shall be appointed for a two-year term, which shall last for six consecutive semesters, including the semester of appointment and Summer semesters. There is no limit to how many terms a Justice is permitted to serve.
- 5001.3 In the final semester before the expiration of a Justice's term, the Justice may opt to request re-confirmation to another two-year term, which shall be confirmed by a two-thirds (2/3) vote of the Senate without needing to be re-appointed by the President. A Justice seeking re-confirmation for an additional term shall submit the request to the Senate Speaker.

**Section 5002 – Chief Justice**

- 5002.1 The Chief Justice shall be chosen by a vote of the members of the Supreme Court annually in the Summer A semester. Until this election takes place, the most senior member of the Court shall serve as Acting Chief Justice.
- 5002.2 In the event of a vacancy in the office Chief Justice, the most senior member of the Court shall serve as Acting Chief Justice, until a new election can take place.
- 5002.3 The most senior member of the Court present shall be authorized to fulfill the duties of the Chief Justice in their absence.
- 5002.4 The Chief Justice serves as the chief administrative officer of the Judicial Branch.



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- 5002.5 The Chief Justice shall serve as a non-voting member of the University-Wide Council.
- 5002.6 The Chief Justice shall give a report to the Senate at least once each month that the Senate is in Session.
- 5002.7 The Chief Justice shall update the Current Apportionment section (Article III, Section 4) of the Student Body Constitution based on the reapportionment conducted by the Elections Board and approved by the Supreme Court pursuant to Article III, Section 3 of the Student Body Constitution.
- 5002.8 The Chief Justice shall the update the list of programs in Article VI, Section 5 of the Student Body Constitution that constitutes programs whose classes are considered classes at the Biscayne Bay Campus regardless of modality based on the list of programs provided by the administration of the Biscayne Bay Campus and approved by the Supreme Court pursuant to Article VI, Section 3 of the Student Body Constitution.
- 5002.9 The Chief Justice shall ensure all members of the Judicial Branch (including the Supreme Court, the Student Advocate, and the Elections Board members) are trained to understand the Student Body Constitution and Statutes.

### **Section 5003 – Clerks of the Court**

- 5003.1 Clerks of the Court shall be appointed by the Chief Justice and shall serve a one-year term concurrent with the term of the Student Body President. There shall be up to three (3) Clerks of the Court, but the Clerk is not a required position to be filled.
- 5003.2 Clerks shall assume all responsibilities assigned by the Chief Justice.
- 5003.3 Clerks are responsible for aiding the Chief Justice in the preparation of the agenda and minutes of Judicial branch meetings, as well as the formatting and proper filing, sending, and uploading of opinions, briefs, and Writs.

### **Section 5004 – Writs for Judicial Review**

- 5004.1 Action at the Supreme Court may be initiated by any student through a Writ for Judicial Review, hereinafter referred to as a “Writ.”
- 5004.2 The Supreme Court may be petitioned to take action by means of four types of Writs for Judicial Review. These are: Writ of Interpretation, Writ of Removal, Writ of Censure, and Writ of Appeal.
- 5004.3 Any student may submit any type of Writ to the Supreme Court. This right is guaranteed by the Student Body Constitution.
- 5004.4 The Attorney General may also submit any Writ, in consultation with the Student Body President. Writs submitted to the Supreme Court by the Attorney General shall be

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considered Writs filed in an official capacity on behalf of the Executive Branch of the Student Government Association, and represent the official position of the Student Body President and the Executive Branch.

- 5004.5 Writs shall be submitted via an email sent to the membership of the Supreme Court.
- 5004.6 Writs shall be filed in accordance with a Writ template provided by the Student Government Association. Such templates shall include all necessary information as provided in the Student Body Constitution and these statutes, along with any other information that the Court determines to be necessary.
- 5004.7 If any information is missing from a submitted Writ, the petitioner shall be informed of what information is missing and given an opportunity to submit the missing information. No case shall be dismissed for missing information unless the petitioner has been informed of the information missing and given an opportunity to submit the missing information and has failed to do so.

### **Section 5005 – Judicial Inquiry and Investigations**

- 5005.1 The Supreme Court may issue a *subpoena for testimony* by a simple majority vote, in order to compel the presence of any official under SGA’s jurisdiction for investigative hearings.
  - 5005.1.1 “*Subpoena for testimony*” refers to a written notification served via email or hand delivery which compels the attendance and testimony of any official under SGA’s jurisdiction.
- 5005.2 The Supreme Court may issue a *subpoena for documentation* by a simple majority vote in order to compel the deliverance of SGA documents or documents pertaining to an investigation or hearing.
  - 5005.2.1 “*Subpoena for documentation*” refers to a written notification served via email or hand delivery which compels any official under SGA’s jurisdiction to deliver reports, documents, books, electronic recordings, audio recordings, video recordings, financial statements, or any other like items.
- 5005.3 The Chief Justice shall serve a subpoena on any official under SGA’s jurisdiction following the issuance of the subpoena by the Supreme Court.
- 5005.4 Upon the issuance of a subpoena by the Supreme Court, the Chief Justice shall notify the subpoenaed party on typed letterhead that they have been summoned and that their presence is commanded before the Court, including the required date and required time of their appearance. The notification shall state the penalty for failure to answer a subpoena and the penalty for perjury. Subpoenas shall be either emailed to the subpoenaed party or hand-delivered to the subpoenaed party.

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- 5005.4.1 For electronic email notifications, the SGA advisor, and if applicable, the faculty advisor of the subpoenaed official, shall be CC'd on the email notification.
- 5005.4.2 The Chief Justice shall retain signed and time-stamped copies of all notifications.
- 5005.4.3 Failure to comply with a subpoena amounts to nonfeasance and may serve as grounds for removal from office.
- 5005.5 Pursuant to the issuance of a subpoena, a subpoenaed official may be questioned before the Court during a hearing being held for a case.
- 5005.5.1 The Chief Justice shall administer the following oath or affirmation: *“Do you solemnly (swear/affirm) that you will tell the truth, the whole truth, and nothing but the truth, (so help you God/on pain of removal?)”*
- 5005.5.2 In the case of summoning documentation, the party in possession of the subpoenaed document(s) must present the document(s) to the Supreme Court within five (5) university business days of receipt of the subpoena.

### **Section 5006 – Pre-Hearing Procedures for All Cases**

- 5006.1 A case shall be initiated by a Writ for Judicial Review being filed by any student. These include cases for Interpretation, Appeal, Removal, and Censure.
- 5006.2 The Chief Justice must notify the other Justices of the Court of the pending Writ within five (5) University Business Days of the submission of the Writ.
- 5006.3 The Court must meet within five (5) University Business Days of notification by the Chief Justice, to determine the validity of the Writ. The Writ shall be deemed valid and shall move to a case if at least one third (1/3) of the Justices present in the meeting deem the Writ to be valid and desire to hear it as a case.
- 5006.4 Should the Writ not meet the minimum threshold of support and be deemed invalid, a response must be sent to the petitioner within two (2) University Business Days of the decision not to proceed.
- 5006.5 Should the Writ meet the minimum threshold of support and proceed to a case, the Court shall adhere to the following procedure:
  - 5006.5.1 The Court shall set a date for the hearing, which shall be at least two (2) University Business Days after the initial decision to proceed to a case.
  - 5006.5.2 The Court shall then appropriately name the case, as well as designate a case number.
  - 5006.5.3 The Court must then immediately send the filed Writ, any filed briefs relating to the case, and the date of the hearing, to all members of the University-Wide Council, the Attorney General, the Student Advocate, a representative of the independent student media, and all parties named in the Writ.

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- 5006.6 Before the Court proceeds to hear the case, the Court must allow at least forty-eight hours (48 hours) to elapse after the decision to proceed to the case. During this time, any student may file an *amicus curiae* brief to the Court regarding the subject matter contained in the Writ.
- 5006.6.1 If the Attorney General files an *amicus curiae* brief, the brief shall stand as the official position of the Student Body President and the Executive Branch on the matter addressed in the brief and Writ in question.

### **Section 5007 – Pre-Hearing Procedures for Articles of Impeachment**

- 5007.1 Should the Senate pass Articles of Impeachment by a two-thirds (2/3) vote, the Supreme Court must proceed to a case against the individual(s) impeached by the Senate. The Court shall then adhere to the following procedure:
- 5007.1.1 The Court shall set a date for the trial, which must be within seven (7) university business days of the receipt of the Articles of Impeachment by the Chief Justice.
- 5007.1.2 The Court shall then appropriately name the case, as well as designate a case number.
- 5007.1.3 The Court must then immediately send the received Articles of Impeachment, any filed briefs relating to the case, and the date of the trial, to all members of the University-Wide Council, the Attorney General, the Student Advocate, a representative of the independent student media, and all parties to the proceedings including those named in the Articles of Impeachment.
- 5007.2 Before the Court proceeds to hear the trial, the Court must allow at least seventy-two hours (72 hours) to elapse after the announcement of the date of the trial. During this time, any student may file an *amicus curiae* brief to the Court regarding the upcoming trial.
- 5007.3 For trials initiated by Articles of Impeachment, the lead prosecutor before the Court shall be the Floor Leader by default. The Floor Leader may delegate this responsibility to the Attorney General, or to any Senator who was a sponsor on the Articles of Impeachment.
- 5007.4 If the Attorney General files an *amicus curiae* brief on a trial, the brief shall stand as the official position of the Student Body President and the Executive Branch on the matter addressed in the Articles of Impeachment.

### **Section 5008 – Hearing Procedures for Interpretation Cases and Appeal Cases**

- 5008.1 This section shall apply to hearings for cases initiated by a Writ of Interpretation or by a Writ of Appeal.
- 5008.2 Once the case begins and the hearing opens, the Court shall permit the filer of the Writ, as well as any party that filed an *amicus curiae* brief, to make an Oral Argument before the

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Court, with a total speaking duration of no more than fifteen (15) minutes per speaker. Only one individual may speak during Oral Arguments on behalf of a submitted filing. Should the Court face extraordinary time constraints, the Court may choose to decrease the total amount of speaking time per speaker in a uniform manner.

- 5008.2.1 The Court shall allow the petitioner who filed the Writ to speak first during Oral Arguments. Should there be multiple speakers in the Oral Arguments, each filer shall inform the Court how much time they will reserve for their initial remarks and how much they will reserve for rebuttal / closing remarks. The total amount of time per speaker shall not exceed fifteen (15) minutes.
- 5008.2.1 If there is more than one brief filed in the same case which takes an identical or nearly identical position to another brief in the case, the Court has discretion to limit the speaking time of those individuals such that their aggregate speaking time shall be equal to the speaking time allowed to other individual filers.
- 5008.3 After the conclusion of the Oral Arguments, the Court shall enter a Question and Answer session with all filers of the Writ and any briefs. This Question and Answer session shall not exceed 10 minutes of speaking time total, among all speakers combined, not including the time of Justices asking questions. The Court may limit the amount of time for the Question and Answer session as it deems necessary.
- 5008.4 After the conclusion of the Question and Answer session, the Court shall enter private deliberations, during which no student may be present other than the Justices of the Court as well as any Clerks of the Court. During these deliberations, the Court shall determine its decision on the Writ.
- 5008.5 The Court shall issue its decision within five (5) University Business Days of the conclusion of the Oral Arguments and Question and Answer session.
- 5008.5.1 The Court shall issue its decision through a majority opinion. It shall also release any concurring opinions and dissenting opinions, which shall be legally non-binding.
- 5008.5.2 Should there not be a majority in favor of any decision or should there be a tie on the Court, the Court may release legally non-binding plurality opinion(s) on the matter, or release no opinion.

### **Section 5009 – Hearing Procedures for Trials**

- 5009.1 This section shall apply to hearings for trials, which may be initiated by: a Writ of Removal being filed by any student; a Writ of Censure being filed by any student; or Articles of Impeachment passed by two-thirds (2/3) of the Senate.
- 5009.2 Trials are for adjudicating cases of the Removal and/or Censure of officials under SGA's jurisdiction.

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- 5009.3 Defendant(s) in a trial may represent themselves, or may be represented by the Student Advocate, or may be represented by any other individual whom the defendant chooses to retain as counsel. Should the defendant be unable to attend or choose not to attend the trial, the defendant shall be represented by the Student Advocate or any other student designated by the defendant as their representative.
- 5009.4 The prosecutor in a trial shall be determined the following way:
- 5009.4.1 The student who filed the Writ shall be the prosecutor for any trial initiated by a Writ they filed. However, the student may choose to delegate the responsibility of prosecuting the trial to the Attorney General. Should the student who filed the Writ and the Attorney General both be unwilling or unable to prosecute the trial, the Court may reschedule the trial or may dismiss the case.
- 5009.4.2 For any trial initiated by the Attorney General filing a Writ, the Attorney General shall be the prosecutor. The Attorney General may delegate the responsibility of prosecuting the trial to the Deputy Attorney General.
- 5009.4.3 For any trial initiated by Articles of Impeachment, the Floor Leader shall be the prosecutor. However, the Floor Leader may delegate this responsibility to the Attorney General, or to any Senator who was a sponsor on the Articles of Impeachment.
- 5009.5 The trial shall begin with an opening statement by the prosecutor lasting no more than five (5) minutes.
- 5009.6 Next, the defendant may make an opening statement lasting no more than five (5) minutes.
- 5009.7 The prosecutor shall then have fifteen (15) minutes to make their case for the removal or censure of the defendant. Should the prosecutor provide witnesses, the questions being asked of the witness shall be deducted from the total time, but not the witness's responses. Questions asked to witnesses must not be leading, and must only pertain to matters of which the witness has personal knowledge. Witnesses testifying with second hand knowledge will not be permitted.
- 5009.8 The defendant shall then have five (5) minutes to cross examine all witnesses presented by the prosecutor. The same rules for questioning will apply.
- 5009.9 The defendant shall then have fifteen (15) minutes to make their case in their defense. Should the defendant provide witnesses, the questions being asked of the witness shall be deducted from the total time, but not the witness's responses. Questions asked to witnesses must not be leading, and must only pertain to matters of which the witness has personal knowledge. No witnesses may testify with second-hand knowledge.
- 5009.10 The prosecution shall then have five (5) minutes to cross examine all witnesses presented by the prosecutor. The same rules for questioning will apply.
- 5009.11 The prosecution shall then make a closing statement no longer than five (5) minutes.

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- 5009.12 The defendant shall then make a closing statement no longer than ten (10) minutes.
- 5009.13 After the conclusion of the Oral Arguments, the Court shall enter a Question and Answer session with all parties to the case. This Question and Answer session shall not exceed 10 minutes of speaking time total, among all speakers combined, not including the time of Justices asking questions. The Court may limit the amount of time for the Question and Answer session as it deems necessary.
- 5009.14 The Court shall then enter private deliberations, during which no student may be present other than the Justices of the Court as well as any Clerks of the Court. During these deliberations, the Court shall determine its decision on the trial.
- 5009.15 The Court shall issue its decision within two (2) University Business Days of the conclusion of the Oral Arguments and Question and Answer session.
  - 5009.15.1 The Court may censure and/or remove an official under SGA’s jurisdiction from office, with the agreement of a simple majority of the Justices present and voting, not counting abstentions and recusals.
  - 5009.15.2 The Court shall issue its decision through a majority opinion. It shall also release any concurring opinions and dissenting opinions, which shall be legally non-binding.
  - 5009.15.3 Should there not be a majority in favor of any decision or should there be a tie on the Court, the Court may release legally non-binding plurality opinion(s) on the matter, or release no opinion.
  - 5009.15.4 The decision of the Supreme Court may be appealed as per the relevant Florida Statutes pertaining to appeals of SGA members removed from office.
- 5009.16 Students may appeal the decision of the Supreme Court to the University-Wide Council within two University Business Days on grounds of failure to comply with the governing documents. The University-Wide Council may choose to overturn the Judicial ruling with a simple majority vote, but may not remove or censure any individual. Should the University-Wide Council overturn a judicial decision to censure or remove an official, the Supreme Court and the Senate must be notified at the next available time. Any University-Wide Council member may choose to recuse themselves if they feel there is a specific conflict of interest.

### **Section 5010 – Judicial Penal Code**

- 5010.1 The Supreme Court shall have the power to censure or remove officials under SGA’s jurisdiction for malfeasance or nonfeasance.
- 5010.2 Students may only be removed for the following reasons:
  - 5010.2.1 Exceeding the allowed number of unexcused absences from required meetings
  - 5010.2.2 Continued refusal to complete office hours

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- 5010.2.3 Failure to comply with an injunction or failure to comply with orders issued by the Court after being censured
- 5010.2.4 Repeated failure to comply with subpoenas
- 5010.2.5 Accepting or participating in a bribe
- 5010.2.6 Committing extortion or blackmail
- 5010.2.7 Threatening, attempting to threaten, or condoning the threatening, of an individual's current or future employment, funding, or position, on account of one's race, color, religion, sex, nationality, ethnicity, age, disability, marital status, parental status, veteran status, identity, or sexual orientation.
- 5010.2.8 Conviction of a Federal or State Felony in a State or Federal Court. Felony shall be defined in accordance with State and Federal Statutes.
- 5010.3 For an SGA official to be removed, the burden of proof shall be on the prosecution to prove beyond a reasonable doubt that the malfeasance or nonfeasance occurred, and credible evidence must be presented.
- 5010.4 For all trials, the prosecution must present evidence, which must have been obtained legally, and not have questions relating to its validity, legality, or veracity.
- 5010.5 The issuance of a censure shall be considered an official reprimand, with directions for changing future behavior based on the action or inaction of the official.
- 5010.6 A censure shall not result in removal from office, but may optionally carry a temporary penalty which shall take effect upon issuance of the decision by the Court. This penalty shall be limited to: temporary removal of voting ability, temporary removal of the authority of one's position, temporary removal of committee membership, or being required to sit through a presentation of a length no longer than 30 minutes on the topic of Ethics and Accountability to be delivered by a willing member of the Judicial Branch. No penalty for censure shall last longer than three weeks, defined as fifteen (15) consecutive university business days.
- 5010.7 The Court may direct a censured official to modify their behavior, giving detail on actions to be taken or prohibited. An official who disobeys a court order of this nature after being censured shall be guilty of malfeasance, and subject to removal in a subsequent trial.



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### **Section 5011 – Format for Case Citations**

- 5011.1 Cases shall carry a name as well as a case number.
- 5011.2 The name of the case may be formatted as “\_\_\_\_\_ v. \_\_\_\_\_” using the name of the litigants. The petitioner, filer, prosecutor, or appellant shall be the first name, and the respondent, counter-petitioner, defendant, or appellee shall be the second name. The name of the case may alternatively be formatted as “Ex Parte \_\_\_\_\_” using the surname of the petitioner, filer, or appellant. The name of the case may alternatively be formatted as “In Re \_\_\_\_\_” using a word or words that describe the main issue in the case. The Court shall have discretion over how to format the case name based on what is deemed most appropriate.
- 5011.3 The case number shall be formatted in three parts: SCOSGA, the Calendar Year, and the number in which the case was filed in that calendar year. Such that the case number shall look as follows. “SCOSGA: YYYY - 01”
  - 5011.3.1 SCOSGA is an abbreviation of Supreme Court Of the Student Government Association.

### **Section 5012 – Judicial Opinions**

- 5012.1 The Justices who have voted in the majority in a case shall be charged with creating the Majority Opinion. This opinion shall clearly specify the ruling the Court has made and the reasoning for that ruling. This opinion shall be legally binding.
  - 5012.1.1 Should the Chief Justice be a member of the majority, the Chief Justice will write the Majority Opinion.
  - 5012.1.2 Should the Chief Justice not be a member of the majority, the Justices that are members of the majority will decide amongst themselves who shall write the opinion.
- 5012.2 The Justices who have voted in the minority of a case shall be charged with creating the Dissenting Opinion. This opinion shall clearly specify the opposition that the Justices who have voted against a ruling held. This opinion shall carry no effect or force, but be a record for future Justices and Student Government members to review.
  - 5012.2.1 Should the Chief Justice be a member of the minority, the Chief Justice will write the Dissenting Opinion.
  - 5012.2.2 Should the Chief Justice not be a member of the minority, the Justices that are members of the minority will decide amongst themselves who shall write the opinion.
- 5012.3 Should there not be a majority in favor of any decision, or should there be a tie on the Court, the Court may release a Plurality Opinion(s) on the matter. Alternatively, in this case the Court may choose to release no opinion.

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- 5012.3.1 A Plurality Opinion shall carry no effect or force.
- 5012.3.2 Each group of Justices authoring a Plurality Opinion will decide amongst themselves who shall write the opinion.
- 5012.4 Justices who agree with the decision of a case, but for different reasons than provided in the Majority Opinion, may write a Concurring Opinion to explain their reasoning.
- 5012.5 At the conclusion of a case and the issuance of opinion(s), the Majority Opinion and any other opinions must be sent to all members of the University-Wide Council, the Attorney General, the Student Advocate, a representative of the independent student media, and all parties to the case. All opinions must be promptly uploaded online.

### **Section 5013 – Injunctions**

- 5013.1 The Supreme Court has the power to issue binding injunctions upon entities or individuals that fall under the Court’s jurisdiction, upon being petitioned.
- 5013.2 Injunctions shall be issued by a simple majority vote of the Court.
- 5013.3 Injunctions may only be issued after a student petitions the Court for an injunction.
- 5013.4 Injunctions may be issued at any point in the hearing process, or in a separate meeting of the Court if a student has submitted a petition to the Court for injunctive relief.
- 5013.5 Injunctions shall have the power to order any individual or entity under the Court’s jurisdiction to take particular action(s) or to refrain from particular action(s); indefinitely, for a certain period of time, or until a condition is met.
- 5013.6 Defiance of an injunction shall be considered malfeasance and may result in removal or censure at the discretion of the Court depending on the severity of the act.

### **Section 5014 – Senate Reapportionment Process**

- 5014.1 Pursuant to Article III, Section 3 of the Student Body Constitution, the Elections Board and the Supreme Court shall conduct and oversee the Senate reapportionment.
- 5014.2 The Elections Board shall prepare the Senate reapportionment in the Fall semester of every even numbered year according to the most accurate enrollment information available as per the most recent Fall enrollment numbers.
- 5014.3 The Elections Board shall determine the reapportionment and submit it by the end of October to the Supreme Court for review and approval to ensure its accuracy.
- 5014.4 The Supreme Court shall review and approve the reapportionment by the end of Fall.
- 5014.5 Following the approval of the apportionment numbers by the Supreme Court, they shall be adjusted within the Constitution by the Chief Justice to reflect the reapportionment.

**Title VI: The Elections Code**

**Section 6001 – The Elections Board**

**6001.1 Composition and Purpose of the Elections Board**

- 6001.1.1 The Elections Board shall be comprised of an Elections Commissioner, a Deputy Elections Commissioner and a number of additional Elections Board members. This number must be an odd number, and the total membership of the elections board may not be less than five (5) members.
- 6001.1.2 The Elections Board shall organize and execute all general elections, special elections, run-offs, referendums, and recall elections.
- 6001.1.3 No member of the Elections Board may hold or be a candidate for an elected or appointed SGA position until the conclusion of their term as a member of the Board. They shall not act in a partisan manner while serving on the elections board.
- 6001.1.4 The Elections Board shall have the power to create regulations not in conflict with the Elections Code or any other governing documents. All regulations created by the Elections Board shall be voted on and passed by a 2/3 vote of the Elections Board before being implemented.
  - 6001.1.4.1 Any regulation passed after the list of candidates has been announced must be sent to all candidates and registered political party chairs, as well as being posted on the elections website
- 6001.1.5 The Elections Board shall be responsible for the preparation of the ballot, which shall be approved and finalized by a majority approval of the Elections Board no later than five (5) university business days prior to the first day of voting in the elections. All qualified candidates will be listed on the ballot and organized by candidate position. The ballot shall clearly indicate which office the candidates are seeking. The ballot shall also contain a way to receive write-in votes, or clearly explain how write in votes may be submitted if not on the ballot itself.

**6001.2 Description of responsibilities for the Elections Board Members**

- 6001.2.1 The Elections Commissioner shall be responsible for the administration of the Board, supervision of the individual members, and issuing a final review on all materials needing approval by the Board.
- 6001.2.2 The Deputy Elections Commissioner shall be responsible for the distribution of

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Elections Board materials, and the timely release of the Elections Board report to the Senate.

6001.2.3 Elections Board Members shall be responsible for assisting the Elections Commissioner and the Deputy Elections Commissioner as well as serving on the Elections Board.

### **6001.3 Duties of the Elections Commissioner**

6001.3.1 The Elections Commissioner shall serve as the chair of the Elections Board and shall faithfully execute those duties and responsibilities designated by these Statutes, university policies, regulations, and the Student Government Constitution.

6001.3.2 The Elections Commissioner shall be required to serve three (3) weekly office hours.

6001.3.3 The Commissioner shall report to the Senate at least once per month and attend all Cabinet meetings..

6001.3.4 The Elections Commissioner shall be responsible for instructing all election officials, Board members, and poll workers of the proper election procedures.

6001.3.5 The Elections Commissioner shall ensure that the application documents of all candidates are submitted to a Division of Academic and Student Affairs designee for eligibility review.

6001.3.6 The Elections Commissioner shall be responsible for moderating Candidate Debates.

### **6001.4 Duties of the Deputy Elections Commissioner**

6001.4.1 The Deputy Elections Commissioner shall prepare the report for the Elections Commissioner to submit to the Senate and the Cabinet.

6001.4.2 The Deputy Commissioner shall oversee the distribution of Elections Materials.

6001.4.3 The Deputy Elections Commissioner shall assume any responsibility given to them by the Elections Commissioner.

### **6001.5 Duties of the Elections Board**

6001.5.1 The Elections Board must annually prepare an Election Packet for distribution. This packet shall be finalized and published on Pather connect when party registration opens. The packet must include at least: this Elections Code, instructions on how to register as a candidate, qualifications for all elected

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positions, a tentative timeline for the election cycle, the University Posting Policy, any additional rules and regulations, and Candidate and Party Expense Report. The packet may contain additional materials at the discretion of the Elections Board.

6001.5.2 The Elections Board is responsible for the execution of the elections code and shall make no regulation, decree or statement in contradiction with the code.

6001.5.3 The Elections Board is responsible for hosting at least two elections information sessions before the close of general election registration, and at least two candidate information sessions after the list of candidates has been finalized. The Board shall present the Elections Code and the details of the election process, and it shall answer any questions from attendees. Elections information sessions shall be held virtually and in-person at either or both campuses at the discretion of the Elections Board.

6001.5.4 The Elections Board must release an SGA Election Voting Guide each year to Panther Connect. This packet shall be finalized no later than four calendar weeks before the dates of the general election. It shall contain the submitted names, pictures, and platforms and biographies of all candidates running in the general election. It shall also contain a brief explanation of how and when to vote, and which candidates students are allowed to vote for based on delegation, campus, etc. The Elections Board shall disseminate this packet to the student body both electronically and in print format.

6001.5.5 The Elections Board is responsible for ensuring that all candidates are listed on the ballot with their correct political party affiliation. This shall be done by matching the political party affiliations indicated on each candidate's registration to a list of the party's nominees for each seat/position, as sent by each political party's chairperson to the Elections Commissioner. Only those candidates whose indicated party affiliation matches with the list of nominees provided by that same party's chairperson, shall have their party affiliation listed accordingly on the ballot.

6001.5.6 All meetings called by the Elections Board shall be posted on Panther Connect no later than 24 hours in advance of the meeting. This shall include election information sessions and candidate information session. All announcements related to the election must be posted on Panther Connect. This includes the candidate packet and voting guide.

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### **6001.6 Procedure for meetings of the Elections Board**

6001.6.1 The Elections Board shall meet regularly at a consistent place, date, and time.

6001.6.2 The Elections Board shall take all actions through simple majority vote, except votes to penalize candidates or parties for campaign violations, which shall require a 4/5 vote.

6001.6.3 The Elections Board shall operate using the latest version of Robert's Rules of Order.

6001.6.4 Minutes for Elections Board meetings shall be made publicly available on the SGA website.

6001.6.5 All Elections Board meetings shall be open to the public, and meetings times and locations shall be advertised to the student body 24 hours before any meeting of the Board takes place.

### **6001.7 Procedure for Campaign Violation Hearings**

6001.7.1 The Elections Board may not take action against a candidate until the completion of a full hearing. The procedure for this hearing is laid out below:

6001.7.2 Introduction of Violation Hearing: The Elections Commissioner shall call the meeting to order and take roll call.

6001.7.3 Statement of the Filer: The individual that filed the violation charge may make a statement to the Elections Board regarding the violation and all evidence that the filer has submitted, as well as introduce the witnesses that will testify on behalf of the filer.

6001.7.4 Statement of the Accused Candidate/ticket: The accused may make a statement to the Election board regarding the violation and all evidence that the candidate/ticket has submitted, as well as introduce the witnesses that will testify on behalf of the accused candidate/ticket.

6001.7.5 Questioning of the Filer: The Elections Board may question the individual who filed the violation charge

6001.7.6 Questioning of the Accused: The Elections Board may question the accused candidate/ticket.

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- 6001.7.7 Final Questioning: The Elections Board may ask questions about all information that was presented
- 6001.7.8 Closing Statement of the Filer: The filer may make a closing statement to the Elections Board
- 6001.7.9 Closing Statement of the Accused Candidate/ticket: The accused candidate/ticket may make a closing statement to the Elections Board.
- 6001.7.10 Elections Board Deliberation: The Elections Board shall deliberate to determine if a violation occurred and, if so, determine the appropriate sanction and inform the individual who filed the violation and the accused candidate/ticket of the decision. Sentence shall be carried out by a unanimous vote of the Elections Board. All deliberations shall be public but closed to input from those in attendance.
- 6001.7.11 Either party may appeal a decision made by the Elections Board to the Supreme Court within five (5) University Business Days of the decision being made by the Elections Board.
- 6001.8 Nomination and Confirmation of Elections Board Members.
  - 6001.8.1 In the Summer A semester, the chair of each registered political party shall submit a nominee for an Elections Board member to the SGA Advisor. Failure to submit any name by the end of the Summer A semester will result in that political party forfeiting their right to appoint a member of the Elections Board.
  - 6001.8.2 The SGA Advisor will check all nominee's qualifications to ensure that they are qualified to serve.
  - 6001.8.3 Once a candidate is deemed qualified to serve, their name shall be sent to the Speaker of the Senate, where their confirmation will be placed on the next agenda. The nominee needs to be confirmed by the Senate to be a member of the Elections Board.

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- 6001.8.4 If a nominee is not qualified to serve, or is not confirmed by the Senate, the party chair that nominated the nominee shall have two (2) weeks to submit a new nomination. This nomination may take place after the conclusion of the Summer A term. If a new nomination is not submitted in time, that party shall forfeit their right to appoint a member of the elections board. Political party chairs cannot nominate the same person more than once.
- 6001.8.5 If, after all political party nominations are dealt with, the elections board has less than five (5) members, or does not have an odd number of members, the Chief Justice shall appoint the remaining members of the Elections Board. These appointees must be confirmed by the Senate
- 6001.8.6 The Elections Commissioner shall be elected by the members of the Elections Board by simple majority vote. This election shall happen at the first meeting of the Elections Board. The Chief Justice shall serve as chair of the elections board until an Elections Commissioner is elected. If there is no Chief Justice, the Speaker of the Senate shall chair the elections board until an Elections Commissioner is elected
- 6001.8.7 The Deputy Elections Commissioner shall be elected by the members of the Elections Board by a simple majority vote.
- 6001.8.8 If a vacancy occurs after all members of the Elections Board had been appointed, the Elections Commissioner shall appoint a person to fill the vacancy. These appointments must be confirmed by the Senate.

### **Section 6002 – Format of the Elections Timeline**

- 6002.1 The annual Student Body Elections shall be carried out according to this timeline, barring extraordinary circumstances:
- 6002.2 Public announcement of Political Party Registration Deadlines: Must occur at least three (3) days before the opening of the political party registration period.
- 6002.3 Opening of the Political Party Registration Period: the political party registration period must be open for at least twenty (20) university business days.
- 6002.4 Close of the Political Party Registration Period: must occur at least three days before the opening of the candidate registration period.



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- 6002.5 Public Announcement of Candidate Registration Deadlines: Must take place a minimum of three (3) days prior to the opening of the candidate registration period.
- 6002.6 Opening of the Candidate Registration Period: The candidate registration period must be open for at least ten (10) University Business days.
- 6002.7 Close of the Candidate Registration Period
- 6002.8 Confirmation of Party Affiliation: No more than three (3) days after the close of the candidate registration period, each registered political party's chairperson shall send to the Elections Commissioner a list of the party's nominees for each seat/position.
- 6002.9 Public Announcement of the qualified candidates: must occur no later than one (1) week following the close of the candidate registration period.
- 6002.10 Release of Voting Guide: The voting guide must be released four (4) weeks prior to the start of voting.
- 6002.11 Candidates Debate: must occur a minimum of three (3) days before voting opens.
- 6002.12 Elections Voting Occurs: Voting shall occur on the dates designated in the Student Government Association Constitution
- 6002.13 Announcement of the results of the elections: must occur no later than forty-eight (48) hours following the close of voting.

### **Section 6003 – Political Parties**

- 6003.1 Students have the right to gather and support one or multiple candidates in the form of political parties.
- 6003.2 For a political party to be registered, it must meet the qualifications set forth in this Elections Code, or have been registered in the previous registration window and planning to submit for re-registration. Unregistered political parties may still function and support candidates, but will not be able to perform actions reserved expressly for registered political parties, as outlined in this code.
- 6003.3 Candidates affiliated with a registered political party shall be able to have their party affiliation shown in the ballot for up to one (1) party.
- 6003.4 Parties shall be able to campaign for and support as many candidates as the number of seats in an election per position and delegation.
- 6003.5 Registered Political Parties are required to inform the Elections Board of their

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campaign finance solicitation efforts. Unregistered political parties may not solicit any finances for campaigns.

- 6003.6 Political parties are not subject to campaigning limitations and periods, and may promote themselves throughout the year as long as they do not support the candidacy or potential candidacy of any particular student(s).
- 6003.7 Students shall form political parties in compliance with the stipulations of the Elections Code.
- 6003.8 Political Parties shall be chaired by a student who is not currently running for elected office. Political Parties may begin the search for qualified candidates and inform them of their intent to select them for slating prior to the registration period opening.
- 6003.9 Political Party Registration shall be done using a digital platform specified by the Elections Board which shall include the following: Party Chairperson Name and Contact information, Party Treasurer Name and Contact information, Party Platform, and a tentative slate of electable members for the party.
- 6003.10 For a political party to be considered qualified and registered, it shall have a Party Chairperson, a Party Treasurer, and at least one (1) candidate for any elected office. The Party Chairperson shall not be a candidate for any elected office. The registration period for political parties shall close at least three days before the opening of the candidate registration period.
- 6003.11 Should the Political Party be considered registered, it shall be the responsibility of the party leaders to find qualified and registered candidates to fill the seats of the election prior to the close of registration. After registration, only those candidates who both (1) indicated their party affiliation during registration and (2) were listed by that same party's chairperson as the party's nominee for that seat, shall have their party affiliation listed accordingly on the ballot. All parties that are not considered registered must be notified of their rejection immediately. The notification must include the specific statute or regulation with which they are not in compliance. This decision can be appealed by the proposed party chair to the Supreme Court within forty eight (48) hours of notice.
- 6003.12 Following the close of the general election, political parties must cease to campaign on behalf of individual candidates. However, parties may continue to operate on social media, may table, recruit membership, expand resources, and may generally promote

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themselves as organizations. At the start of the next general election registration period, each returning party as well as newly formed parties must re-apply for registration in order to field candidates and appear on the ballot as a party.

6003.13 Registered Political parties approved by the Elections Board shall have the same status and rights as Registered Student Organizations for the purposes of university policy. Registered Parties shall have the ability to table, with any expenses associated with such activity being covered by the Room Rental Policy. All registered parties must be given equal access to tabling opportunities.

6003.13.1 During periods of campaigning, each registered party shall have the right to have up to two tables (one at MMC and one at BBC) per day for five days in total during the campaigning period, which may include the two days of voting. In order to request their tabling, a party shall inform the Elections Board of the dates, times, and locations at which they would like to table, and the Elections Board shall then coordinate with the SGA Advisor to make all reservations as closely as possible to what was requested by the party. No party shall be given preferential treatment for tabling opportunities. The Elections Board shall set deadlines for parties to request their tabling, and shall then inform the parties as to the status of their tabling requests.

6003.13.2 During periods of non-campaigning, political parties may have the ability to table to promote themselves . Parties may not campaign for any individual or position while tabling outside of the campaign period.

6003.14 Students are not required to run with any political party in order to qualify for a position. Any student that meets the eligibility requirements may run for Senate, Student Body President / Vice President, Governor, Lieutenant Governor, or any other elected office, either as an independent candidate or as a nominee of a political party.

6003.15 Candidates shall be permitted to change their party affiliation during the campaigning period with the express written agreement of the candidate and the chairperson of the party to which the candidate is affiliating. Candidates may not change their party affiliation within five (5) university business days of the start of voting. Parties which already have the maximum number of candidates for a seat or delegation may not accept additional candidates running for that seat or delegation.

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- 6003.15.1 Candidates are permitted to drop their party affiliation and run independently by informing the Elections Commissioner of this change, without being required to inform the party chairperson of this change.

### **Section 6004 – Candidate Registration and Qualification**

#### **6004.1 Qualification**

- 6004.1.1 Any candidate that wishes to qualify for the General Election must comply with the provisions of this Elections Code and the Student Government Association governing documents.
- 6004.1.2 Candidates must have achieved the minimum requirements to serve in the office they intend to be elected to by the date of registration for the election. The requirements for office are delineated in SGAC Article VI and any other requirement delineated in the Student Body Constitution or Statutes.
- 6004.1.3 A student may campaign for only one (1) position at a time during any given election.
- 6004.1.4 The Elections Board may declare any candidate ineligible to run for and hold office with a simple majority vote of the Board's membership if a substantive error is found in the candidate's qualifications, and this error is found to be the direct responsibility of the candidate. A substantive error shall only include deliberate falsification of information, failure to complete all sections of the application, failure to maintain requirements, and failure to report necessary qualification information. This decision may be appealed to the Supreme Court within five (5) university business days.
- 6004.1.5 Registration for the general election shall open on a date specified by the Elections Board. Registration shall remain open for ten (10) University Business Days. Following the close of election registration, any seats where there is no candidate registered shall open for an additional five (5) University Business Days.
- 6004.1.6 All Candidates and parties must complete their respective qualification registration forms by the registration deadline. Candidates and parties that do not complete their forms by the deadline will not appear on the ballot, and will be considered unregistered.
- 6004.1.7 No more than three (3) days after the close of the candidate registration period,

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each registered political party's chairperson shall send to the Elections Commissioner a list of the party's nominees for each seat/position. The Elections Board will then match these lists to the political party affiliations indicated on each candidate's registration. Only those candidates who both (1) indicated their party affiliation during registration and (2) were listed by that same party's chairperson as the party's nominee for that seat, shall have their party affiliation listed accordingly on the ballot.

- 6004.1.8 A candidate may qualify to run for office under the name by which they are registered at FIU or a variation of that name, subject to Elections Board approval. A nickname may appear in quotation marks with the approved name of the candidate.
- 6004.1.9 Once a student has filed an application for a seat or office, they may not change to any other seat or office unless the original application is withdrawn and the application period is still open.
- 6004.1.10 Should a Presidential or Vice-Presidential candidate be disqualified, unqualified, or withdraw, the remaining members of that presidential ticket shall have forty-eight (48) hours from notification to replace that person on the ticket to remain qualified for the election.
- 6004.1.12 For a Political Party to be considered registered it must submit all required documentation to the Elections Board by the party registration deadline
- 6004.2 Candidate Registration and Qualification
  - 6004.2.1 The registration documents for qualification for individual seats shall be governed by two categories: the Presidential and Vice-Presidential seats, and the Legislative and all other seats.
  - 6004.2.2 Presidential and Vice-Presidential tickets shall complete the appropriate registration form together.
  - 6004.2.3 Legislative candidates and all others shall complete their respective registration forms individually.

### **Section 6005 – Elections Ethics Code**

- 6005.1 No candidate/ticket shall misrepresent any material fact in campaign material or in campaigning in any form.

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- 6005.2 No candidate/ticket or individual shall knowingly provide false information before the Election Board.
- 6005.3 No candidate/ticket or individual shall misrepresent any campaign material as being the material of any candidate/ticket other than themselves.
- 6005.4 No candidate/ticket shall condone or authorize the destruction or theft of campaign material of another candidate.
- 6005.5 No candidate/ticket shall commit slander or libel.
- 6005.6 No candidate/ticket shall commit or attempt a bribe, defined as a prize, reward, gift, or favor bestowed or promised with a view to influence the action of another to vote, not vote, or vote for or against a particular candidate/ticket and/or any other item on the ballot, in any way.
- 6005.7 No candidate shall authorize a purchase of campaign materials to be purchased with A&S fee funds by an A&S fee funded entity. (Campaign materials are defined as materials specifically purchased with the primary intention of being used to influence students to vote in favor of a candidate/ticket.) This shall not apply to Elections-Board approved tabling covered by the Room Rental Policy, which is permitted.
- 6005.8 No candidate/ticket shall commit or attempt to commit extortion or blackmail.
- 6005.9 No Candidate/Ticket may condone, authorize or in any way attempt to coerce or encourage another student, candidate, or ticket to violate or undermine the rules/regulations in these statutes or the Student Government Constitution.
- 6005.10 All organizations, other than SGA, as well as any entity, program, division, party, or unit of the university, shall have the right and ability to endorse any candidate(s), ticket(s), or party/parties running in an election. Individuals shall have the right to make endorsements regardless of any position they occupy at the university. No candidate shall be penalized for receiving the support or endorsement of any organization or entity other than SGA.

### **Section 6006 – Elections Rules**

- 6006.1 Candidates shall be held responsible for the violation of statutory rules which they have violated or others at their express behest have violated.
- 6006.2 For the purpose of this section of these Statutes, “candidate” shall refer to the candidate themselves and any person or entity operating on their express intent.

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- 6006.3 No Candidate shall violate the posting policy of Florida International University, but administrators and relevant building authorities may make specific exceptions to the posting policy at the request of candidates. These exceptions must be submitted in writing to the Elections Board before the posting of campaign materials.
- 6006.4 No Candidate shall post any material, be it digital media, fliers, postings, solicitations, and the like, which advertises or promotes alcohol consumption or drinking, demeans or humiliates another candidate, party, person, group, student organization, or University department, depicts or expresses sexual or discriminatory messages, or contains demeaning portrayals of individuals or groups based on race, religion, nationality, sex, sexual orientation, physical condition, disability, or mental state.
- 6006.5 No Candidate shall engage in the distribution of promotional material which impedes the passage of automobile, cars, pedestrian, or bicycle traffic. The distribution of promotional material must not interfere with or obstruct the orderly processes of the University or its academic mission.
- 6006.6 No candidate may knock on the doors of the dormitories or off-campus housing spaces in order to campaign, but candidates are permitted to campaign and distribute campaign materials within on-campus and off-campus housing spaces.
- 6006.7 Regardless of the University Posting policy, no Candidate shall post, distribute campaign materials or campaign in academic spaces. This includes the physical space of a classroom, official online forums including Canvas, Zoom Classrooms, or other academic settings. This does not include class group chats made outside of the express intent of an academic professor for that course.
- 6006.8 Candidates may make use of social media and digital media platforms throughout the elections process. Should the candidate wish to ensure that a post does not violate the elections code, they may choose to submit this post to the Elections Board for verification.
- 6006.9 No candidate shall utilize the physical space of the SGA offices or chambers or SGA virtual spaces to engage in the distribution of flyers, promotional material, tangible campaign materials (e.g., buttons, shirts, pens, etc.) or other material to campaign.
- 6006.10 The Elections Board shall delineate the extent of the area surrounding a physical voting place within which all campaigning shall be prohibited. The area shall extend to at

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least 10 feet away from the voting place and no more than 100 feet as determined by the Elections Board. The no-campaigning areas shall be delineated through a visible physical demarcation such as tape. No candidate shall campaign within such area.

6006.11 Political Parties shall follow all rules and regulations that individual candidates must adhere to, including but not limited to the rules set forth in this Elections Code and the ethics code for campaigns.

6006.12 Presidential Candidates may consider and offer appointments to fill desired appointable and internally elected seats during and before the elections process. A candidate for President or Vice President may not be offered appointments conditional on their withdrawal, but may be offered an appointment should they voluntarily withdraw or not qualify for the race.

6006.12.1 Presidential Candidates may consider and bind themselves to the appointment of the following positions before the election: Comptroller; Chief of Staff; Attorney General; and Press Secretary.

6006.12.2 Should a Presidential candidate choose to bind themselves to these appointments, they must submit a list of the appointments to the Elections Board along with their signature and the signatures of those seeking appointment, and an affirmation of their decision. This information shall be made available upon request to any who wish to view it. The candidate must also announce their list of appointments within 5 University Business Days (Monday- Friday while school is in session) through written declaration or a post on social media. A candidate who chooses to bind themselves to these appointments shall not make an appointment to the contrary upon assuming office unless the bound appointee voluntarily withdraws themselves from consideration in writing or otherwise becomes ineligible to hold office.

6006.12.3 The only method to disband the intent of appointment is the written withdrawal of an appointee to the Elections Board.

6006.13 Candidates may inform others of their intent to run for election prior to the registration period, but may not actively campaign before the close of the registration period.



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- 6006.14 Independent (no party affiliation) presidential tickets and independent Governor / Lieutenant Governor candidates shall have the ability to table, with any expenses associated with such activity being covered by the Room Rental Policy. All tickets / Governor / Lt. Gov. candidates must be given equal access to tabling opportunities.
- 6006.14.1 During periods of campaigning, each independent ticket / Governor / Lt. Gov. candidate shall have the right to have one table per day for five days in total during the campaigning period, which may include the two days of voting. In order to request their tabling, an independent ticket / Governor / Lt. Gov. candidate shall inform the Elections Board of the dates, times, and locations at which they would like to table, and the Elections Board shall then coordinate with the SGA Advisor to make all reservations as closely as possible to what was requested. No independent ticket / Governor / Lt. Gov. candidate shall be given preferential treatment for tabling opportunities. The Elections Board shall set the deadlines to request tabling, and shall then inform the independent tickets / Governor / Lt. Gov. candidates as to the status of their tabling requests.

### **Section 6007 – Campaign Finance Regulations**

- 6007.1 Individual candidates shall file a Final Campaign Finance Report, which shall include the expense and donation forms found in the Candidate Packet. The Final Expense Form must be completed, signed, and submitted to the Elections Commissioner no later than 11:59PMPM on the last day of the General Election. Expenses and donations must be reported at actual cost or value to the candidate.
- 6007.2 If documents are not fully and accurately submitted, the candidate is subject to a campaign violation pursuant to disqualification.
- 6007.3 Registered Political Parties shall file a Final Campaign Finance Report. The Final Campaign Finance Report must be completed, signed, and submitted to the Elections Commissioner no later than 11:59PM on the last day of the General Election. Expenses and donations must be reported at actual cost or value to the Party. Unregistered Political Parties may not fundraise. If a party gets disqualified, they have three (3) university business days to submit their Final Campaign Finance Report. They must stop all funding immediately. Funding unspent may be distributed to Individual candidates, but cannot let them exceed the designated allowed expenditure.

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- 6007.4 If documents are not fully and accurately submitted, the party is subject to a campaign violation pursuant to disqualification of the party in question. Should a party be disqualified for violating campaign finance reporting, said party may not apply in the next election to be registered. Additionally, it shall be the determination of the Elections Board should further action need be taken against individual party members.
- 6007.5 Allowed Expenditure by election seat
- 6007.5.1 Presidential tickets and candidates for BBC Governor shall not exceed \$5,000
- 6007.5.2 Senators shall not exceed \$1,000
- 6007.5.3 Any additional category going for election shall not exceed \$500
- 6007.5.4 Registered Political Parties shall not exceed \$3,000 (separate from individual members)
- 6007.5.5 Unregistered political parties shall not exceed \$0
- 6007.5.6 Donation limits shall be set at half of the allotted campaign expenditure allowance
- 6007.6 No candidate may authorize a purchase of campaign materials to be purchased with A&S fees by SGA or an A&S fee funded campus organization. (Campaign materials are defined as materials specifically purchased with the primary intention of being used to influence students to vote in favor of a candidate/ticket.) This shall not apply to Elections-Board-approved tabling covered by the Room Rental Policy, which is permitted.
- 6007.7 Candidates may spend personal funds before the date of registration without notification, but must report said expenditure in the final expense report.
- 6007.8 Fundraising by individual candidates will be allowed beginning the day immediately after the deadline to submit registration documents to the Elections Commissioner. The Elections Commissioner must be notified of fundraising, but need not approve such activity. Should a candidate be found to have fundraised prior to the start of the fundraising period, they shall be found guilty of at least a tier three violation. Fundraising excludes use of personal funds in support of the election process. Registered political parties are exempt from this regulation.

### **Section 6008 – Candidates Debate**

- 6008.1 The Elections Commissioner shall be responsible for holding and moderating at least one candidate debate for the Presidential, Vice-Presidential, and BBC Governor candidates. This Debate shall be structured in the following way:

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- 6008.2 The Presidential Debate shall be no shorter than 30 minutes and no longer than 1 hour.
- 6008.3 The Vice-Presidential Debate and the BBC Governor Debate shall each be no shorter than 20 minutes and no longer than 30 minutes.
- 6008.4 The BBC Governor Debate may be at the same date and location as the other candidates' debate, or may be a separate event on the Biscayne Bay Campus, at the discretion of the Elections Board.
- 6008.5 Candidates shall not be given the questions that will be asked at the debate in advance.
- 6008.6 Candidates shall have equal time to respond in a debate.
- 6008.7 The debate shall be publicly announced on panther connect no later than 72 hours prior to the start of the debate and shall occur no later than seventy-two (72) hours prior to the start of the general election voting.
- 6008.8 Should the Presidential, Vice-Presidential, or BBC Governor seat only have one candidate, that candidate shall be considered the President-elect, Vice-President-elect, or BBC Governor-elect from the date of close of registration, and the debate shall transition to a town hall format for the maximum allotted time for a debate.
- 6008.9 The debates must be broadcast, livestreamed, virtually remotely accessible for attendees and participants, must be recorded, and accessible to the public.
- 6008.10 The student media outlet(s) or any other media organization shall be permitted to host additional debates, town halls, or forums at their discretion with the consent of all invited candidates wishing to be involved. Such activity shall not be regulated by the Elections Board, but candidates participating in such events shall remain bound by the Elections Ethics Code and Elections Rules.

### **Section 6009 – Special Elections, Run-Offs, and Referendums**

- 6009.1 The Senate may call a special election through a bill which shall pass by a simple majority vote. The bill shall specify the terms of this election, including the date(s) and times that voting will be open, locations of voting (if applicable), and any other details as shall be necessary. Further terms and details of the special election may be determined at the discretion of the Elections Board.

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- 6009.1.1 Special elections may be called for the following reasons: to fill vacant Senate seats; for a vote by the student body to ratify a constitutional amendment; to fill any position for which there is no remedy of appointment; or to accomplish any other legitimate purpose.
- 6009.2 Run-off elections shall be held to determine the winner of an election in the following circumstances: (1) an election is tied; (2) no Presidential ticket, Governor of BBC candidate or Lieutenant Governor of BBC candidate achieves a simple majority of votes or (3) a disqualified candidate whose name was not removed from the ballot would be considered the winner. In the event of a tie, all tied candidates shall advance to the run-off election for the seat/position they are running for. In the event of no Presidential ticket Governor of BBC candidate or Lieutenant Governor of BBC candidate achieving a simple majority of votes, the top-two vote-getting tickets or candidates shall advance to the run-off election for the Presidential ticket Governor of BBC candidate or Lieutenant Governor of BBC candidate. In the event of a disqualified candidate winning a seat, the top two candidates who did not win a seat shall advance to the run-off Run-off elections shall be held seventy-two (72) hours following the announcement of election results. Should no candidate win the run-off or should another tie occur, the Senate shall decide whether to implement another series of run-off elections, or decide to temporarily leave the seat vacant through a two-thirds (2/3) supermajority vote.
- 6009.3 The Senate may call a referendum on any issue affecting the student body or the university. The results of the referendum vote shall be non-binding but shall serve as an indication of the sentiments of the student body as a whole. Referendums may be held during general elections and shall appear on the same ballot, or may be held during a special election, or may be held as their own independent election. All students shall be allowed to vote in any referendum. To call a referendum, the Senate shall pass a bill by a simple majority vote, and the bill shall specify the exact wording of the referendum, and when and how the referendum shall be held.

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- 6009.4 In the event that a special election or referendum is mandated as a result of a petition gaining the valid number of signatures, the Senate shall set a date for the special election or referendum unless it was specified in the petition. The Senate may pass a bill providing any additional regulations or details for a special election or referendum. Further terms and details of a special election or referendum may be determined by the Elections Board.
- 6009.5 Petitions for special elections, referendums, and recalls may be done by paper petition or by electronic petition. The Elections Board shall make a petition template accessible at all times to the student body. In addition, the Elections Board shall make an electronic petition template accessible at all times to the student body, which shall allow students to sign the petition by giving their Panther ID and name on the online form; virtual petitions may be done through Google Forms, Microsoft Forms, or a similar platform, at the discretion of the circulators of the petition. The Elections Board shall determine the validity of the paper or electronic signatures, which shall be appealable to the Supreme Court.

### **Section 6010 – Recall Elections**

- 6010.1 This section derives its authority from section 1004.26(4)(b) of the Florida Statutes.
- 6010.2 Any elected or appointed officer of the Student Government Association may be removed from office by the majority vote of students participating in a recall election held under this section.
- 6010.2.1 A recall election is a ballot measure that seeks the removal from office of an elected or appointed officer of the Student Government Association.
- 6010.2.2 Recall elections shall be initiated when the Elections Commissioner receives a petition for a recall election against a particular official signed by the required number of students.
- 6010.2.3 The grounds for the removal of a Student Government Association official must be expressly contained in the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.
- 6010.2.4 The recall election must be held no later than 30 days after the filing of the petition to the Elections Commissioner. The Elections Board shall fix a day and time to

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hold the recall election. If there are less than 30 days left in the official's term, the election must be held before the end of their term, as long as the petition was submitted ten (10) university business days before the end of the official's term

- 6010.2.5 The only students permitted to vote in a recall election shall be the students represented by the official being recalled according to the official's delegation/constituency. Positions appointed by the President, Chief Justice, or any other official in the executive or judicial branch besides members of the cabinet of the Governor of BBC, shall be able to be voted on by all students. The members of the cabinet of the Governor of BBC shall be considered part of the BBC At Large delegation.
- 6010.2.6 An official subject to recall shall have the right to resign before the election takes place. Should the official resign, the recall election shall be canceled.
- 6010.3 The ballot at the recall election shall contain the following question: "Should \_\_\_\_ be removed from the office of \_\_\_\_?" Using the name of the official being recalled. There shall be only two options to vote on this question: "Yes" and "No"
- 6010.4 Following the conclusion of the voting in the recall election, the Elections Commissioner shall announce the results of the election.
- 6010.5 Should a simple majority of the students that voted in the recall election vote "yes" to remove an official from office, the official shall be given forty-eight (48) hours to appeal the results to the Supreme Court. Should the official choose not to appeal within forty-eight (48) hours, the official shall be removed from office. Should the official choose to appeal the results of the recall election, the Supreme Court shall rule to uphold or overturn the results based solely on whether proper procedure was followed throughout the recall election process. Should the Supreme Court uphold the results, the official shall be removed from office. Should the Supreme Court overturn the results, the official shall retain their position.

### **Section 6011 – Campaign Violations**

- 6011.1 The Elections Board may sanction a candidate or party through the hearing process. For any sanction to be deemed valid, it must be approved by a two-thirds (2/3) vote of the Elections Board members contributing to a quorum. Sanctions and Violations shall

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be governed according to the following categories:

- 6011.1.1 Tier One Violations shall be the most egregious violations of Campaign Integrity. In order to be found guilty of a Tier One Violation, a candidate or party must have taken an action contrary to the will and intent of the Student Government Governing Documents or directed someone to do so or not tried to stop a violation from occurring. Tier One Violations shall include, but are not limited to: violating section 6005 of this Elections Code, failure to attend meeting session as mandated by this Elections Code, exceeding allowed campaign spending or donation limits, misrepresentation or forgery of any required election paperwork, attempted or successful fraud in the voting process, campaigning in clearly marked restricted areas during voting hours, destruction or defamation of personal/private/University property, threat or use of verbal or physical abuse against any person, use of SGA physical or virtual spaces to campaign, an individual disparaging another candidate or party via any form of communication, and having been impeached and removed from a Student Government Office less than one semester prior to the date of the elections.
- 6011.1.2 Tier Two Violations shall be mid-level offenses. Tier Two Violations shall include, but are not limited to: violating section 6006 of this elections code, repeated Tier Three violations, repeated Posting Policy violations, tardiness in the submission of Estimated Campaign Finance Reports, violations committed by Campaign Volunteers (when evidence of Candidate or Party involvement is not clear), early campaigning and/or violating the campaigning timeline restrictions.
- 6011.1.3 Tier Three Violations shall be violations that are the result of negligence and are not intentional. A violation shall be considered a Tier Three Violation if it is proven that a candidate did not attempt to stop a known violation taken in their name.
- 6011.2 The Penalty for Violations relating to the tier of offense shall be conducted as follows:
- 6011.2.1 A Tier One Violation, after voted on by the Board, shall be constrained to Disqualification of a candidate, group of candidates, or a party. Should a party be disqualified, the individual members of a party may remain on the ballot and be considered valid, just not have a party affiliation shown.
- 6011.2.2 A Tier Two Violation, after voted on by the Board, shall be constrained to restraint

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from campaigning for the remainder of an election, or suspension of digital campaigning for the remainder of an election. Penalties can be compounded and are nonexclusive.

6011.2.3 A Tier Three Violation after voted on by the board shall be constrained to restraint from campaigning for a maximum of seventy-two (72) hours and a minimum of forty-eight (48) hours, and/or censure.

6011.3 At the discretion of the Elections Board's finding, Political Parties are responsible for the actions of those candidates for which they campaign and/or represent on the ballot. A Political Party may be penalized for any and all violations for which a candidate is accountable. The Elections Board may follow the same tier system for any subsequent penalties levied against a Party. If a registered political party is disqualified, it shall be treated as unregistered.

6011.4 Candidates may appeal any decision of the Elections Board to the Supreme Court within five (5) University Business Days of the decision being made by the Elections Board.

6011.5 Candidates or parties that are disqualified by the Elections Board, but appeal their disqualification to the Supreme Court within twenty-four (24) hours of the Elections Board's decision, shall not have the disqualification announced to the public, and the party / candidate(s) shall remain on the ballot unless the Supreme Court upholds the decision to disqualify.

6011.5.1 If a candidate / party that is disqualified does not appeal the decision within twenty four (24) hours, the Elections Board may disclose news of the disqualification to the public; this still does not prevent the candidate / party from exercising their right to appeal.

6011.5.2 Candidates / parties disqualified by the Elections Board must immediately be made aware of the disqualification as soon as the Board makes the decision, and they must be informed about: their right to appeal the decision, as well as their right to not have the decision announced if appealed within the twenty-four (24) hour window.

6011.6 All penalties imposed by the Elections Board shall take effect immediately upon the decision being made by the Board. The Elections Board does not have the power to issue a delayed-effect penalty or a penalty that takes effect in the future.



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- 6011.7 Any candidate or party against whom a Writ is filed must be informed of the filing of the Writ, the name of the flier, and evidence submitted immediately by the Elections Commissioner.
- 6011.8 No trial or hearing against any defendant may begin without the presence of the defendant(s) unless it can be proven that the defendants are aware of the date and time of the trial/hearing and have refused to attend.
- 6011.9 No trial/hearing may be held against a defendant without the defendant being informed at least seventy-two (72) hours prior to the hearing, of the charges brought against them and the hearing process.

### **Section 6012 – Voting procedures**

- 6012.1 Each student desiring to vote shall present to the poll workers their current valid FIU Panther ID student identification card. There shall be at least one in-person voting location at MMC and at least one in-person voting location at BBC.
- 6012.2 Registered students will also be given the opportunity to vote online by accessing the appropriate election website. After each election, the Elections Board, the Senate, and the Student Body President shall give feedback to the Division of IT about the voting portal and potential improvements for future elections.
- 6012.3 In order to vote, students must enter student identification into the voting system.
- 6012.4 Students shall be eligible to vote only for candidates representing the college, unit, group, or section to which they are currently a member of. For College Senators this requires that a student be an enrolled member of that college. For Housing Senators, This shall be determined by place of residence in On-Campus Housing. For Lower and Upper Division Senators, this shall be determined by credits taken. For graduate senators, this shall be determined by a student's enrollment in a graduate program. For the Presidential and Vice Presidential Ticket, all students shall be eligible to vote.
- 6012.5 All eligible students waiting to vote at the time the polls close shall be permitted to vote after having been given an access marker of some sort.

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- 6012.6 No voting records or ballots shall be destroyed until the time for contesting an election has expired, until the time for contesting an election has expired, all complaints are resolved, and the elections are certified by the Elections Board.
- 6012.7 In the event that the online voting system fails, a University-Wide e-mail must be sent out within twelve (12) hours of the system failure, notifying students of the paper ballot voting procedures and physical polling locations. The voting period must then be extended for an additional twenty-four (24) voting hours starting at the time that the email is sent.
- 6012.8 If the number of ballots cast differs from the number of voters registered as having voted on the voting lists, the Elections Board shall investigate the discrepancy and determine appropriate action in a speedy and public manner.
- 6012.9 If the number of voters cast in any sections of the elections exceed the number of persons logged in to vote by two-and one-half percent (2.5%) or more, those sections of the election shall be declared invalid only if the discrepancy would affect the outcome.
- 6012.10 Students shall be able to vote for as many candidates as the number of seats in a given delegation; e.g., For a delegation where there are 4 seats available, students shall be able to vote for a maximum of 4 candidates.
- 6012.11 Voters seeking to vote for the Governor of the Biscayne Bay Campus, Lieutenant Governor of the Biscayne Bay Campus, and BBC At-Large Senator, must be students pertaining to the Biscayne Bay Campus as defined by Constitutional requirement. Voters seeking to vote for the FIU at I-75 Senator must be students pertaining to FIU at I-75 as defined by Constitutional requirement.
- 6012.12 All positions up for election shall include the option of write-in candidacies.
- 6012.12.1 Should a name receive a sufficient number of write-in votes to win an election, the student who won by write-in shall submit their Panther ID to the Elections Board within forty-eight (48) hours of the elections results announcement, to be checked for eligibility. Should the student meet the eligibility qualifications to hold the office to which they were elected, the student shall have won the seat. Should the student not meet the qualifications, they shall be considered disqualified from the election and unable to have won.

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- 6012.12.2 Write-in votes that vary slightly in spelling or punctuation, but are reasonably meant to be votes for the same individual, shall be counted as votes for the same individual.
- 6012.12.3 Should an individual win multiple seats through a write in vote, and that individual is deemed qualified for multiple seats, the individual shall choose one (1) seat which they would like to hold. Any seat remaining not chosen by the individual will have a run-off election between the two students with the next highest vote counts

### **Section 6013 – Procedure for Contesting an Election**

- 6013.1 Any candidate, write-in vote recipient, or registered political party chairperson shall have the right to contest the results of an election.
- 6013.2 The complaint must be made in writing to the Elections Commissioner no later than forty-eight (48) hours after the conclusion of voting and shall include:
  - 6013.2.1 The name(s) of the individual(s) against whom the complaint is being brought
  - 6013.2.2 The specific section(s) of the Elections Code which are alleged to have been violated
  - 6013.2.3 The specific nature of the alleged violation(s)
  - 6013.2.4 The name(s) and signature(s) of the person(s) bringing forth the complaint
- 6013.3 Upon receipt of a complaint, the Elections Board shall make a determination as to whether a hearing is necessary based upon whether there has been probable cause shown that a violation has occurred.
- 6013.4 Both the complainant and defendants must receive written notice of the time and location from the Elections Commissioner no later than seventy-two (72) hours before a hearing is conducted.
- 6013.5 The complainants may withdraw the complaint prior to the Elections Board taking final action.
- 6013.6 The Elections Board, upon finding a candidate guilty of committing an election violation, will decide the just penalty for the violation.
- 6031.7 Any complaint made against the Elections Board about the execution of the election shall be immediately brought before the Supreme Court
- 6013.7 Any appeals for violation penalties will be sent to the Supreme Court for a second hearing.

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- 6013.8 All pending grievances regarding elections must be resolved prior to the results of the General/Special Election being announced.

### **Section 6014 – Election Results and Tabulation**

- 6014.1 Following the Close of the General Election, results, including vote counts, must be released within 48 hours of the close of the voting period. Should there be appeals or contests, the results shall be released with those positions contested bearing the words “pending appeal”
- 6014.2 The Elections Commissioner shall release the results of the election for all positions that have been duly elected regardless of a pending run-off election. Should there be a runoff election, the release of the results shall indicate the pending run-off or vacancy.

### **Section 6015 – Definitions**

- 6015.1 Active Campaigning – Any public display or distribution of campaign materials, as defined in this Elections Code; and any direct and obvious solicitation of a student to vote for a candidate.
- 6015.2 Authorized by Candidate – Candidate’s written approval
- 6015.3 Bribe – A prize, reward, gift, or favor bestowed or promised with a view to influence the action of another to vote, not vote, or vote for or against a particular candidate/ticket and/or any other item on the ballot, in any way. Any item distributed by the Elections Board shall not constitute a bribe or bribery.
- 6015.4 Campaign Expenses – The proven purchase or value of any campaign materials, as defined in this Elections Code; or any service or good donated to the candidate with the intent of promoting or aiding the candidate in their campaign. This must include sales tax or any other secondary costs for all goods and services.
- 6015.5 Campaign Materials – Any tangible items and/or electronic media specifically purchased with the primary intention of being used to influence students to vote in favor of a candidate/ticket.
- 6015.6 Campaign Period – Time set by the Elections Board in which campaigning is able to occur.
- 6015.7 Campaign volunteer – Any individual who self-affiliates with a particular candidate or political party participating in an election

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- 6015.8 Candidate – An individual seeking election to any Student Government position
- 6015.9 Defendant – A candidate or party against whom a writ has been filed alleging a violation of the elections code
- 6015.10 Days – All references in the elections code to time shall be based on University Business Days.
- 6015.11 Electronic Media – Any campaign materials transferred electronically including, but not limited to, e-mails, websites, and social networking sites
- 6015.12 Endorsement – To formally support a given candidate or ticket at any level, up to and including actively campaigning on behalf of
- 6015.13 Fundraising – The accepting of funds, donations, and/or goods received as a result of solicitation for a candidate or party
- 6015.14 Physical Assistance – Includes but is not limited to finances, campaign materials, or personnel.
- 6015.15 Libel – A method of defamation expressed by print, writing, pictures or signs; any false and unprivileged publication that is injurious to the reputation of another,
- 6015.16 Simple Majority of Votes – More than half (>50%) of the votes cast in an election.
- 6015.17 Partisan – Publicly stating approval or disapproval of a candidate/ticket
- 6015.18 Preponderance of Evidence – Means that evidence, considered as a whole, shows that the fact sought to be proved is more probable than not. This is the standard used in adjudicating all violations within the Elections Board.
- 6015.19 Referendum Election – The submission of a proposal to a direct popular vote of the Student Body. A referendum petition must be signed by at least 250 students, or a number of students totaling fifteen percent (15%) of the number of votes cast in the most recent general election, whichever is less. These petitions shall be submitted to the Elections Board.
- 6015.20 Recall Election – Any student has the right to submit a petition to recall an elected SGA official, as stated in the Constitution and the Florida Statutes.
- 6015.21 Slander – Oral defamation; the speaking of false or malicious words concerning another, whereby injury results to a person's reputation
- 6015.22 Tangible Items – Any campaign materials that are inanimate and may be seen or touched.
- 6015.23 Third Parties – Individuals or organizations other than the candidate/ticket themselves

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- 6015.24 Third Party Advertising – Solicited or unsolicited support for a candidate/ticket by an organization or individual other than the candidate/ticket themselves.
- 6015.25 Ticket – Two candidates that run together and are elected together for Student Body President and Vice President. This shall also be referred to as the Presidential ticket. The Governor and Lieutenant Governor of BBC shall not run as a ticket, and shall be separately elected seats.
- 6015.26 Unauthorized by Candidate – Anything without a candidate’s written approval
- 6015.27 Date of registration for the election – The first date registration opens for the election in question
- 6015.28 Independent - Any candidate running who is not registered with a registered political party

**Title VII: The Finance Code**

**Section 7001 – Establishment**

- 7001.1 The Finance Code is established to provide clear, concise policies for Student Government in financial management and budget planning. It is subsidiary to all relevant and applicable Florida Statutes and in relevant part University policies and procedures. This code and other such guides set forth by the SGA shall be the foundation upon which monetary decisions are based in answering the needs of the Student Body.

**Section 7002 – Purpose, Authority, and Leadership**

- 7002.1 The purpose of the Finance Code is to provide a procedure which:
- 7002.1.1 Assures full implementation of Florida Statutes governing the Activity and Service Fee
  - 7002.1.2 Facilitates positive and effective interaction between university administrators and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A&S) Fee funds periodically collected and deposited at Florida International University
  - 7002.1.3 Defines and outlines the standards of financial accountability and fiscal management.
  - 7002.1.4 Is applicable to all A&S Fee funds recipients, Agencies and Bureaus, and registered student organizations which are affiliated with the Student Government Association. Funds that are not derived from the A&S Fee shall be exempt from the Finance Code.
- 7002.2 Authority of the Code
- 7002.2.1 The allocation and expenditure of these funds shall be determined by the SGA through the Student Government Budget Committee and the procedures herein.
- 7002.3 Leadership
- 7002.3.1 The following are the roles of the administrators that are involved in the budgeting process:
  - 7002.3.2 University President: Statutory authority is vested in the University President. The University President has delegated authority and accountability to the Chief Student Affairs Officer as their representative in administration and management of the A&S Fee funds.
  - 7002.3.3 Chief Student Affairs Officer (CSAO): It shall be the responsibility of the CSAO or their designee to evaluate the recommendations of allocations of A&S Fee funds,

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and proposed changes in matters which deserve the attention of the University President.

- 7002.3.4 Activity and Service Business Office: It shall be the responsibility of the A&S Business Office (ASBO) Assistant Director to evaluate the recommendations of allocations of A&S Fee funds, and proposed changes in matters which deserve the attention of the CSAO. This official will be held responsible for the updating of ASBO on a weekly basis.

### **Section 7003 – Definitions**

- 7003.1 Activity & Service (A&S) Fee: The fee collected as a component of tuition which is to be expended for lawful purposes to benefit the Student Body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The fund may not benefit activities for which an admission fee is charged to students, except for Student Government Association sponsored concerts.
- 7003.2 Budget: Plan of financial operation embodying an estimate of proposed expenditures for a given period or purpose and the proposed means or sources for financing such.
- 7003.3 Fiscal Year: The fiscal year of the Student Government of Florida International University shall be from July 1 to June 30.
- 7003.4 Activity and Service Business Office (ASBO): The office services the accounting, budget process, travel, and /or purchasing needs of A&S Fee funded organizations. The ASBO is part of the Division of Academic and Student Affairs of FIU.
- 7003.4.1 The ASBO will coordinate training regarding fiscal procedures for all student organizations and any A&S Fee funded entity.
- 7003.4.2 The ASBO will be responsible for publishing a Policies & Procedures Financial Manual for A&S Fee budgeting and expenditures. This shall be made available online through a link provided on the ASBO website.
- 7003.4.3 The ASBO will be responsible for creating and distributing the annual budget process timeline and sending all related correspondence to account managers of A&S Fee funds.
- 7003.4.4 Student Organization: Any organized student group registered with the Florida International University Division of Academic and Student Affairs.
- 7003.5 Program: Any entity which receives its operating revenue directly from allocation within the A&S Fee Budget. A program shall provide direct service to the Student Body.



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- 7003.6 A&S Fee Funded Departments: An Academic and Student Affairs department that receives its operating revenue directly from allocation within the A&S Fee Budget.
- 7003.7 Signatory Authorities: Any university official who must sign off on any expense, including advisors.
- 7003.8 Registered Student Organizations Council (RSOC): The Executive Agency of SGA designated to handle the creation and registration of registered student organizations.

### **Section 7004 – Florida Statutes**

- 7004.1 Florida Statutes - 1009.24 State University Student Fees. In accordance with this state statute, student fees shall be expended for lawful purposes.
- 7004.2 The Activity & Service Fee
  - 7004.2.1 The Activity and Service Fee is established by the FIU Board of Trustees per Florida Statute 1009.24(10)(a).
  - 7004.2.2 Any increase in the Activity and Service Fee must be recommended by an Activity and Service Fee Committee, at least one-half of whom are students appointed by the Student Body President. The remainder of the Committee shall be appointed by the University President. A chairperson, appointed jointly by the University President and the Student Body President, shall vote only in the case of a tie.
  - 7004.2.3 The recommendations of the Committee shall take effect only after approval by the University President, after consultation with the SGA President, with final approval by the FIU Board of Trustees.
  - 7004.2.4 An increase in the Activity and Service Fee may occur only once each fiscal year and must be implemented beginning with the Fall semester.
- 7004.3 The student Activity and Service fees shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts.
  - 7004.3.1 The allocation and expenditure of the fund shall be determined by the Student Government Association of the University, except that the President of the University may veto any line item or portion thereof within the budget when submitted by the Student Government Association legislative body.
  - 7004.3.2 The University President shall have fifteen (15) University School Days from the date of presentation of the budget to act on the allocation and expenditure

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recommendations, which shall be deemed approved if no action is taken within the fifteen (15) University School Days.

- 7004.3.3 If any line item or portion thereof within the budget is vetoed by the University President, the Student Government Association legislative body shall within fifteen (15) University School Days make new budget recommendations for expenditure of the vetoed portion of the fund. If the University President vetoes any line item or portion thereof within the new budget revisions, the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by Activity and Service Fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and utilized as stipulated in the Accumulated Cash Balance policy.

### **Section 7005 – Budget Process**

- 7005.1 The chronological process for preparing the annual SGA fiscal budget shall be as follows:
- 7005.2 The Activity and Service Business Office will disclose projected figures of enrollment provided from the University Finance Office, as well as fee revenue for the next year. These figures are only projections.
- 7005.2.1 The ASBO will update budget projections as necessary during the course of the year. It is the responsibility of the Budget Committee to make any necessary adjustments to the budget as a result of modified projections to ensure a balanced budget.
- 7005.3 The ASBO will make available budget request forms for all interested parties wishing to request A&S Fee funds, except those parties that have received a sanction prohibiting them from requesting funds. These forms, along with a deadline, will be advertised and also distributed to any existing funding entities, as well as any entity that had received funding within the past three (3) years.
- 7005.4 After the start of the Spring semester, the Budget Committee shall participate in Budget Hearings scheduled by the ASBO.
- 7005.4.1 The purpose of these hearings is to give an opportunity for requesters to make presentations and respond to questions from SGA Budget Committee members.
- 7005.4.2 These hearings will also be advertised and open to the public; groups making requests are required to attend.
- 7005.4.3 These hearings shall be mandatory for all Budget Committee members and strongly recommended for all Senators to attend.
- 7005.4.4 Budget Hearings may be conducted in person or hybrid, at the discretion of the Budget Committee.

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- 7005.4.5 At the Budget Hearings, the Budget Committee shall receive a special presentation from the Chief Student Affairs Officer and the Activity and Service Business Office, detailing updates related to the Deferred Maintenance account, how much funds are in the account, and progress on deferred maintenance initiatives.
- 7005.5 Members of the Budget Committee may then prepare a draft of the budget allocations. The preparation of the draft may be done by members individually or as a group, at the individual Budget Committee members' discretion. In the preparation of the draft, members may solicit opinions and commentary from other members of the Student Government Association, and/or the Chief Student Affairs Officer or their designee, but may not discuss their projected budget draft with requesting entities.
- 7005.6 At the next Senate meeting following the Budget Hearings but before the Budget Deliberations, the Senate may choose to have a discussion on its priorities for the budget.
- 7005.6.1 The Student Body President and Comptroller, or their respective designees, shall be present at this discussion, with the other members of the Budget Committee recommended to be present.
- 7005.6.2 The Comptroller or their designee shall take detailed minutes during the Senate discussion of its budgetary priorities; these minutes shall be sent to all members of the Budget Committee at the conclusion of the Senate meeting. The minutes of this discussion may be referenced by members of the Budget Committee during Budget Deliberations.
- 7005.7 The Budget Committee will finalize its budget proposal during Budget Deliberations scheduled by the ASBO.
- 7005.7.1 The budget shall be presented to the Senate by the Student Body President and the Comptroller at the next meeting of the Senate following the passage of the Budget by the Budget Committee.
- 7005.7.2 The Senate Speaker shall place the consideration of the budget as an item of special importance.
- 7005.7.3 All Senators must be provided a physical and digital copy of the budget no less than three (3) university business days prior to the Senate meeting in which it will be presented.
- 7005.7.4 All minutes and records from the budget deliberation process shall be available for Senators to review.
- 7005.8 After presentation of the budget, the Senate shall have up to five (5) university business days to review the proposed budget and draft any amendments to the proposed budget.
- 7005.8.1 The Senate Speaker shall have the responsibility of adding amendments passed by a simple majority of the Senate to the budget.

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- 7005.8.2 Amendments to the budget shall be clearly indicated in the budget.
- 7005.8.3 Provisos appended to the proposed budget shall clearly state the recipient and conditions of the proviso.
- 7005.8.4 No amendment shall be made to the budget which would allocate funding towards an item or entity for which there was no budget request submitted.
- 7005.8.5 No amendment shall be made to the budget which would cause the budget to allocate more funds than are available based on projected revenue.
- 7005.9 The proposed budget as a whole must be voted on by roll-call vote.
- 7005.9.1 A two-thirds (2/3) vote of the Senate is required to approve the budget. The budget shall not be subject to veto by the Student Body President.
- 7005.9.2 Should the Senate vote to reject the budget, the rejected budget shall be returned to the Budget Committee for revision. The Budget Committee must meet within the same week the budget was rejected to adopt a new budget proposal. The Senate shall then vote on the revised budget proposal at the next regularly scheduled Senate meeting at which quorum is achieved. This shall adhere to the same process of drafting, amending, and voting on the budget. Should the Senate again deny the budget, the process shall repeat until passage of the budget is achieved.
- 7005.9.3 Any time that the Senate votes to reject the budget, it may also choose to adopt by simple majority a memorandum detailing the reasoning for the failure of the budget. Such a memorandum shall outline the primary concerns raised by members of the Senate regarding the failed budget, and it shall be written during the Senate meeting by a designee chosen by the Senate Speaker. The memorandum may include stipulations for the Budget Committee regarding funding levels for specific entities or line items.
- 7005.10 The finalized budget will be submitted to the University President via the Chief Student Affairs Officer for approval or veto. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.
- 7005.11 Once the budget has been finalized and the University President or their designee has signed it and approved it, the budget will take effect upon the conclusion of the current fiscal year and the start of the next.
- 7005.11.1 A designee from the A&S Business Office and/or the Comptroller will inform all funded entities of their approved allocations within ten (10) days of the budget being approved by the Chief Student Affairs Officer, and then request an itemized budget from each entity by a certain deadline to be established by the ASBO.
- 7005.11.2 No disbursements will be allowed for any groups or entities that have not received proper authorization.

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### **Section 7006 – Funding Procedures**

- 7006.1 All transactions will be facilitated, monitored, and reviewed by the Comptroller, and the A&S Business Office.
- 7006.2 The Finance Committee shall have a given amount to distribute to projects and student organizations.
- 7006.3 Requests to the Finance Committee shall be requested by filing a Finance Committee Request Form, which shall be updated as needed.
- 7006.4 All Finance Committee requests may only be granted if they benefit more than one (1) student.
- 7006.5 When applicable, entities requesting funds should provide proof of outside fundraising or intent to fundraise.
- 7006.6 Quarterly financial reports must be made available to the Student Body President and Comptroller, detailing the disbursements, money transfers, and purchase request approvals carried out by the A&S Business Office.
  - 7006.6.1 The Comptroller shall report on the quarterly financial reports to the Senate at the earliest convenience of the comptroller upon receipt of the document.
- 7006.7 Student organizations must adhere to the following guidelines in order to receive funds:
  - 7006.7.1 The organization must be officially registered as per the most recent regulations.
  - 7006.7.2 The President and Treasurer of each student organization are required to sign a Statement of Understanding.
  - 7006.7.3 The Statement of Understanding shall contain the following statement: The undersigned, herein designated as (Name of Organization), fully understands the Student Government Association Finance Code, which applies to all funds allocated by the Student Government Association. Furthermore, the undersigned will adhere to all applicable procedures for expending funds allocated by the Student Government Association. Any clarification required in regard to the laws and procedures of these funds shall be requested from the SGA Comptroller. Finally, the undersigned understands that any violations of this Finance Code will be enforced according to the Finance Code Rules and Regulations.
  - 7006.7.4 All signatory authorities receiving Student Government funds must complete the annual Financial Training Seminar. Violations of this rule will result in organizational funds being frozen until the organization is in compliance.
- 7006.8 All signatory authorities will be held responsible for the adherence to Florida Statutes pertaining to A&S Fee funds, FIU Policies and Procedures, and the SGA Finance Code. Violation of this rule may result in review and possible sanctions.

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### **Section 7007 – Spending Regulations**

- 7007.1 All expenditures of A&S Fee funds shall be conducted through regulations, policies, and procedures of Florida International University and follow all applicable State of Florida guidelines.
- 7007.2 The allocation and expenditure of student A&S Fee funds shall be determined by the SGA Budget Committee under the applicable provisions of the laws of the State of Florida, the rules of the Board of Governors (BOG), and the applicable provisions of this Finance Code.
- 7007.3 A&S Fee funds may not benefit activities for which an admission fee is charged to students except for SGA sponsored concerts pursuant to Florida Statutes 1009.24(10)(b). A&S Fee funded events that generate revenue must return revenue funds to the A&S Fee account from which the event originally received funds from to offset the event costs. If ticket revenue is not used within the fiscal year it is generated, the money will revert to the SGA Accumulated Cash Balance account.
- 7007.4 No A&S Fee monies may be deposited by any entity into an off-campus bank account.
- 7007.5 The officers of any A&S Fee Funded organization must be elected according to their constitutions or the statutes.
- 7007.6 No A&S Fee account nor budget line item may go into deficit.
- 7007.7 Seeking the optimum use of SGA funds, the following criteria shall be considered by the SGA when determining the appropriateness and priority of allocations:
  - 7007.7.1 Whether or not this is a type of organization or activity that can be supported by the SGA funds under current financial policies.
  - 7007.7.2 The number of students being served by the group's program.
  - 7007.7.3 The general values and scope of services provided to the student population.
- 7007.8 The Finance Committee, with the consent of a simple majority of the Senate, may place binding stipulations on the use of funds by any A&S funded entity. Such stipulations may specify how funding is to be used and any ways it is required to be used or not be used by a specific entity. These stipulations shall be binding and enforced by the Comptroller.
- 7007.9 Honorariums or stipends shall not be appropriated to resource people who are on the University payroll as staff or faculty.
- 7007.10 All entities receiving A&S Fee funds must sign a Statement of Understanding to be prepared and administered by the ASBO before funds are released.

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- 7007.11 No A&S Fee funds allocated to any Student Government funded organizations are to be expended on any of the following:
- 7007.11.1 Any fundraising activities, except for SGA-approved events
  - 7007.11.2 Per Diem expenses for any club or organization, not including SGA which may spend A&S funds to cover per diem expenses for SGA officials
  - 7007.11.3 Monetary prizes. The SGA University-Wide Council may make exceptions to this rule by a simple majority vote.
  - 7007.11.4 Support for, or on behalf of, any political campaign. Political campaigns shall be defined as any person or party running for any position in: SGA elections; any campus election; local elections; state elections; or Federal elections. Additionally, movements or issue-based campaigns shall constitute political campaigns.
  - 7007.11.5 Alcoholic beverages, products with alcohol content, and any related items or services, including but not limited to bartending, both on and off campus.
  - 7007.11.6 Tobacco, firearms, and any form of illegal drugs or contraband. Any service connected to the use of tobacco, firearms, or any other form of illegal drug or contraband is prohibited.
  - 7007.11.7 Subsidizing membership dues of any organization. SGA-required memberships, such as FSA dues, shall be exempt from this clause.
  - 7007.11.8 Personal gifts and personal use items may not be purchased using A&S fees, except for those exceptions outlined below:
    - 7007.11.8.1 Items displaying affinity to an organization or the FIU as a whole shall be exempt from this clause.
    - 7007.11.8.2 Awards for leadership in Bureaus and Executive Agencies shall be exempt from this clause.
    - 7007.11.8.3 The Outstanding Student Life Awards are exempt from this clause.
    - 7007.11.8.4 Should a discrepancy arise in what constitutes as a “personal use item,” the University-Wide Council may vote to designate an item as either falling within this definition or being exempt from it.
  - 7007.11.9 Decorative items for offices in excess of \$50 a year per office space decorated.
  - 7007.11.10 Subsidizing in whole or in part of any private corporation.
  - 7007.11.11 Tips and/or gratuities.
  - 7007.11.12 Items or services that go directly to community programs instead of the FIU community. This includes contributions and donations to community programs.

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- 7007.11.13 Gift cards, raffle tickets and material prizes.
- 7007.11.14 Rental of or expenditures towards functions hosted in private residences.
- 7007.11.15 The purchase of stoles or medallions. These items may not be purchased by Activity and Service Fee funded entities.
- 7007.12 Any SGA funded entity may request the creation of a publication by the Creative and Media Team.
- 7007.13 Any A&S Fee funded events that will be open to the community must give admission priority to the students of Florida International University.
- 7007.14 The Points System used by the Finance Committee to determine basic and special allocations to registered student organizations shall be governed by the Finance Code and enumerated herein. The RSOC shall be responsible for administering and implementing the Points System for the Finance Committee.
- 7007.15 Student organizations cannot charge membership fees unless national dues are charged (e.g. Honor Society). In the event of national dues, the charge for membership cannot exceed the cost of the national membership fee.
- 7007.16 All Software purchases and/or procurement must be processed by the Activity and Service Business office.
- 7007.17 SGA committed Licensure Agreements made through Activity and Service Fee procedures will be reviewed by the Activity and Service Business Office prior to expenditure.

### **Section 7008 – Advertising and Marketing**

- 7008.1 All activities funded partially or fully by Activity and Service Fee funds shall be deemed to be sponsored by the Student Government Association.
- 7008.2 Events for which there are specific marketing signs, posters, social media marketing, or any other form of printed or digital displays must have one of the following affixed to these marketing materials:
  - 7008.2.1 “Sponsored by the Student Government Association”
  - 7008.2.2 “Sponsored by SGA”
  - 7008.2.3 The SGA logo or seal
- 7008.3 All Bureaus and Executive Agencies of SGA must include the following phrase in the bios of all affiliated social media accounts: “Sponsored by @FIUSGA”



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### **Section 7009 – Fiscal Accountability and Penalty Measures**

- 7009.1 All entities receiving A&S Fee funding shall be subject to audit by the Student Government Association at any time. Both the Finance Committee and the Comptroller have the authority to initiate and conduct audits.
- 7009.1.1 An audit may be conducted by requesting ASBO to provide a record of all expenditures by a particular entity or out of a particular account or line item(s), for the current fiscal year and/or for previous fiscal year(s).
- 7009.1.2 Upon receiving such a request by the Comptroller or Finance Chair, the ASBO shall send the requested information to the official that requested it. The record(s) shall be provided as an itemized list specifying each individual expenditure as well as its cost.
- 7009.2 Penalty measures shall be applied by the Finance Committee for confirmed violations of the SGA Finance Code to any and all Activity and Service Fee funded entities on a case-by-case basis. Penalties instituted by the Student Government Association do not preclude an individual or entity from being penalized by the institution or a department of the institution.
- 7009.3 Entities shall be duly notified of their alleged violations and shall have an opportunity to respond to the allegations prior to penalty measures being instituted.
- 7009.4 Violations of the Finance Code can take two forms: major and minor violations.
- 7009.5 Major violations include the following: deficit spending, overspending, violation of Florida Statutes pertaining to Activity and Service Fee usage, violation of university policy relating to fiscal accountability, and/or failure to comply with a penalty measure.
- 7009.6 Minor violations include the following: violating any section of this code or other SGA governing documents in any manner other than those enumerated for major violations. Additionally, failure to comply with a valid and legitimate written directive for usage of funds by the Student Body President, Comptroller, or Finance Committee, shall constitute a minor violation.
- 7009.7 The Finance Committee has the authority to impose penalties upon any entity found responsible for a major or minor violation. Such penalties may be imposed by a simple majority vote of the committee (excluding non-Senators serving on the committee, who may not vote on these matters).
- 7009.7 Major Violation Penalty Schedule (from least to most punitive):
- 7009.7.1 Centralization of all expenditures through the Activity and Service Business Office. Such Centralization shall constitute a requirement for all expenditures made to be authorized by the Activity and Service Business Office.

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- 7009.7.2      Seizure of some or all Activity and Service Fee funds remaining in the entity's account. Funds seized shall be transferred to the SGA Accumulated Cash Balance account.
- 7009.7.3      Prohibited Requestor Status. The most restrictive penalty measure possible shall prohibit an entity from requesting funds from the SGA Budget Committee for a period of time from two to five years from date of issuance. Re-evaluation of this penalty measure shall occur once per fiscal year and may be removed or extended after the first year.
- 7009.8      Minor Violation Penalty Schedule (from least to most punitive):
- 7009.8.1      Requirement for advisors, individual members, and or leadership of an organization, entity, or department to attend a training on Activity and Service Fee expenditure policies. Training methods, modules, and content shall be administered by the Activity and Service Business office.
- 7009.8.2      Centralization of all or specific expenditures through the Activity and Service Business Office. Centralization means that all specified expenditures are required to be authorized by the Activity and Service Business Office prior to being expended.
- 7009.8.3      Restricted Requestor Status. Such a status shall prohibit entities from requesting funds from the SGA Budget Committee for a period of time not exceeding one fiscal year. Such a status can be overturned by order of the Student Body President in consultation with the Comptroller.

### **Section 7010 – The Finance Committee**

- 7010.1      The Finance Committee is a standing committee of the Student Body Senate which possesses the responsibility of making basic and special allocations to registered student organizations, as well as allocating funds for projects and events, including those being executed internally by SGA members as well as being executed externally by entities outside of SGA. The Finance Committee may issue subpoenas, conduct audits, and issue penalty measures on A&S funded entities.
- 7010.2      The membership of the Finance Committee shall consist of five Senators elected by the Senate to serve as a member of the committee, one of whom shall have been elected by the Senate to serve as the chair of the committee; as well as the Director of the Registered Student Organizations Council (RSOC) and the Vice Director for Finance of RSOC, both of whom shall only vote on matters concerning basic and special allocations to registered student organizations.
- 7010.3      The RSOC Advisor and the SGA Advisor shall both serve as advisors to the Finance Committee, and shall be present at Finance Committee meetings and execute the decisions made by the Finance Committee.

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- 7010.4 The Finance Committee may make two types of funding disbursements: appropriations, and allocations to registered student organizations.
- 7010.4.1 Appropriations may be made to any individual or entity submitting an appropriation request, as well as for SGA-initiated internal projects. Appropriations may not be made to registered student organizations that have received basic funding, unless that registered student organization is eligible for special allocations funding by accumulating the required number of points.
- 7010.4.2 Allocations to registered student organizations shall fall under two categories: basic allocations and special allocations. These allocations may only be made to registered student organizations, and shall be governed in accordance with the Points System.
- 7010.5 All SGA appropriations shall be referred to the Finance Committee.
- 7010.5.1 Appropriations over two-thousand dollars (\$2,000) for internal SGA-initiated projects, require the approval of a simple majority of the Student Body Senate as a Senate Bill. Appropriations for internal SGA-initiated projects that cost \$2,000 or less may be approved by a simple majority vote of the Finance Committee and the approval of the Student Body President and the Comptroller.
- 7010.5.2 Appropriations over five-thousand dollars (\$5,000) for student groups, registered organizations, and projects led by entities outside of SGA, require the approval of a simple majority of the Student Body Senate as a Senate Bill. Appropriations for student groups, registered organizations, and projects led by entities outside of SGA, that cost \$5,000 or less may be approved by a simple majority vote of the Finance Committee and the approval of the Student Body President and the Comptroller.
- 7010.6 All basic and special allocations to registered student organizations shall be decided by the Finance Committee.
- 7010.6.1 Basic allocations are a flat amount distributed to all registered student organizations for use throughout a fiscal year, equal for all registered student organizations and allocated by virtue of the organizations' registered status.
- 7010.6.1.1 The Finance Committee shall set the rate for basic allocations once each fiscal year by drafting a bill which must be passed by a simple majority of the Senate. The Finance Committee may not set a basic allocations rate so high that it would fully deplete the total funds available in the line item specified for registered student organization funding.
- 7010.6.2 Special allocations are allocations given to registered student organizations in addition to basic funding, for a special project at the discretion of the Finance Committee. Registered student organizations must be eligible for a special allocation by accumulating the required number of points through the Points System, before requesting a special allocation from the Finance Committee.

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- 7010.7 Any registered student organization that has received basic funding, must accumulate the required number of points in order to be eligible to receive additional funds from the Finance Committee through an appropriation or through special allocation funding.
- 7010.8 At no time shall a Finance Committee member use their affiliation with the Finance Committee in an effort to achieve personal benefits. Subject to the due process provisions of the SGA Constitution, violation of this rule shall result in the immediate expulsion of said member from the Finance Committee if the evidence is sufficient to warrant this action. Individuals violating this rule may, upon recommendation by the Senate Internal Affairs Committee, be referred for disciplinary action as specified in the Student Code of Conduct.
- 7010.9 No individual member of the Finance Committee shall vote on any matter in which the committee feels there is a conflict of interest with that individual. If a conflict of interest is established, then that member will refrain from a vote on the issue with which the conflict was established.
- 7010.10 The RSO Manual shall be updated and re-published each Summer semester through a collaborative effort between the Finance Committee and RSOC.

### **Section 7011 – The Points System**

- 7011.1 The Points System is a system that applies to registered student organizations to track the engagement and activity of the organization throughout each fiscal year.
- 7011.2 The Points System is contained in this Finance Code and may not be amended except by a Senate Bill. The Registered Student Organizations Council is responsible for informing all registered student organizations about the Points System. The Finance Committee shall remain beholden to the Points System when making determinations of allocations to registered student organizations.
- 7011.3 The Points System does not apply to appropriations. Appropriations shall be made at the discretion of the Finance Committee. The Points System only governs basic and special allocations to registered student organizations.
- 7011.4 Organizations must accumulate at least 1 point each semester to retain active status. If an organization does not attain at least 1 point in a semester, it will not remain active for the following semester.
- 7011.5 Organizations must accumulate at least 5 points in order to become eligible for special allocations funding.
- 7011.6 An organization may accumulate 1 point for any of the following activities:
- 7011.6.1 Signature Event: An event hosted by an organization which embodies the purpose and mission of the organization. Tabling events do not qualify as signature events.

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- 7011.6.2 Collaboration: Organizations that team up with another organization, entity, or department to host an event shall receive a point for working together.
- 7011.6.3 Community Service: Complete a community service or philanthropy project. Community service is defined as services volunteered by individuals or an organization to benefit a community or its institutions; philanthropy is defined as fundraising for a cause that promotes human welfare.
- 7011.6.4 FIU Spirit: Attend at least 2 FIU events that create affinity to the institution. These events cannot be hosted by registered student organizations.
- 7011.6.5 Conference/Lecture: Host or attend special lectures held by verifiable organizations and FIU departments, OR host or attend conferences held by verifiable organizations and FIU departments. A lecture is defined as a presentation made by a professional/faculty member/expert on a topic for educational purposes. A conference is defined as a one-day or multi-day event centered around a theme, hosted on or off campus and may be sponsored by a university department.
- 7011.6.6 Leadership Development: Events focused on leadership development (promotes the leadership growth of members of the organization) or professional development (events or training that promote the professional development of an organization's members). Can either be hosted by the organization or can attend a verified department event.
- 7011.6.7 Social: An event hosted by the organization receiving the point, which promotes networking with other students, provides an enjoyable atmosphere, and encourages students to meet with organization officers in an exciting manner.
- 7011.6.8 Priority Registration: Organization registered during the priority registration deadline during the summer semester. This point shall not count towards the minimum 1 point required to remain active, but may count towards the total for special allocations eligibility.
- 7011.7 The Registered Student Organizations Council is responsible for formulating the policies by which this Points System shall be administered, including: specifying the platform through which these points shall be submitted, specifying the submission requirements for each type of point (e.g. sign-in sheets, pictures, flyers, etc.), granting points to organizations after point submission, and tracking the number of points held by each organization. These details shall be specified in the RSO Manual.
- 7011.8 The Registered Student Organizations Council shall inform the members of the Finance Committee on a regular basis as to which organizations are eligible for special allocations funding, as well as any organizations that have been made inactive due to not accumulating at least 1 point in the prior semester.

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### **Section 7012 – Accumulated Cash Balance Policy**

- 7012.1 The Accumulated Cash Balance account, or ACB account, is a reserve fund under the control of the Student Government Association. The specific university policies governing the ACB account are delineated in the ACB Policy document, which must be posted on the SGA website and ASBO website.
- 7012.2 All unspent funds in the SGA accounts shall be swept into the ACB account at the conclusion of each Fiscal Year.
- 7012.3 Additional unspent funds from other entities' accounts shall be swept into the ACB account at the conclusion of each Fiscal Year in the manner delineated by the ACB Policy document.
- 7012.4 The ACB Policy document may be amended with the agreement of the Student Body President and the Chief Student Affairs Officer. The Student Senate may pass non-binding resolutions calling for an amendment to the ACB Policy document. When the ACB Policy document is amended, all members of the Senate shall be forwarded a copy of the amended document as soon as the amendments are finalized and approved.
- 7012.5 The total amount of money in the ACB account shall be available to any member of SGA upon request. Any member of SGA may request this information from the Activity and Service Business Office.
- 7012.6 The Student Body President and SGA Comptroller must be informed of all funds that were swept into the Deferred Maintenance, SGA ACB, and Main Reserve funds once the FIU Controller's Office has completed year-end accounting after the close of each fiscal year. The A&S Business Office will present this information in the form of a report containing the exact amounts available in each account, which shall also specify the amount within each account that was swept from the immediately concluded fiscal year, the individual entities from which each amount of money was swept, and how much was swept from each entity.
- 7012.7 Procedures for SGA to spend funds from the ACB account:
- 7012.7.1 The ACB account may be spent in two ways: by an Executive Order, or by a Senate Bill. In both cases, the expenditure must be approved by a simple majority vote of the University-Wide Council before being signed by the Student Body President.
- 7012.7.2 To spend the ACB account using an Executive Order, the Student Body President shall draft the order and present it to the University-Wide Council, sending it to all members at least twenty-four (24) hours in advance of the meeting. The University-Wide Council shall then vote to approve or deny the expenditure. Should it not pass the vote, the President may amend the Executive Order and present it again the following week. Once it is approved, the President may sign the Executive Order.

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- 7012.7.3 To spend the ACB account using a Senate Bill, the Senate shall pass such a bill through a simple majority of the Finance Committee and then a simple majority vote of the Senate. After passage, the University-Wide Council shall vote on the expenditure at its next regularly scheduled meeting. Should it not pass the vote, the Senate may amend the bill and present it again the following week. Should it be approved, the President may sign or veto the bill.
- 7012.7.4 Executive Orders allocating more than \$400,000 to be spent from the ACB account shall require the approval of a simple majority of the Senate before being voted on by the University-Wide Council. Should it not pass the Senate vote, the President may amend the Executive Order and present it to the Senate again the next week.
- 7012.7.5 After approval of the University-Wide Council and the signature of the Student Body President, all expenditures from the ACB account that are greater than \$5,000 shall require the approval of the Chief Student Affairs Officer.
- 7012.8 Regulations for spending the ACB account
- 7012.8.1 ACB funding cannot be used for personnel hires.
- 7012.8.2 ACB funding can only be used for non-recurring (one-time) purposes.
- 7012.8.3 Items cannot be funded if they are identical to a request presented at the annual budget hearing or currently funded by the current A&S fiscal year, except when extenuating circumstances warrant an exception.

### **Section 7013 – Room Rentals Policy**

- 7013.1 The Student Government Association subsidizes the rental of rooms and spaces by A&S fee funded entities for rooms in the Graham Center and Wolfe University Center.
- 7013.2 The specific entities that are eligible for subsidized room rental fees, as well as the specific rooms and spaces available, shall be specified in the Room Rental Policy document.
- 7013.3 The Room Rental Policy document must be posted on the SGA and ASBO websites.
- 7013.4 The Room Rental Policy document may be amended with the agreement of the Student Body President and the Chief Student Affairs Officer. The Student Senate may pass non-binding resolutions calling for an amendment to the Room Rental Policy document. When the Room Rental Policy document is amended, all members of the Senate shall be forwarded a copy of the amended document as soon as the amendments are finalized and approved.
- 7013.5 The subsidization of these rentals shall be covered out of an account designated for this purpose, replenished by SGA each year through the annual budget process.

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- 7013.5.1 Any unused balance in the Room Rental line on June 30 of each year shall remain in the account and be carried-forward to the next fiscal year.
- 7013.5.2 If the balance for room rentals ever reaches a \$0 balance, a request can be made for replenishment from the ACB account.
- 7013.5.3 The Student Government Association shall be informed of funds available in the Room Rental account on a quarterly basis. At the conclusion of each fiscal year, the Student Government Association shall be informed of the amount remaining in the Room Rental account that has carried forward into the new fiscal year.
- 7013.5 The room GC 150 must be reserved for SGA Senate meetings year-round on Mondays from 3:30 p.m. to the time the building closes, and for SGA Cabinet Meetings year-round on Wednesdays from 3:30 p.m. to the time the building closes.
- 7013.6 The room WUC 155, at the Biscayne Bay Campus, must be reserved for SGA Senate meetings year-round on Mondays from 3:30 p.m. to the time the building closes, and year-round on Wednesdays from 3:30 p.m. to the time the building closes.
- 7013.7 The GC Pit must be reserved for SGA on all dates that the FIU Football team is playing an away game. These reservations shall be booked as soon as the FIU Football Fall schedule is available. These reservations shall be for Watch Parties, which shall be funded and organized by SGA or by an Executive Agency designated by the Student Body President to have this responsibility.

### **Section 7014 – Property Purchased by A&S Fee Funded Entities**

- 7014.1 Purchases of items, devices, technology, resources or any similar object that has repeated use by an entity must be accounted for at all times.
- 7014.2 At any point the Student Government Association or the Activity and Service Fee Business Office may request an audit of all property in the possession of the entity.
- 7014.3 Damaged, Lost, or Stolen property must be promptly reported to the Activity and Service Fee Business Office with an account of the circumstances surrounding the incident of the property in question. Stolen property must be reported along with a police report.
- 7014.4 At the determination of either the Student Body President or the Activity and Service Business Office, the funds of the entity responsible for ownership of the property may be used for the repair or replacement of the property. Should the funding required to repair or replace property exceed the remaining allocated amount for an entity, funds will be pulled from the following year's allocation. Should the entity still not have sufficient funds to recover the property, and the entity have external sources of funding, it may become responsible for utilizing those funds or risk a Major Penalty Measure.



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### **Section 7015 – Student Government Association Awards**

- 7015.1 The Student Government Association may choose to issue awards for its membership. Such awards serve to increase organizational affinity and student leadership and constitute a general benefit to the Student Body as a whole through increased Student Government participation.
- 7015.2 The Awards shall follow the following criteria:
- 7015.3 First Year members in the Student Government, regardless of branch of service, shall receive a certificate of membership. Such a certificate may not exceed \$3.00 per certificate.
- 7015.4 Second Year members in the Student Government, regardless of branch of service, shall receive a certificate of membership not exceeding \$3.00 per certificate and an optional service pin not exceeding \$5.00.
- 7015.5 Third- and Fourth-year members in the Student Government, regardless of branch of service, shall receive a certificate of membership not exceeding \$3.00 per certificate and an optional physical award not exceeding \$20.00 per award.
- 7015.6 University-Wide Council members shall receive a certificate of membership not exceeding \$3.00 per certificate and an optional physical award not exceeding \$45 per award.

**Title VIII: The Ethics Code**

**Section 8001 – Purpose and Authority**

- 8001.1 The purpose of the Ethics Code is to protect the integrity of the Student Government Association by prescribing restrictions against conflicts of interest and unethical practices.
- 8001.2 The term “Student Government official,” as used in these Statutes, refers to all officials under SGA’s jurisdiction, including all SGA members, all officers of all Executive Agencies, and all officers of all Bureaus.

**Section 8002 – Regulations**

- 8002.1 No Student Government official shall participate in any SGA activity that would place that person in a position where there may be a conflict of interest between a private interest and the interest of the Student Body.
- 8002.2 No Senator shall cast a vote on any legislation that would place that Senator in a position where there may be a conflict of interest between a private interest and the interest of the Student Body.
- 8002.3 No Student Government official shall participate in any SGA activity or represent Student Government as a Student Government official in any action or activity in which there may be a personal benefit made that directly conflicts with the interest and benefit of the Student Body.
- 8002.4 No Student Government official shall use, authorize to use, or condone in any way the wrongful use of Student Government property or Activity and Service Fee funds, defined as the use of funds in violation of the Finance Code, including, but not limited to, the authorization of a purchase of campaign materials to be purchased with A&S fee funds by an A&S fee funded entity to aid a student government political campaign.
- 8002.5 No Student Government official shall aid, advise, condone, or in any way induce another to act in violation of any provision in the Student Body Constitution or Statutes.
- 8002.6 No Student Government official shall commit slander or libel.
- 8002.7 No Student Government official shall commit or attempt to commit extortion or blackmail.
- 8002.8 No Student Government official shall commit or attempt to commit bribery.
- 8002.9 No Student Government official shall cover up evidence or misrepresent any fact pertaining to a violation of the Student Body Constitution or Statutes, or the FIU Student Conduct and Honor Code.

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- 8002.10 No Student Government official shall knowingly provide false information in their capacity as a Student Government official.
- 8002.11 No Justice, Senator, member of the Executive Branch, or member of the Elections Commission, shall allow personal interest to influence a vote.
- 8002.12 No Student Government official who is in a position of authority shall threaten, attempt to threaten, or condone threatening, either verbally or in writing, an individual's current or future employment, funding, or position, on account of one's race, color, religion, sex, national origin, ethnicity, age, disability, marital status, parental status, veteran status, or sexual orientation.
- 8002.13 All Student Government officials shall perform their duties with due diligence and make a continuous effort towards improvement, and maintain the highest standards of performance, conduct, cooperation, and professionalism.
- 8002.14 All Student Government officials shall conduct themselves at all times in a manner which shall reflect the creditability and professional standard of the Student Government Association, and shall uphold these principles, ever conscious that public office is a public trust.

**Title IX: Requirements of SGA Officials**

**Section 9000 – Organization**

- 9000.1 The requirements for each SGA official are distributed according to the positions and branches. All SGA Members must maintain their respective constitutional obligations in addition to the following enumerated requirements.

**Section 9001 – Legislative Branch**

- 9001.1 Senators shall be required to:
- 9001.1.1 Complete three (3) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9001.1.2 Attend weekly Senate meetings. Up to four (4) unexcused absences from Senate meetings shall be permitted per Senator. Exceeding this number of unexcused absences from Senate meetings shall constitute nonfeasance and is a removable offense.
  - 9001.1.3 Attend committee meetings for those Standing Committees to which they have been assigned. Up to four (4) unexcused absences from Committee meetings shall be permitted per Senator. Exceeding this number of unexcused absences from Committee meetings shall constitute nonfeasance and is a removable offense.
  - 9001.1.4 Participate in SGA sponsored and hosted events, including Senate Town Halls and the semesterly Meet Your Dean event.
  - 9001.1.5 Draft and introduce legislation throughout the year.
  - 9001.1.6 Meet with the Dean or a subsidiary of the college that they represent to discuss student concerns, when applicable.
  - 9001.1.7 Participate in Senate trainings and orientations.
- 9001.2 Committee Chairs shall be required to:
- 9001.2.1 Organize and establish weekly committee meetings to occur at a regular and standard day of the week and time.
  - 9001.2.2 Keep records of all bills introduced and voted on in committee.
  - 9001.2.3 Keep accurate minutes for committee meetings.
  - 9001.2.4 Provide reports to the Senate about Committee business.
  - 9001.2.5 Establish procedures for the introduction of bills and set turnaround times for bills in committee.

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- 9001.3 The Clerk of the Senate shall be required to:
  - 9001.3.1 Ensure proper filing of legislation that has passed.
  - 9001.2.2 Ensure delivery of legislation to the Student Body President for Signature or Veto.
  - 9001.2.3 Take minutes during Senate meetings.
  - 9001.2.4 Ensure the proper upload to the SGA Website of all Senate meeting minutes, committee meeting minutes, legislation, and all other public Senate records.
  - 9001.2.5 Email copies of a passed resolution or bill to every person that the legislation specifies as recipients of the legislation, within two (2) university business days of the passage of the legislation.
  - 9001.2.6 Take minutes and notes at all Senate Town Halls.

### **Section 9002 – The Executive Branch**

- 9002.1 Cabinet Secretaries shall be required to:
  - 9002.1.1 Complete three (3) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.1.2 Attend weekly Cabinet meetings. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
  - 9002.1.3 Fulfill all duties and responsibilities established in the order to which they are appointed, as well as submit weekly reports in written form to the Chief of Staff.
  - 9002.1.4 Participate in SGA sponsored and hosted events at the discretion of the President.
- 9002.2 The Chief of Staff shall be required to:
  - 9002.2.1 Complete eight (8) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.2.2 Attend weekly Cabinet meetings. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
  - 9002.2.3 Chair Cabinet meetings in the absence of the President or upon their wish.
  - 9002.2.4 Supervise and oversee the President’s Cabinet, as well as produce the weekly Presidential Briefing.
  - 9002.2.5 Attend meetings of the University-Wide Council.
  - 9002.2.6 Fulfill all duties and responsibilities established in the order to which they are appointed.

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- 9002.3 The Deputy Chiefs of Staff shall be required to:
  - 9002.3.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.3.2 Fulfill all duties and responsibilities established in the order to which they are appointed.
  - 9002.3.3 Attend weekly Cabinet meetings. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
- 9002.4 The Deputy Comptroller shall be required to:
  - 9002.4.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.4.2 Fulfill all duties and responsibilities established in the order to which they are appointed.
  - 9002.4.3 Attend weekly Cabinet meetings. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
- 9002.5 The Staff Secretaries of the Governor’s Cabinet shall be required to:
  - 9002.5.1 Complete three (3) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.5.2 Attend weekly Governor’s Cabinet meetings. A maximum permitted number of excused absences from Governor’s Cabinet meetings will be established by the Governor of the Biscayne Bay Campus.
  - 9002.5.3 Fulfill all duties and responsibilities established in the order to which they are appointed.
- 9002.6 The Attorney General shall be required to:
  - 9002.6.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.6.1 Attend meetings of the President’s Cabinet.
  - 9002.6.2 Attend Judicial proceedings as needed.
  - 9002.6.3 Keep an accurate record of the office hours and meeting attendance of every official in the Executive Branch, Judicial Branch, and University-Wide Council; and collaborate with the Senate Internal Affairs Committee to keep an accurate record of the office hours and meeting attendance of every Senator.

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- 9002.7 The Deputy Attorney General shall be required to:
  - 9002.7.1 Complete three (3) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.7.2 Fulfill all duties and responsibilities delegated to them by the Attorney General or Student Body President.
- 9002.8 The Press Secretary shall be required to:
  - 9002.8.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9002.8.2 Attend meetings of the President’s Cabinet.
  - 9002.8.3 Actively engage with the independent student media.
- 9003.9 The Directors of the Executive Agencies shall be required to:
  - 9003.9.1 Attend weekly meetings of the President’s Cabinet, or send a designee. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
  - 9003.9.2 Submit to the Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by the Agency in that semester.
  - 9003.9.3 Abide by the jurisdiction and regulations of the Student Government Association.

### **Section 9003 – The Judicial Branch**

- 9003.1 The Chief Justice shall be required to:
  - 9003.1.1 Complete eight (8) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense by the Senate.
  - 9003.1.2 Preside over all meetings, hearings, deliberations, and trials of the Supreme Court. Up to four (4) unexcused absences from Supreme Court meetings shall be permitted per Justice. Exceeding this number of unexcused absences from Supreme Court meetings shall constitute nonfeasance and is a removable offense by the Senate.
  - 9003.1.3 Supervise and oversee the Judicial Branch.
  - 9003.1.4 Attend meetings of the University-Wide Council.

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- 9003.2 The Associate Justices shall be required to:
  - 9003.2.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense by the Senate.
  - 9003.2.2 Attend all meetings, hearings, deliberations, and trials of the Supreme Court. Up to four (4) unexcused absences from Supreme Court meetings shall be permitted per Justice. Exceeding this number of unexcused absences from Supreme Court meetings shall constitute nonfeasance and is a removable offense by the Senate.
  - 9003.2.3 Fulfill all duties and responsibilities established in the Student Body Constitution and Statutes.
- 9003.3 The Student Advocate shall be required to:
  - 9003.3.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense by the Senate.
  - 9003.3.2 Attend Judicial proceedings as needed.
  - 9003.3.3 Fulfill all duties and responsibilities established in the Student Body Constitution and Statutes.
- 9003.4 The Elections Commissioner shall be required to:
  - 9003.4.1 Complete three (3) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9003.4.2 Attend weekly Cabinet meetings. A maximum permitted number of excused absences from Cabinet meetings will be established by the Student Body President.
  - 9003.4.3 Fulfill all requirements set forth in the Elections Code.
- 9003.5 Elections Board members shall be required to:
  - 9003.5.1 Attend all meetings of the Elections Board. A maximum permitted number of excused absences from Elections Board meetings will be established by the Elections Commissioner.
  - 9003.5.2 Fulfill all requirements set forth in the Elections Code.



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### **Section 9004 – The University-Wide Council**

- 9004.1 The Student Body President shall be required to:
  - 9004.1.1 Complete fifteen (15) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.1.2 Attend Cabinet meetings or send a designee.
  - 9004.1.3 Attend and chair meetings of the University-Wide Council.
  - 9004.1.4 Attend meetings of the Board of Trustees.
  - 9004.1.5 Attend meetings of the Florida Student Association.
  - 9004.1.6 Deliver the State of the Student Body Address.
- 9004.2 The Student Body Vice President shall be required to:
  - 9004.2.1 Complete ten (10) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.2.2 Attend Cabinet and Senate meetings or send a designee.
  - 9004.2.3 Attend meetings of the University-Wide Council.
  - 9004.2.4 Attend meetings of the Board of Directors of the FIU Foundation.
  - 9004.2.5 Meet with the Presidents of all Bureaus at least once a month by convening monthly meetings of the Council of Presidents.
  - 9004.2.6 Assume any additional responsibilities conferred by the Student Body President.
- 9004.3 The Governor of the Biscayne Bay Campus shall be required to:
  - 9004.3.1 Complete ten (10) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.3.2 Attend and organize weekly meetings of the Governor’s Cabinet.
  - 9004.3.3 Attend meetings of the University-Wide Council.
  - 9004.3.4 Establish programs and engagements to promote Student Government, Student Life, or other aspects of the University at the Biscayne Bay Campus.
- 9004.4 The Lieutenant Governor of the Biscayne Bay Campus shall be required to:
  - 9004.4.1 Complete eight (8) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.

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- 9004.4.2 Attend weekly Governor’s Cabinet meetings. A maximum permitted number of excused absences from Governor’s Cabinet meetings will be established by the Governor of the Biscayne Bay Campus.
- 9004.4.3 Attend meetings of the University-Wide Council, only voting when the Governor is not present at the meeting. When the Governor is present at the meeting, the Lieutenant Governor may still participate, but shall have no vote on any matter.
- 9004.5 The Comptroller shall be required to:
  - 9004.5.1 Complete ten (10) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.5.2 Attend and provide responses to the Senate or send a designee.
  - 9004.5.3 Attend meetings of the University-Wide Council.
  - 9004.5.4 Provide monthly financial reports to the Student Body President and the Senate.
  - 9004.5.5 Organize the Budget Committee and Chair its proceedings.
  - 9004.5.6 Approve or deny expenditures as required.
- 9004.6 The Speaker of the Senate shall be required to:
  - 9004.6.1 Complete ten (10) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.6.2 Attend and organize weekly Senate meetings.
  - 9004.6.3 Attend meetings of the University-Wide Council.
  - 9004.6.4 Draft the agenda for weekly Senate meetings.
  - 9004.6.5 Refer legislation to committees.
- 9004.7 The Speaker Pro-Tempore of the Senate shall be required to:
  - 9004.7.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.
  - 9004.7.2 Attend weekly Senate meetings.
  - 9004.7.3 Attend meetings of the University-Wide Council.
  - 9004.7.4 Serve as the Legislative Liaison to the Executive Branch.
  - 9004.7.5 Fulfill those tasks requested of them by the Speaker.

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9004.8 The Finance Chair shall be required to:

9004.8.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.

9004.8.2 Attend weekly Senate meetings.

9004.8.3 Attend meetings of the University-Wide Council as an ex-officio invited guest.

9004.8.4 Chair all meetings of the Finance Committee.

9004.8.5 Serve as Vice Chair of the Budget Committee alongside the Comptroller.

9004.8.6 Keep track of the finances of the legislative branch.

9004.9 The Floor Leader shall be required to:

9004.9.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.

9004.9.2 Attend weekly Senate meetings.

9004.9.3 Attend meetings of the University-Wide Council.

9004.9.4 Chair all meetings of the Internal Affairs Committee.

9004.9.5 Keep an accurate record of the office hours and meeting attendance of every Senator.

9004.9.6 Collaborate with the Attorney General on matters of SGA official accountability.

9004.9.7 Issue warnings and serve subpoenas.

9004.9.8 Serve as the default prosecutor before the Supreme Court in trials initiated by Articles of Impeachment

9004.9.9 The Chair of the Graduate and Professional Student Committee shall be required to:

9004.9.9.1 Complete five (5) regularly scheduled office hours each week. Repeated failure to complete weekly office hours, after at least two warnings, shall constitute nonfeasance and is a removable offense.

9004.9.9.2 Attend weekly Senate meetings.

9004.9.9.3 Attend meetings of the University-Wide Council.

9004.9.9.4 Chair all meetings of the Graduate and Professional Student Committee (GPSC).

9004.9.9.5 Be responsible for the planning of graduate student programming including, but not limited to, Graduate Student Appreciation Week (GSAW) and all other programming that GPSC deems necessary.

**Title X: The Executive Agencies**

**Section 10.01 - Constitutional Authority**

- 10.01.1 Executive Agencies, hereinafter referred to as Agencies, are administrative divisions of the Executive Branch of the Student Government Association, established by statute. As such, they are not separate from the Student Government Association and must abide by all SGA statutes, rules, and Executive Orders that may be issued.
- 10.01.2 The authority for the governance of the Agencies is enumerated in Article VIII of the Constitution. Agencies shall exist to provide goods and/or services to the student body, acting on behalf of the Student Government Association to provide a function beneficial to the student body funded by Activity and Service Fees.
- 10.01.3 The Student Programming Council shall be the Executive Agency tasked with the organizing of year-round programming and events.
- 10.01.4 Panther Power shall be the Executive Agency tasked with the promotion of institutional affinity and Panther Pride.
- 10.01.5 The Homecoming Council shall be the Executive Agency tasked with the coordination of festivities leading up to and during Homecoming Week.
- 10.01.6 The Registered Student Organizations Council (RSOC) shall be the Executive Agency tasked with the registration of Registered Student Organizations (RSO's).
- 10.01.7 Should the University reject a title or name given to a position in these Statutes, the title of said position shall be replaced with the accepted University-approved title, but the responsibilities of the position shall remain the same.

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### **Section 10.02 - The Student Programming Council**

- 10.02.1 The Student Programming Council plans and administers events and programs that contribute to a well-rounded student experience through cultural, educational, and social opportunities. SPC encourages student development, fosters leadership, and serves as a resource to other campus organizations and leaders at Florida International University.
- 10.02.2 All activities and functions of SPC must be legal under University, local, state, and federal laws. The most recent version of the Student Conduct and Honor Code will supersede all requirements set forth for SPC in these Statutes.
- 10.02.3 All activities and functions of SPC will be conducted within the rules and regulations of the Student Body Statutes and the current fiscal year Activity & Service Fee Budget.
- 10.02.4 To fulfill its mission and goals, the SPC shall be comprised of a general membership, and an Executive Board composed of a Director, the Vice Directors, and the Coordinators.
- 10.02.4.1 The Director of SPC shall:
- Be responsible for the overall leadership of the Student Programming Council, and serve as the spokesperson for SPC at all FIU locations.
  - Oversee the Executive Board and Coordinators. The Executive shall include the Vice Directors of Programming, Regional Locations Director (Engineering/I-75), Secretary, Corresponding Secretary, Treasurer, Financial Secretary, Marketing Directors, and Special Event Directors.
  - Set the time and location for the Board meetings, subject to a majority vote of the respective Board after add/drop of each semester.
  - Handle all personnel matters with the SPC Advisor pertaining to all SPC Members, Chairs, all SPC E-board and General Meetings.
  - Maintain weekly office hours.
  - Plan and execute SPC leadership and general member retreats, as needed.
  - Serves on the end-of-the-year banquet committee of SPC.
  - Maintain regular communications with the Executive Board, Directors, Graduate Assistant, and Advisor.
  - Serve on the SGA President's Cabinet and represents SPC at SGA meetings.
  - Serve as SPC representative on various university-wide committees, including Week of Welcome, First Night, and other Campus Life / SLD initiatives.
  - Oversee selection of new E-board, Directors and Members in accordance with SPC and SGA policies and procedures.
  - Executes evaluations of the organization each semester.

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Complete other duties assigned by Graduate Assistant and Advisor.

Undergo financial training with ASBO accountants.

Submit to the SGA Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by SPC in that semester.

- 10.02.4.2 The SPC Executive Board shall be comprised of the following: Director (open to both MMC & BBC students); Vice Director of MMC Programming; Vice Director of BBC Programming; Treasurer; Financial Secretary; Secretary; Corresponding Secretary; Regional Locations Director (Engineering / I-75); MMC Marketing Director; BBC Marketing Director; MMC Special Events Director; BBC Special Events Director.
- 10.02.4.3 The SPC Coordinators shall include: Pop-Ups Coordinator (MMC); Pop-Ups Coordinator (BBC); Culture & Fine Arts Coordinator; Academic Coordinator (MMC); Academic Coordinator (BBC); Virtual Events Coordinator; I- 75 Coordinator; Engineering Coordinator; Leadership Coordinator; Marketing Coordinators (4); Social Media Coordinators (2); Feature Films Coordinator; Speakers Coordinator; Comedy Coordinator; Production Coordinator; Outreach Coordinator; Volunteer Coordinators (2).
- 10.02.5 The Executive Board of SPC shall be comprised of the Director and the following positions:
- 10.02.5.1 Vice Director of MMC Programming, who shall:
- Be responsible for the overall programming at the Modesto A. Maidique Campus.
  - Provide leadership in the area of program development, selection, preparation, execution, and evaluation.
  - Serve as the primary contact and liaison for artists, agents, production companies, and other businesses.
  - Work with the Secretary to ensure that all event records are properly maintained.
  - Assist in the selection of all logistics for the MMC events, including but not limited to speakers, performance, and event locations.
  - Assess all MMC events and help the Director properly complete all required paperwork and forms.
  - Serve as an assistant to the Director.
  - Oversee major/traditional special events at the Modesto Maidique Campus.
  - Oversee training of new appointees and monitor program planning process.

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### **10.02.5.2 Vice Director of BBC Programming, who shall:**

Be responsible for the overall programming at the Biscayne Bay Campus.

Provide leadership in the area of program development, selection, preparation, execution, and evaluation.

Serve as the primary contact and liaison for artists, agents, production companies, and other businesses.

Work with the Secretary to ensure that all event records are properly maintained.

Assist in the selection of all logistics for the BBC events, including but not limited to speakers, performance, and event locations.

Assess all BBC events and help the Director properly complete all required paperwork and forms.

Serve as an assistant to the Director.

Oversee major/traditional special events at the Biscayne Bay Campus.

Oversee training of new appointees and monitor program planning process.

### **10.02.5.3 Treasurer, who shall:**

Monitor the overall finances of the Council, and maintain all financial records.

Ensure that all allocations and expenditures follow the procedures outlined by the SGA Finance Code.

Provide a weekly budget report at E-board meetings that consist of actuals and projected numbers.

Serve as the point person with the Activities and Service Business Office (ASBO) and the Campus Life accounting office.

Meet regularly with ASBO accountants or Fiscal Assistant.

Work with the SPC Advisor and other Executive Officers on an annual basis to prepare the Budget Request that is submitted to the SGA Budget Committee.

Undergo financial training with ASBO accountants & the SGA Comptroller.

### **10.02.5.4 Secretary, who shall:**

Develop and maintain SPC's office hour schedules, and ensure that the office is open during regular business hours.

Maintain official SPC documents such as policies and procedures, and member and E-board rosters.

Send minutes and agendas at least 48 hours before and after SPC meetings.

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Distribute member attendance progress reports each quarter of the academic year.

Provide oversight of all relevant Office Supply budget categories.

Record minutes during E-board and General Meetings.

### **10.02.5.5 The SPC Coordinators shall:**

Chair events specific to programming board title and role.

Coordinate events specific to programming board title and role.

Serve as the event programmers/producers for SPC.

Conduct research, negotiate contracts, submit necessary paperwork, and provide general leadership for assigned programs.

Coordinate marketing and promotional efforts with the Marketing Directors.

Coordinate logistics with Vice Directors of Programming.

Confirm any necessary room and AV reservations with the Secretary, Director, Graduate Assistant, or Advisor.

Confirm and review the budget with the Treasurer, Financial Secretary, and/or Advisor.

Arrange for any purchases that need to be made for assigned programs, and complete necessary financial paperwork.

Submit a list of Executive Officers, Directors, and members in attendance at events to the Secretary.

Support Executive Board, Directors, Graduate Assistant, Advisor, Campus Life, and FIU community events.

Main point of contact for events based on title and role.

10.02.6 Board/Director membership is limited to any student who is paying Activity and Services Fees and is concurrently enrolled at Florida International University. No discrimination shall be made on the basis of sex, race, age, religion, disability, national origin, sexual orientation, marital or parental status, or veteran's status. Hazing will not be allowed as a condition of membership in this organization.

10.02.7 All members of the Board/Director shall possess (at time of selection and during their term) the minimum requirements regarding enrollment hours, GPA, academic and disciplinary standing, and financial and disciplinary holds to serve in a leadership position as enumerated in the Student Body Constitution for all SGA officials.

10.02.8 SPC utilizes an application and selection process to determine its leadership.



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- 10.02.8.1 The outgoing Director is responsible for coordinating the application and selection process. In the event that the outgoing Director is an applicant for an E-board or Director Position, the highest-ranking officer not applying for a position will coordinate the process.
- 10.02.8.2 The Director, along with the Advisor, will establish a nominations committee to assist with interviews and provide input throughout the process. The committee will consist of: The highest-ranking member of SPC leadership not re-applying for consideration, and/or the outgoing Director of SPC if not reapplying; A current member of SPC not applying for a leadership role; SPC's graduate assistant (if applicable); The SPC advisor; The Student Body President, or their designee who must be a member of the Executive Branch of SGA; The Student Body President-elect (if applicable), or the Student Body Vice President-elect as their designee.
- 10.02.8.3 The nominations committee of SPC shall review all applications for Director. It shall then nominate a student to be the Director of SPC, through a simple majority vote of all members of the committee. Once the Director nominee has been chosen by the nominations committee, the Student Body President is obligated to immediately pen a letter of appointment for the nominee chosen by the committee, and send this letter of appointment to the SGA Speaker for inclusion on the next Senate agenda.
- 10.02.8.4 The Director of SPC must be confirmed by a simple majority vote of the SGA Senate. Should the Senate reject a nominee, the nominations committee shall nominate a new student and follow the same process. Once the Senate approves the Director nominee, the nominee shall be considered approved and confirmed.
- 10.02.8.5 To select the rest of the E-board positions, a committee may be established which is not required to include SGA representation, but shall include the newly selected Director if already confirmed by the Senate.
- 10.02.8.6 Vice Directors of Programming will be selected first after the Director, and then other leadership will follow.
- 10.02.8.7 Applications will be distributed during the Spring semester of each year.
- 10.02.8.8 All applications must be submitted to FIU PantherConnect. Upon submission, applicants will be asked to sign up for an interview slot based on an interview schedule determined by the nominations committee.
- 10.02.8.9 The new E-Board and Directors will be selected and announced no later than the third week of March.
- 10.02.8.10 The selection committee may decide to appoint more than one person to share the duties of one Executive Officer position. In this case, the SPC Director and SPC Advisor will determine how the job responsibilities will be divided.
- 10.02.8.11 In the event that an Executive Officer or Director position remains vacant, it is the responsibility of the Director and SPC Advisor to accept applications, conduct interviews, and select an individual to fill the position. If the Director position

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remains vacant, it is the responsibility of the Vice Director (if not selected for the role), SPC Advisor or designee to accept applications, conduct interviews, and select an individual to fill the position with SGA involvement in the process.

- 10.02.9 Officers of SPC shall be subject to removal by the internal SPC process or by the SGA Supreme Court.
- 10.02.9.1 The basis for removal of a SPC member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of SPC or SGA policies.
- 10.02.9.2 An accusation may be submitted to the Advisor, in writing, outlining the manner in which the individual did not fulfill their responsibilities.
- 10.02.9.3 The Director, Vice Directors, and/or Advisor will meet with the individual to have an initial conversation. Together, the Advisor, Director, and accused individual may develop a plan by which the individual can improve their performance in the organization. If there are continued concerns, the Director, Vice Directors, and/or Advisor will inform the individual of their proposed removal from office in writing. For egregious acts, the accusation may move straight to the E-board for a vote.
- 10.02.9.4 Following 30 days from the time of notice, if the accused individual has not improved their performance, or if an egregious act has been committed, the E-board may vote to remove the officer. A two-thirds (2/3) affirmative vote of the E-board is required to remove the officer.
- 10.02.9.5 Alternatively, any student may file a Writ of Removal or Writ of Censure against an SPC officer at the SGA Supreme Court for a hearing and trial of the officer to determine whether they shall be removed, censured, or acquitted. This shall follow the process outlined for the Judicial Branch in the Student Body Statutes.
- 10.02.9.6 Should an SPC officer be removed, the Director, Advisor, and appropriate Vice Director will determine the timeline by which a replacement will be selected.
- 10.02.9.7 The Director may appoint any member of SPC to fill a vacant position on an interim basis.
- 10.02.10 A Member of SPC may resign from their post at any point during office term. It shall be required that a member of SPC who wishes to resign abide by the following: (1) Submit a Letter of Resignation stating the purpose of resignation to the Advisor, the Graduate Assistant, and members of the Board; (2) Letters of Resignation should be submitted no less than ten business days before the desired date of resignation. Once the member resigns, they relinquish all privileges and responsibilities.
- 10.02.11 In the event a SPC Member is removed or resigns, SPC will re-open the application process.
- 10.02.12 Newly elected Board members shall take office on the date of the annual installation of the newly selected SPC Executive Board. Current Executive Board members should

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assist in the transition and training of the officers-elect, from selections to installations in the Spring semester.

- 10.02.13 No later than the end of June (Student Leadership Retreat) and July (SPC Retreat) of the current selection year, all SPC members shall be required to attend training, in the form of a retreat. Training Schedule will be given at time of selection.
- 10.02.14 Meetings of the SPC membership shall take place at least once per week during the Fall and Spring semesters. Meetings are open and active SPC board members are allowed one vote per motion.
  - 10.02.14.1 The Director will be in charge of calling meetings, and the Secretary will be responsible for notifying all members at least 48 hours in advance, by e-mail and/or telephone.
  - 10.02.14.2 The Director shall use their discretion as to the manner and process in which they preside over meetings. However, the Director shall follow Robert's Rules of Order in a given meeting if 2/3 of the active board members so request.
  - 10.02.14.3 Quorum for board members shall be met by a presence of a majority (more than 50%) of the voting members.
- 10.02.15 SPC is notified of its annual allocation at the conclusion of the SGA Budget Deliberations in the Spring semester. If it becomes necessary to change the budget during an academic year, the Treasurer may request the change at any E-board meeting. A two-thirds (2/3) vote from E-board members present at the meeting is required to change the budget.
- 10.02.16 A Campus Life Advisor, as assigned by the Director of Campus Life, will serve as advisor to the Student Programming Council. A Graduate Assistant and/or other staff member of Campus Life may assist the assigned Campus Life Advisor in advising SPC. The advisor shall serve as a mentor to the organization, providing guidance to the officers and members in the development and implementation of programs and activities, as well as FIU policy and procedure. Additionally, the advisor will monitor expenditures of the organization. The advisor has no voting rights. In the absence of the Campus Life SPC Advisor(s), a Campus Life designee may serve in their place.
- 10.02.17 Amendments to these statutes may only be made through a bill passed by SGA. However, the SPC E-board may recommend changes to these statutes, to be considered by the SGA Senate through the Student Life and Academic Concerns Committee (SLAC) of the SGA Senate.

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### **Section 10.03 - Panther Power**

- 10.03.1 The purpose of Panther Power is to promote Panther Pride, traditions, and school spirit, to act as a liaison with FIU Athletics, to engage members of the FIU community through planning spirit-focused events and activities, to provide leadership development and planning opportunities to its members, as well as promoting and supporting athletic games and events to foster affinity for the Panther Nation.
- 10.03.2 Panther Power does not discriminate based on age, race, color, ethnicity, religion, gender, sex, sexual orientation, disability, marital status, parental status, veteran status, or political belief.
- 10.03.3 Panther Power shall be comprised of the Executive Board and the Panther Posse. Membership is open to any FIU student enrolled in a degree-seeking program as an undergraduate, graduate, or postgraduate student, providing they fulfill the requirements set forth in these statutes.
- 10.03.4 The Panther Power Executive Board consists of the following: Director; Vice Director of Athletics; Treasurer; Secretary; Creative Director.
- 10.03.5 All members of the Executive Board shall possess (at time of selection and during their term) the minimum requirements regarding enrollment hours, GPA, academic and disciplinary standing, and financial and disciplinary holds to serve in a leadership position as enumerated in the Student Body Constitution for all SGA officials.
- 10.03.6 If an Executive Board member's GPA falls below a 2.5 after they have been appointed, the student must enter a one-semester probationary period as outlined by Department of Campus Life policies. If the student's GPA remains below the required GPA for the position after the conclusion of the probationary period, the student shall lose their leadership role.
- 10.03.7 The Director shall:
- Manage Panther Power operations and oversee the overall direction of the organization.
  - Represent Panther Power in official capacity.
  - Attend SGA President's Cabinet meetings each week and represent Panther Power at those meetings, delivering a report on the status of all initiatives.
  - Set agenda for and preside over Executive Board Meetings.
  - Handle all collaboration requests and initiatives with other FIU departments and organizations.
  - Build rapport with other Agency Directors & members.
  - Attend scheduled weekly/bi-weekly meetings with the Advisor.
  - Schedule regular one on one meetings with each Executive Board member.

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Assist with the planning and execution of Panther Power events and activities.

Submit to the SGA Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by Panther Power in that semester.

Fulfill a minimum of 10 office hours per week in order to receive their stipend.

### **10.03.8 The Vice Director shall:**

Assume the responsibilities of the Director in their absence.

Oversee the Panther Posse recruitment and selection processes.

Preside over Panther Posse Meetings.

Oversee the planning and execution of athletic affinity activities such as game day buses, tailgates, and pep rallies.

Serve as liaison between Panther Power and Athletics.

Serve as liaison and attend all planning meetings for co-sponsored athletic affinity activities.

Fulfill a minimum of 8 office hours per week in order to receive their stipend.

### **10.03.9 The Treasurer shall:**

Manage the Panther Power budget.

Work directly with the Director regarding the distribution of funds.

Present and record all changes made to the Panther Power budget.

Advise Executive Board on funds when planning events.

Oversee all purchase requests for Panther Power.

Maintain a record of income and expenses for the Panther Power budget and provide reports at scheduled Executive Board meetings.

Work with the Panther Power Director and Advisor to prepare the budget request for the following year.

Fulfill a minimum of 6 office hours per week in order to receive their stipend.

### **10.03.10 The Secretary shall:**

Record and distribute minutes for all Executive Board, Panther Posse, and Programming Committee meetings.

Update and oversee Panther Power inventory log.

Manage Panther Power email and file storage drive.

Maintain Panther Power records, storage, and office.

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Handle all official correspondence of Panther Power regarding events, meetings, and activities.

Manage Panther Power calendar of events.

Prepare and submit attendance reports, audits, and any other required documents.

Fulfill a minimum of 6 office hours per week in order to receive their stipend.

### **10.03.11 The Creative Director shall:**

Serve as marketing and promotions lead for Panther Power

Work with Campus Life Publications to submit requests for flyers and other promotional materials for events.

Promote Panther Power on campus through tabling and via various media outlets.

Update and maintain Panther Power's social media (must post and engage with followers regularly)

Create events on PantherConnect.

Maintain and update Panther Power bulletin board.

Fulfill a minimum of 6 office hours per week in order to receive their stipend.

### **10.03.12 Panther Power utilizes an application and selection process to determine its leadership.**

#### **10.03.12.1 The outgoing Director is responsible for coordinating the application and selection process. In the event that the outgoing Director is an applicant for an E-board or Director Position, the highest-ranking officer not applying for a position will coordinate the process.**

#### **10.03.12.2 The Director, along with the Advisor, will establish a nominations committee to assist with interviews and provide input throughout the process. The committee will consist of: The highest-ranking member of Panther Power leadership not re-applying for consideration, and/or the outgoing Director of Panther Power if not reapplying; A current member of Panther Power not applying for a leadership role; Panther Power's graduate assistant (if applicable); The Panther Power advisor; The Student Body President, or their designee who must be a member of the Executive Branch of SGA; The Student Body President-elect (if applicable), or the Student Body Vice President-elect as their designee.**

#### **10.03.12.3 The nominations committee of Panther Power shall review all applications for Director. It shall then nominate a student to be the Director of Panther Power, through a simple majority vote of all members of the committee. Once the Director nominee has been chosen by the nominations committee, the Student Body President is obligated to immediately pen a letter of appointment for the nominee chosen by the committee, and send this letter of appointment to the SGA Senate Speaker for inclusion on the next Senate agenda.**

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- 10.03.12.4 The Director of Panther Power must be confirmed by a simple majority vote of the SGA Senate. Should the Senate reject a nominee, the nominations committee shall nominate a new student and follow the same process. Once the Senate approves the Director nominee, the nominee shall be considered approved and confirmed.
- 10.03.12.5 To select the rest of the E-board positions, a committee may be established which is not required to include SGA representation, but shall include the newly selected Director if already confirmed by the Senate.
- 10.03.12.6 Appointments shall be finalized by the last day of the Spring semester.
- 10.03.13 Officers of Panther Power shall be subject to removal by the internal Panther Power process or by the SGA Supreme Court.
  - 10.03.13.1 The basis for removal of a Panther Power member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of Panther Power or SGA policies.
  - 10.03.13.2 An accusation may be submitted to the Advisor, in writing, outlining the manner in which the individual did not fulfill their responsibilities.
  - 10.03.13.3 The Director, Vice Directors, and/or Advisor will meet with the individual to have an initial conversation. Together, the Advisor, Director, and accused individual may develop a plan by which the individual can improve their performance in the organization. If there are continued concerns, the Director, Vice Directors, and/or Advisor will inform the individual of their proposed removal from office in writing. For egregious acts, the accusation may move straight to the E-board for a vote.
  - 10.03.13.4 Following 30 days from the time of notice, if the accused individual has not improved their performance, or if an egregious act has been committed, the E-board may vote to remove the officer. A two-thirds (2/3) affirmative vote of the E-board is required to remove the officer.
  - 10.03.13.5 Alternatively, any student may file a Writ of Removal or Writ of Censure against a Panther Power officer at the SGA Supreme Court for a hearing and trial of the officer to determine whether they shall be removed, censured, or acquitted. This shall follow the process outlined for the Judicial Branch in the Student Body Statutes.
  - 10.03.13.6 Should a Panther Power officer be removed, the Director, Advisor, and appropriate Vice Director will determine the timeline by which a replacement will be selected.
  - 10.03.13.7 The Director may appoint any member of Panther Power to fill a vacant position on an interim basis.
- 10.03.14 Vacant positions shall be filled in one of two ways: (1) Applications for open positions shall be posted and the selection process shall be followed; or (2) An Executive Board

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member can nominate a candidate with a majority vote for an immediate interview with the selection committee.

- 10.03.14.1 The Director may appoint any member of Panther Power to fill the position on an interim basis.
- 10.03.14.2 If the Director becomes vacant, one of the Vice Directors (to be determined by the Advisor) shall move in line of succession to the Director, and a new Vice Director shall be selected through the application and selection process. In the event the Vice Director declines, the Director shall be filled by either of the two methods used for vacancy of other positions.
- 10.03.15 Panther Posse
  - 10.03.15.1 Panther Posse will act as the athletic affinity group within Panther Power focused on boosting student attendance at athletic events.
  - 10.03.15.2 Panther Posse will consist of 6 sport committees: Football, Basketball (men's/women's), Soccer (men's/women's), Baseball/Softball, Swim & Dive, and Volleyball (indoor/beach). Members may participate in a maximum of two sport committees per Academic Year.
  - 10.03.15.3 Each sport committee will include a Sport Committee Chair overseeing all other members of the committee. These chairs are appointed by the Vice Director.
  - 10.03.15.4 Panther Posse members must attend at least five (5) athletic events per semester and submit their game attendance to the Vice Director.
  - 10.03.15.5 Panther Power membership is open to any FIU student enrolled as an undergraduate, graduate, or postgraduate student.
  - 10.03.15.6 Panther Posse members must maintain a minimum cumulative GPA of 2.5. GPAs shall be checked at time of initial application, each semester, and at each membership renewal deadline. Panther Posse members must not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct.
  - 10.03.15.7 The responsibilities of Panther Posse members include: Attend Panther Posse Meetings; Attend a minimum of 5 athletic events per semester; Support the marketing and promotion efforts of Panther Power, as needed; and Represent Panther Power through tabling and other campus initiatives.
  - 10.03.15.8 Panther Posse members are accepted on a rolling basis with no interview process, providing they fulfill the requirements set forth in the constitution.
  - 10.03.15.9 A Panther Posse member may be removed once a membership contribution review has been conducted by the Vice Director of Athletics and presented to the Director and Panther Power Advisor.



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- 10.03.15.10 Removal must be for one or more of the following reasons: Failure to carry out the duties specified in Position Description; Violations of the Panther Power Policies and Procedures; Poor conduct and/or illegal behavior.
- 10.03.16 Executive Board Meetings shall be held on a weekly/bi-weekly basis. Day, time, and frequency shall be determined by the Executive Board at the beginning of each semester.
  - 10.03.16.1 Executive Board Members must attend.
  - 10.03.16.2 50%+1 of the voting membership of the Executive Board shall constitute a quorum to conduct business.
  - 10.03.16.3 All absences must be communicated via email at least three (3) days prior (when possible) to the Panther Power Advisor, Director, and Secretary.
  - 10.03.16.4 Missing more than three (3) Executive Board meetings without an approved excuse can result in removal from position, and stipend shall not be processed.
  - 10.03.16.5 Absences shall be considered excused in case of emergencies (health related issue, family emergency, mandatory academic event, etc.)
- 10.03.17 Panther Posse Meetings
  - 10.03.17.1 Shall be scheduled by the Vice Director and held on a bi-weekly basis.
  - 10.03.17.2 The Vice Director will select meeting time based on the availability of In-Season Sport Committee Chairs.
  - 10.03.17.3 The Vice Director of Athletics shall conduct Panther Posse meetings.
  - 10.03.17.4 Sport Committee Chairs will give their weekly reports, and all business regarding athletic affinity shall be discussed.
  - 10.03.17.5 Sport Committee Chairs whose respective seasons are in action must be in attendance.
  - 10.03.17.6 All absences must be communicated via email at least three (3) days prior (when possible) to the Vice Director of Athletics.
  - 10.03.17.7 Sport Committee Chairs are allowed two (2) unexcused absences from Panther Posse meetings during the semester their respective sport is in action. General committee members and Sport Committee Chairs whose sports are not currently in season are exempt from this.
  - 10.03.17.8 Absences shall be considered excused in case of emergencies (e.g., health related issue, family emergency, mandatory academic event, etc.)
- 10.03.18 The advisor for Panther Power shall be appointed by the Campus Life Department. Their service is dedicated to the Executive Board, Panther Posse, Programming Committee, any standing or ad-hoc committees, and Panther Power as a whole. The advisor shall act as a counselor and guide to the Executive Board, and serve as an ex-

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- officio, non-voting member of Panther Power. The advisor must be present at all Executive Board meetings. If the advisor is unable to attend, they must select a Campus Life designee. The advisor has the ability to veto any activity or decision if: It is not in the best interest of the University; Infringes on, or harms student rights; or is an inappropriate use of student fees.
- 10.03.19 Each Executive Board member will receive a stipend for their time in the position. In order to receive stipends from Panther Power, Executive Board members must: Fulfill all duties as outlined in Position Descriptions; Attend required budget workshops, transition meetings, and all other workshops/retreats; Be fiscally responsible; Meet at scheduled times with Panther Power Advisor; Schedule and keep office hours; and Work all mandatory events, and no less than 60% of all other planned events and activities, unless previously excused. Failure to complete duties will result in the withholding of stipends at the discretion of the Advisor.
- 10.03.20 Panther Power is notified of its annual allocation at the conclusion of the SGA Budget Deliberations in the Spring semester.
- 10.03.20.1 Once the Executive Board is selected for the new Academic Year, the Advisor, Director, and Treasurer will meet to determine the Council's budget for the following year. The budget should reflect Panther Power's mission.
- 10.03.21 Co-Sponsorships
- 10.03.21.1 The Director shall oversee all co-sponsorship requests.
- 10.03.21.2 Co-sponsor requests are to be submitted to the Panther Power email, or by completing a co-sponsor request form.
- 10.03.21.3 Requests must be received no later than one month before the date of the event or activity. Failure to do so will result in the request being denied.
- 10.03.21.4 The request should include the date, time, location, budget, and description of the proposed event.
- 10.03.21.5 The proposal will be presented at the next scheduled Executive Board meeting. The proposal requires a majority vote of Executive Board members present to be accepted.
- 10.03.21.6 If accepted, one of the Vice Directors shall schedule a meeting with the co-sponsoring organization (based on the type of event or activity). A detailed co-sponsorship agreement shall be developed outlining what each organization shall be responsible for.
- 10.03.22 Amendments to these statutes may only be made through a bill passed by SGA. However, the Panther Power E-board may recommend changes to these statutes, to be considered by the SGA Senate through the Student Life and Academic Concerns Committee (SLAC) of the SGA Senate.

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### **Section 10.04 - The Homecoming Council**

- 10.04.1 The purpose of the Homecoming Council is to plan, coordinate and execute a variety of events to take place before and during the designated Homecoming Week celebrations as well as any events that take place prior to Homecoming Week. These events will take place on all campuses at Florida International University (FIU), to cultivate Panther Pride for students, faculty, staff, alumni, and the community.
- 10.04.2 No person shall be denied membership in this organization because of race, color, sex, disability, nationality, sexual orientation, or religious affiliation. In addition, the Homecoming Council does not tolerate any form of hazing.
- 10.04.3 The Homecoming Council shall be composed of an Executive Board and Council and committees.
- 10.04.4 The Executive Board shall be comprised of:
- Overall Director
  - Assistant Director of Administration
  - Assistant Director of Communications
  - Assistant Director of Engagement
  - Assistant Director of Finance
  - Assistant Director of Programming
  - Assistant Director of BBC Programming
- 10.04.5 The Council shall be comprised of:
- Court Logistics Chair
  - Internal Public Relations Chair (2)
  - External Public Relations Chair (3)
  - Finance Assistant (3)
  - Programming Assistant
  - Creative Content Chair (3)
  - Social Media Chair (3)
  - Rules and Regulations Chair
  - Event Chair: Roar Report
  - Event Chair: Uncaging
  - Event Chair: Panther's Got Talent

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Event Chair: Taste at the Bay

Event Chair: Caribbean Bash

Event Chair: Family Reunion

- 10.04.6 The Homecoming Council Overall Director, with consultation from the Executive Board and Advisor(s), can create/eliminate council positions.
- 10.04.7 To be eligible to apply and hold office, all officers shall possess (at time of selection and during their term) the minimum requirements regarding enrollment hours, GPA, academic and disciplinary standing, and financial and disciplinary holds to serve in a leadership position as enumerated in the Student Body Constitution for all SGA officials.
- 10.04.7.1 Enrollment for classes in the summer semester is optional; however, members of the council are required to hold office hours, attend meetings, participate in orientation and other activities related to Homecoming during the summer semester.
- 10.04.7.2 To be eligible for Overall Director, candidates must have served on the council in previous years. If there is not a member from a previous council, then an exception will be made, in consultation with the Advisor(s).
- 10.04.8 Executive Board Office
- 10.04.8.1 The terms of office for all Executive Board members shall be three (3) consecutive semesters commencing in the middle of the spring semester and terminating at the end of the Fall semester of the same year.
- 10.04.8.2 The duties applied to all members of the Executive Board members of the Homecoming Council are as follows:
- Attend all Executive Board meetings.
  - Attend all weekly council meetings.
  - Attend all Homecoming Workshops, logistics days, events, and activities.
  - Attend the University-Wide Retreat.
  - Attend the Leadership Summit.
- 10.04.8.3 The Overall Director, in consultation with the Advisor(s) can amend the individual duties of the council members.
- 10.04.9 The duties of the individual Executive Board members are as follows:
- 10.04.9.1 Overall Director
- Shall oversee all Homecoming Directors and Council.
  - Shall oversee all activities and businesses pertaining to Homecoming week and the Council.

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Shall represent the Council and be responsible for all business concerning the Council.

Shall preside over all meetings.

Shall set the meeting dates.

Shall cast the deciding vote if there is a tie in normal voting procedures. Otherwise, he/she shall not vote.

Shall set up weekly meetings with Directors.

Shall meet with and report to the advisor weekly.

Shall work with the advisor to discuss the addition or removal of positions in order to ensure efficiency.

Shall represent the Homecoming Council at any University Committee that requires representation from the Council.

Plan and execute the Homecoming Concert.

Meet Bi-Weekly with Advisors and Assistant Director of BBC Programming to give a detailed report of MMC activities.

Work with an advisor to facilitate trainings.

Serve on the University Homecoming Taskforce.

Establish a stronger connection between the MMC and BBC campuses at FIU.

Plan Concert Reveal.

Manage the council and intern selection process.

Attend all campus partner meetings.

Write and develop timelines and tree of life for all Homecoming events with the help of the AD in charge of events.

Attend SGA President's Cabinet meetings each week and represent Homecoming at those meetings, delivering a report on the status of all initiatives.

Submit to the SGA Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by Homecoming in that semester.

### **10.04.9.2 Assistant Director of BBC Programming**

Attend weekly E-Board and council Meetings.

Overseeing all the Technical & Production aspects of Homecoming at BBC.

Oversees a team of chairs on the BBC campus.

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Facilitate team building workshops and activities for BBC.

Meet Bi-Weekly with Advisors and Overall director to give a detailed report of BBC activities.

Serve as second in command and perform duties of Overall Director in absence.

Hold weekly Committee meetings taking place in the Spring, Summer, and into the Fall.

Oversee the Taste at the Bay Chair, Kick Off Chair, Caribbean Bash Chair, and BBC Family Reunion.

Plan bonding events for e-board and council.

Attend Overall Homecoming workshops.

Liaison for all BBC events for Homecoming (not council specific).

Hold weekly meetings with the advisor.

Attend Taskforce meetings to represent BBC Homecoming events.

### **10.04.9.3 Assistant Director of Administration**

Manage the Homecoming Office and ordering all office supplies.

Plan and execute the entire Court Pageant process, Royal Reunion, and Panthers Got Talent.

Work with Court Logistics Chair, Panthers Got Talent Chair, and Rules & Regulations Chair to review and fix any problems with the Rules & Regulations packet.

Oversee the Court Logistics, Panthers Got Talent Chair, and Rules & Regulations.

Take attendance and oversee the council in absence of the Overall Director.

Shall be responsible for the collection of the Director and Council's weekly reports on time.

Create meeting agendas with reports that are submitted prior to weekly meetings.

Take weekly minute meetings and post them on the Homecoming server and Website.

Oversee and support all aspects of the spirit team process.

Plan bonding events for e-board and council.

The A.D. of Administration will be responsible for attending weekly executive board meetings as well as general council meetings and following through on one-on-ones with respective council members.

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### **10.04.9.4 Assistant Director of Communication**

Oversee all internal and external communications for the Homecoming Council.

Liaison between Campus life Publications and Homecoming Council in regard to the Homecoming Website.

Responsible for managing and updating all external communication outlets such as the Homecoming website, Facebook Page, and Twitter account.

Creates and distributes all Homecoming Press Releases.

Facilitate team building workshops and activities.

Over Social Media Chair (3), Creative Content Chairs (3) (One for event AD: Programming, Admin, BBC Programming).

Oversee all aspects of marketing for Homecoming with Overall Director.

Select and order all giveaways.

Plan bonding events for e-board and council.

The A.D. of Communications will be responsible for attending weekly executive board meetings as well as general council meetings and following through on one-on-ones with respective council members.

### **10.04.9.5 Assistant Director of Finance**

Overseeing all financial aspects of Homecoming.

Working with the finance committee to create and execute an efficient sponsorship packet.

Planning and managing individual budgets for each event/chair.

Continually update the master budget to remain up to date with expenditures.

Liaison between A&S Business Office and Homecoming Council.

Facilitating end of the year banquet including ordering plaques/awards.

Facilitate team building workshops and activities.

Oversee Finance Assistants (3).

Oversee Sponsorship process.

Process all Event Purchase Request and Purchase Request in Panther Connect.

Place all orders for items needed for Homecoming.

Plan bonding events for e-board and council.

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Meet with business services, Student Affairs Development Officer, Athletics Development team.

The A.D. of Finance will be responsible for attending weekly executive board meetings as well as general council meetings and following through on one-on-ones with respective council members.

### **10.04.9.6 Assistant Director of Programming**

Overseeing all the technical & production aspects of Homecoming.

Assist other directors with timelines and logistics for events.

Facilitate team building workshops and activities.

Oversee 2 Event Chairs, and Programming Assistant.

Plan and execute Uncaging, The Roar Report, and Potential Parade.

Plan bonding events for e-board and council.

The A.D. of Programming will be responsible for attending weekly executive board meetings as well as general council meetings and following through on one-on-ones with respective council members.

### **10.04.9.7 Assistant Director of Engagement**

Manage Internal PR Chair (3) (Responsibilities include housing on all campuses, MMC, BBC, I-75, Engineering Campus).

Oversee people marketing both inside and outside the FIU community.

Plan bonding events for e-board and council.

Plan and execute 50 Days to Homecoming at BBC and 100 Days to Homecoming at MMC.

Plan creative ways to get the students engaged and excited for Homecoming.

The A.D. of Engagement will be responsible for attending weekly executive board meetings as well as general council meetings and following through on one-on-ones with respective council members.

### **10.04.9.8 The terms of office for all members of the council shall be three (3) consecutive semesters commencing at the middle of the spring semester and terminating at the end of the Fall semester of the same year.**

### **10.04.9.9 The duties applied to all members of the Homecoming Council are as follows:**

#### **10.04.9.9.1 Attend all weekly meetings.**

#### **10.04.9.9.2 Attend all Homecoming Workshops, logistics days, events, and activities.**

#### **10.04.9.9.3 Attend the University-Wide Retreat.**



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- 10.04.9.9.4 The Overall Director, in consultation with the Advisor(s), can amend the individual duties of the council members.
- 10.04.9.9.5 The duties of the council members are based on contract and Executive Board Assignments.
- 10.04.10 There shall be a member of the Campus Life Staff from Modesto A. Maidique Campus at FIU who shall serve in an advisory capacity to the organization. In addition, there shall be a member of the Campus Life Staff from the Biscayne Bay Campus to serve as a liaison to the Homecoming Council.
- 10.04.11 Quorum, Meetings, and Voting
  - 10.04.11.1 Quorum shall consist of three (3) Executive Board members a simple majority (more than half) of the active council members.
  - 10.04.11.2 Overall Director will abstain from voting unless a tie is present.
  - 10.04.11.3 General Council Meetings shall be held weekly, unless otherwise indicated by the Overall Director.
  - 10.04.11.4 Minutes of the meeting will be posted on the Homecoming Drive weekly.
  - 10.04.11.5 Meetings will be held at the MMC campus, BBC campus, and virtually through Zoom. Members will have the option to choose between attending virtually, or in-person if there is a meeting on campus. The Overall Director, in consultation with the Advisor(s), will determine the schedule.
  - 10.04.11.6 Executive Board meetings will be held weekly, unless otherwise indicated by the Overall Director.
  - 10.04.11.7 The Overall Director may call a meeting when deemed necessary as long as they notify the Council within 48 hours.
- 10.04.12 Any member willing to resign from office shall notify the advisor with a submitted form of communication stating their resignation at least one week prior to the next Council meeting. Executive Board members with the help of the advisor shall appoint a replacement for an empty position.
- 10.04.13 Impeachments and Replacements
  - 10.04.13.1 Officers of the Homecoming Council shall be subject to removal by the internal Homecoming Council process or by the SGA Supreme Court. The basis for removal of a Homecoming Council member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of Homecoming or SGA policies.
  - 10.04.13.2 All officers are expected to complete their duties as assigned to them by the Homecoming Council at FIU's Constitution and Contract, as well as maintaining the standards required by every member and shall only be done after giving the

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individual opportunities to meet expectations. The advisor(s) met with the individual at least once and has given at least one (1) written letter of warning to the officer being considered for removal.

- 10.04.13.3 If the Overall Director is not fulfilling their duties, the Assistant Director of BBC Programming shall preside in their place. This case shall be discussed with the Advisor(s).
- 10.04.13.4 During the impeachment proceedings, the case will be presented. The Overall Director or Executive Board member will be given the opportunity to present their defense before the Council's Advisor.
- 10.04.13.5 Alternatively, any student may file a Writ of Removal or Writ of Censure against a Homecoming Council officer at the SGA Supreme Court for a hearing and trial of the officer to determine whether they shall be removed, censured, or acquitted. This shall follow the process outlined for the Judicial Branch in the Student Body Statutes.
- 10.04.14 The Homecoming Council utilizes an application and selection process to determine its leadership.
  - 10.04.14.1 The outgoing Overall Director is responsible for coordinating the application and selection process. In the event that the outgoing Overall Director is an applicant for a position, the highest-ranking officer not applying for a position will coordinate the process.
  - 10.04.14.2 The Overall Director, along with the Advisor, will establish a nominations committee to assist with interviews and provide input throughout the process. The committee will consist of: The highest-ranking member of Homecoming leadership not re-applying for consideration, and/or the outgoing Overall Director of Homecoming if not reapplying; A current member of Homecoming not applying for a leadership role; Homecoming's graduate assistant (if applicable); The Homecoming advisor; The Student Body President, or their designee who must be a member of the Executive Branch of SGA; The Student Body President-elect (if applicable), or the Student Body Vice President-elect as their designee.
  - 10.04.14.3 The nominations committee of Homecoming shall review all applications for Overall Director. It shall then nominate a student to be the Overall Director of the Homecoming Council, through a simple majority vote of all members of the committee. Once the Overall Director nominee has been chosen by the nominations committee, the Student Body President is obligated to immediately pen a letter of appointment for the nominee chosen by the committee, and send this letter of appointment to the SGA Senate Speaker for inclusion on the next Senate agenda.
  - 10.04.14.4 The Overall Director of Homecoming must be confirmed by a simple majority vote of the SGA Senate. Should the Senate reject a nominee, the nominations committee shall nominate a new student and follow the same process. Once the Senate

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approves the Overall Director nominee, the nominee shall be considered approved and confirmed.

- 10.04.14.5 To select the rest of the E-board positions, a committee may be established which is not required to include SGA representation, but shall include the newly selected Overall Director if already confirmed by the Senate.
- 10.04.15 Amendments to these statutes may only be made through a bill passed by SGA. However, the Panther Power E-board may recommend changes to these statutes, to be considered by the SGA Senate through the Student Life and Academic Concerns Committee (SLAC) of the SGA Senate.

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### **Section 10.05 - The Registered Student Organizations Council**

- 10.05.1 The mission of the Registered Student Organizations Council (RSOC) is to govern, represent, and support the University's undergraduate and graduate student organizations, and honor societies.
- 10.05.2 The RSOC shall have the following responsibilities:
  - 10.05.2.1 Review all requests from new organizations seeking recognition and grant recognition to those that meet RSOC, SGA, and university policies.
  - 10.05.2.2 Review all requests from returning organizations seeking continued recognition, and grant renewed recognition to those that meet RSOC, SGA, and university policies.
  - 10.05.2.3 To initiate programming that brings registered student organizations together, including organization fairs.
  - 10.05.2.4 To enforce and implement the Points System as delineated in the Finance Code.
  - 10.05.2.5 To create the RSO Manual each Summer semester in collaboration with the members of the SGA Finance Committee.
  - 10.05.2.6 To hold regularly scheduled student organization summits, at which all registered student organizations shall be in attendance.
  - 10.05.2.7 Provide resources to student organizations through the Student Organization Resource Center facility.
- 10.05.3 The RSOC shall not make any allocations of funding to any student organization, because that is the responsibility of the Finance Committee of the SGA Senate. However, the Director of RSOC and the Vice Director of Finance for RSOC shall be members of the Finance Committee.
- 10.05.4 RSOC and all registered student organizations will comply with all FIU policies and procedures, including Regulation FIU-2501 (Student Conduct and Honor Code), which defines hazing as: any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into, affiliation with, or the perpetuation or furtherance of a tradition or ritual of any student organization operating under the sanction of the University or other organization or group not officially recognized by the University. Although hazing is typically related to a person's initiation or admission into, or affiliation with a student organization, athletic team (intramural, club or intercollegiate), extracurricular activity or any other University group or organization, it is not necessary to have direct proof that a person's initiation or continued membership is contingent upon participation in the activity for a charge of hazing to be upheld. The actions of active, prospective, former, or associate members (pledges) of a student organization may be considered hazing. Organizational leaders who plan a hazing event will be held responsible even if not in attendance at an event where the hazing occurs. Hazing does

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not include customary athletic events or similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

- 10.05.5 RSOC, in order to comply with the University's anti-discrimination commitment, shall make no discrimination on the basis of gender, race, color, creed, age, religion, disability, national origin, marital status, sexual orientation, parental status, or veteran status.
- 10.05.6 The Executive Board of RSOC shall be composed of:
  - 10.05.6.1 The Director
  - 10.05.6.2 The Vice Director of Finance
  - 10.05.6.2 The Vice Director of Registration
  - 10.05.6.3 The Administrative Director
  - 10.05.6.4 The Marketing Director
- 10.05.7 Student organizations shall have the following rights:
  - 10.05.7.1 The right to be represented at RSOC student organization summits by at least one representative per organization.
  - 10.05.7.2 The right to request a meeting with an RSOC officer and/or Advisor to report instances when an organization's constitution is not being respected, or if there are violations to FIU policy.
  - 10.05.7.3 The right to appeal any sanction or penalty imposed on the organization, including being frozen or rendered inactive. It may be appealed to the SGA Supreme Court, which has the ability to overturn or uphold the decision made by RSOC.
  - 10.05.7.4 Each individual member of every registered student organization has the right to appeal any decision made by the student organization's leadership; it may be appealed to the SGA Supreme Court, which has the ability to overturn or uphold the decision made by the leadership of the student organization.
  - 10.05.7.5 Each individual member of every registered student organization has the right to file a Writ at the SGA Supreme Court to petition for the removal of an officer of the registered student organization. The Supreme Court may hear the case and either acquit, censure, or remove the officer.
- 10.05.8 Special temporary committees can be created to work on specific issues for a determined period of time. The RSOC President can create these committees and appoint their individual committee chairs and members. Appointments must be confirmed by a simple majority of the voting Executive Board Members.
  - 10.05.8.1 Temporary Committees will consist of representatives from the different registered student organizations, and will be overseen by RSOC Executive Board Members.

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- 10.05.9 The requirements to hold an RSOC Executive Board position are as follows:
- 10.05.9.1 The Director must have been part of the RSOC Executive Board for at least 1 year prior to seeking the position. In the case there is no candidate that meets this requirement, this requirement shall be waived.
- 10.05.9.2 All members of the Executive Board shall possess (at time of selection and during their term) the minimum requirements regarding enrollment hours, GPA, academic and disciplinary standing, and financial and disciplinary holds to serve in a leadership position as enumerated in the Student Body Constitution for all SGA officials.
- 10.05.9.3 All members of the Executive Board must be thoroughly knowledgeable of the Student Body Constitution and Statutes, these RSOC statutes, the Points System, the communication system utilized by RSOC, and Robert's Rules of Order.
- 10.05.10 The Director shall have the following duties:
- Preside over the RSOC Executive Board meetings and General Body meetings. Make all necessary arrangements for those meetings, including setting the agenda and conducting the business of the meeting in accordance with the current edition of Robert's Rules of Order and all provisions of the RSOC Constitution and Bylaws.
  - Serve as a member of the Finance Committee of SGA, and attend weekly Finance Committee meetings, voting on all matters pertaining to basic and special allocations.
  - Represent the interests of the RSOC to the administration, faculty and SGA.
  - Attend SGA President's Cabinet meetings each week and represent RSOC at those meetings, delivering a report on the status of all initiatives.
  - Submit to the SGA Senate and the Student Body President, at least once a semester, a detailed report on the actions taken by RSOC in that semester.
  - Attend and prepare a report for weekly meetings with Council Advisor.
  - Create temporary committees and appoint their individual committee chairs and members.
  - Set and maintain a minimum of 5 weekly in-office hours.
  - Maintain clear and constant communication with all executive board members, community delegates and RSOC advisors.
  - Be available upon request.
  - Organize transition period training for new officers.
  - Together with the Vice Director of Finance, the Director is responsible for compiling the annual budget request and presenting it to the SGA Budget Committee.
  - Oversee all E-Board members to ensure that each member is on task.

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### **10.05.11 The Vice Director of Finance shall have the following duties:**

Serve as a member of the Finance Committee of SGA, and attend weekly Finance Committee meetings, voting on all matters pertaining to basic and special allocations.

Implement and enforce the Points System as delineated in the SGA Finance Code, as well as maintain and update any associated forms and “How To” documents.

Keep a monthly record of all points and make them available for organizations to review within a week of the points deadline.

Review all point report submissions to allocate points within one-week of each month’s point deadlines and be available upon request.

Work with ASBO to prepare a funding presentation for President’s Orientation, and create a PowerPoint presentation on the Points System.

Work with the Director to carry out workshops to educate members about the Points System and point submission process.

Maintain contact with CLS liaison for philanthropy/community service projects and workshop attendance sheets.

Maintain contact with the Centers for Student Engagement for all attendance sheets.

Responsible for working together with the Director to compile the annual budget request and present it to the SGA Budget Committee.

Handle all accounts and keep the records of all the budget allocations.

Maintain the RSOC budget.

Notify organizations of all points submission deadlines and SGA Finance Committee deadlines.

Work with the SGA Finance Chair to carry out workshops to educate members about funding.

Carry out official assignments given by the Director.

Must attend all Executive Board meetings and student organization summits unless excused by the Director and Advisor.

Set and maintain a minimum of 5 weekly in-office hours (Directly notifying the Director, 48 hours in advance, about any issues regarding office schedule).

Maintain clear and constant communication with all E-Board members and advisor.

Organize transition period training for new officers.

Provide paperwork records and End-of-Year RSOC Council Evaluation to the new Executive Board Members.

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### **10.05.12 The Vice Director of Registration shall have the following duties:**

Oversee the semesterly process of registration, re-registration, and renewal for all new and returning registered student organizations.

Represent the Director in case the Director must be absent. Meet with the Director and update the Director afterwards.

Assist the Director with duties when required.

Set and maintain a minimum of 5 weekly in-office hours (Directly notifying the Director, 48 hours in advance, about any issues regarding office schedule).

Maintain clear and constant communication with all E-Board members and advisor.

Must attend all Executive Board meetings and student organization summits unless excused by the Director and Advisor.

Carry out official assignments given by the Director.

Be available upon request.

### **10.05.13 The Administrative Director shall have the following duties:**

Maintain contact with CLS for philanthropy/community service projects and workshop attendance sheets.

Maintain contact with the Centers for Student Engagement for all attendance sheets.

Take attendance at student organization summits.

Post all student organization summit minutes within 48 hours of the meeting and provide a copy to the Student Body President.

Send all Executive Board meeting minutes to the RSOC officers and adviser within 48 hours of the executive board meetings.

Establish and maintain all RSOC files and archives.

Collect and manage all officer and advisor information for organizations each semester in an excel sheet.

Create polls/surveys and report results to E-Board.

File all office paperwork appropriately.

Carry out official assignments given by the Director.

Must attend all Executive Board and General meetings unless it is excused by the Director and Advisor.

Set and maintain a minimum of 5 weekly in-office hours (Directly notifying the Director, 48 hours in advance, about any issues regarding office schedule).



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Be available upon request.

Organize transition period training for new officers.

Provide paperwork records and End-of-Year RSOC Council Evaluation to the new Executive Board members.

Collect and update all organization officer and advisor contact information in general email accounts.

Review all Change of Officer and Change and Advisor forms and make necessary updates in contact lists.

Respond to all general emails in a timely manner (within 2 business days).

Tag/Star/Forward emails for the appropriate officer and maintain email inbox.

### **10.05.14 The Marketing Director shall have the following duties:**

Create office flyers if necessary.

Manage the council presence online and in-person.

Run Social Media accounts & Panther Connect.

Oversee PantherNOW article outreach.

Collect all important RSOC news, point opportunities, and other announcements from campus into the Panther Connect-update news, calendar, events, and meetings.

Advise the Executive Board before interviews with the student media.

Coordinate and participate in presentation programs for incoming freshmen and transfers.

Seek information on events that are going on on-campus and work with the Administrative Director to advertise them.

Work with Campus Life Publications office to create flyers for club fair and all other RSOC Events.

Seek important on-campus events that promote RSOC's mission and work with the Administrative Director to get the event information out to E-board members.

Be available to organizations to help and find resources to promote their events.

Work with Campus Life Grad Student to work on monthly organization newsletters where student organizations can see their points tallied.

Carry out official assignments given by the President and Vice-President.

Be available upon request.

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Set and maintain a minimum of 5 weekly in-office hours (Directly notifying the Director, 48 hours in advance, about any issues regarding office schedule).

Maintain clear and constant communication with all E-Board members and advisor.

Must meet frequently with Executive Board members and Advisor.

Plan and carry out club fair each semester.

Plan and carry out a RSOC Meet & Greet/Social event each semester.

Reserve all rooms and necessary AV equipment for meetings and RSOC events.

Maintain contact information of all vendors used for club fair, banquet, and other RSOC events for future reference in PantherConnect.

- 10.05.15 Registered student organizations will be recognized and registered by completing the forms and procedures outlined in the RSO Manual.
- 10.05.16 The quorum for a meeting of the Executive Board is 4/5 of all Executive Board members.
- 10.05.17 RSOC utilizes an application and selection process to determine its leadership.
  - 10.05.17.1 The outgoing Director is responsible for coordinating the application and selection process. In the event that the outgoing Director is an applicant for an E-board or Director Position, the highest-ranking officer not applying for a position will coordinate the process.
  - 10.05.17.2 The Director, along with the Advisor, will establish a nominations committee to assist with interviews and provide input throughout the process. The committee will consist of: The highest-ranking member of RSOC leadership not re-applying for consideration, and/or the outgoing Director of RSOC if not reapplying; A current member of RSOC not applying for a leadership role; RSOC's graduate assistant (if applicable); The RSOC advisor; The Student Body President, or their designee who must be a member of the Executive Branch of SGA; The Student Body President-elect (if applicable), or the Student Body Vice President-elect as their designee.
  - 10.05.17.3 The nominations committee of RSOC shall review all applications for Director. It shall then nominate a student to be the Director of RSOC, through a simple majority vote of all members of the committee. Once the Director nominee has been chosen by the nominations committee, the Student Body President is obligated to immediately pen a letter of appointment for the nominee chosen by the committee, and send this letter of appointment to the SGA Senate Speaker for inclusion on the next Senate agenda.
  - 10.05.17.4 The Director of RSOC must be confirmed by a simple majority vote of the SGA Senate. Should the Senate reject a nominee, the nominations committee shall nominate a new student and follow the same process. Once the Senate approves the Director nominee, the nominee shall be considered approved and confirmed.

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- 10.05.17.5 To select the rest of the E-board positions, a committee may be established which is not required to include SGA representation, but shall include the newly selected Director if already confirmed by the Senate.
- 10.05.18 If a vacancy occurs in the position of Director, then the Vice Director of Finance will automatically become the interim Director until special elections can be held.
- 10.05.19 When a vacancy occurs in any other Executive Board position, it will be filled through a process of nominations and selection through a majority vote of the RSOC E-Board members present in the next meeting, and last until the next official selections.
- 10.05.20 Officers of RSOC shall be subject to removal by the internal RSOC process or by the SGA Supreme Court.
  - 10.05.20.1 The basis for removal of an RSOC member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of RSOC or SGA policies.
  - 10.05.20.2 Any member of the Executive Board who misses or accumulates three (3) unexcused absences of executive board meetings during a semester may be removed by a two-thirds (2/3) vote of the voting members present at an executive board meeting.
  - 10.05.20.3 For any member who fails to complete their duties, they will first receive a verbal warning, then a written warning, and lastly may be removed from the Executive Board by a two-thirds (2/3) vote of the voting members present at an executive board meeting.
  - 10.05.20.4 Alternatively, any student may file a Writ of Removal or Writ of Censure against an RSOC officer at the SGA Supreme Court for a hearing and trial of the officer to determine whether they shall be removed, censured, or acquitted. This shall follow the process outlined for the Judicial Branch in the Student Body Statutes.
- 10.05.21 Amendments to these statutes may only be made through a bill passed by SGA. However, the RSOC executive board may recommend changes to these statutes, to be considered by the SGA Senate through the Student Life and Academic Concerns Committee (SLAC) of the SGA Senate.

## **Appendix 1: The Use of the SGA Logo and Seal**

### **Appendix 1.1 – The SGA Logo**

Appendix 1.1.1 The SGA Logo shall be used by all Student Government members whenever a graphical representation of the Student Government Association is requested or required. The SGA Logo will be provided digitally to SGA members for official use. An image of the Logo is provided below.



### **Appendix 1.2 – The SGA Seal**

Appendix 1.2.1 The SGA Seal shall be used at the discretion of the Student Body President. Its use shall be reserved for formal documents, objects representing the Office of the Student Body President, ceremonial objects, and other uses at the discretion of the Student Body President. The image of the Seal is located below.



**Appendix 2: Documents that have changed the Statutes**

1. Senate Bill 01-001
2. Executive Order 02-010
3. Senate Bill 03-008
4. Senate Bill 04-001
5. Senate Bill 04-009
6. Senate Bill 04-011
7. Senate Bill 04-012
8. Senate Bill 04-013
9. Senate Bill 04-021
10. Executive Order 4-11
11. Executive Order 4-13