

# Constitution and Statutes of the University of Miami Student Government

## *Table of Contents*

<b>Constitution of the University of Miami Student Government .....</b>	<b>1</b>
Preamble .....	1
Article I: General Provisions .....	1
Section 1. Name .....	1
Section 2. Jurisdiction.....	1
Section 3. Organization.....	1
Section 4. Authority .....	1
Section 5. Equal Protection.....	1
Section 6. Members of Student Government.....	1
6-1. Absences .....	1
6-1-1. Excused Absences.....	2
6-1-2. Absence Based Removal .....	2
6-2. Removals from Office .....	2
Section 7. Advisor to Student Government .....	2
Section 8. Non-Discrimination .....	2
Section 9. Responsibility .....	2
Section 10. Proportion of Votes Required to Elect.....	2
10-1. Runoff Elections .....	2
Section 11. Election Dates .....	3
11-1. Runoff Election Dates .....	3
Article II: The Legislative Branch .....	3
Section 1. Senate.....	3
Section 2. Composition of the Senate.....	3
2-1. Academic Constituencies .....	3
2-2. Residential Constituencies.....	3
2-3. Class Constituencies.....	4
2-4. Organizational Constituencies .....	4
2-4.1. Organizational Senators .....	4
2-5. Unique Population Constituencies.....	4
2-6. Liaisons to the Senate.....	4
2-6.1. Liaison from the Graduate Student Association .....	4

2-6.2. Liaison from the Student Health Advisory Committee.....	4
2-7. Senate Reapportionment.....	4
Section 3. Officers of the Senate.....	5
3-1. Speaker .....	5
3-1.1. Rights of Speaker .....	5
3-1.2. Speaker Election.....	5
3-2. Speaker Pro Tempore .....	5
3-2.1. Rights of Speaker Pro Tempore .....	5
3-2.2. Speaker Pro Tempore Election .....	6
3-3. Parliamentarian.....	6
3-3.1. Duties of the Parliamentarian.....	6
3-3.2. Appointment of Parliamentarian.....	6
3-4. Secretary of the Senate .....	6
3-4.1. Duties of the Secretary of the Senate .....	6
3-4.2. Appointment of the Secretary of the Senate .....	7
3-5. Senate Internal Relations Coordinator.....	7
3-5.1. Duties of the Senate Internal Relations Coordinator.....	7
3-5.2. Appointment of the Senate Internal Relations Coordinator.....	7
3-6. The Council of Chairs.....	7
3-6.1. Duties of the Council of Chairs.....	7
Section 4. Powers of the Senate.....	7
Section 5. Meetings.....	8
5-1. Special Meetings.....	8
5-2. Cancellation of Meetings.....	8
Section 6. Senate Procedures .....	8
6-1. Quorum.....	8
6-2. Rights of the Floor.....	8
6-3. Rules of Order .....	9
Section 7. Special Qualifications for Senators to Retain Office.....	9
Article III: The Executive Branch.....	9
Section 1. Definitions.....	9
Section 2. Election, Qualifications and Removal of Executive Officers.....	9
2-1. Selection Process of Assistant Executive Officers.....	10

Section 3. Powers of the President of Student Government .....	10
Section 4. Powers of the Vice President of Student Government.....	11
Section 5. Powers of the Treasurer of Student Government.....	11
Section 6. Executive Board.....	11
6-1. Executive Board Minutes .....	12
6-2. Advice of Executive Board.....	12
6-3. Substitute for Absent Officer.....	12
Section 7. Student Government Actions Requiring External Response .....	12
7-1. Actions Within the Authority of the Office of the Vice President for Student Affairs .....	12
7-2. Referrals of Action outside the Authority of the Office of the University Vice President for Student Affairs .....	12
Article IV: The Judicial Branch.....	12
Section 1. The Supreme Court.....	12
Section 2. Composition.....	12
2-1. Appointment Procedure.....	13
2-1.1. Appointment of Chief Justice.....	13
2-1.2. Appointment of Associate Chief Justice.....	13
2-1.3. Appointment of Associate Justices .....	13
2-1.4. Appointment of Clerk of the Court .....	13
2-2. Term of Office .....	13
2-2.1 Review Process .....	13
Section 3. Qualifications.....	13
Section 4. Conflict of Interest .....	13
4-1. Judicial Recusal .....	13
4-2. Elected Office .....	13
Section 5. Jurisdiction.....	14
5-1. Judicial Decisions.....	14
5-2. Court Opinions .....	14
5-2-1. Advisory Opinions.....	14
5-2-2. Judicial Review.....	14
5-2-3. Supreme Court Decision Appeals.....	14
5-3. Subpoenas.....	14
Section 6. Quorum .....	14

Section 7. Rules of Procedure.....	15
Section 8. Attendance .....	15
Section 9. Records of Decisions .....	15
Section 10. Judicial Administration.....	15
Section 11. Trial Court.....	15
11-1. Trial Court Procedures.....	15
Section 12. Appellate Court.....	15
12-1. Appellate Court Procedures.....	15
Article V: Agencies.....	16
Section 1. Agency Definition.....	16
Section 2. Power of an Agency.....	16
Section 3. Membership of an Agency.....	16
Section 4. Student Government Agencies .....	16
Section 5. Student Government Agencies Purpose.....	16
Article VI: Elections, Qualifications for Office and Vacancies .....	16
Section 1. Proportion of Votes Required to Elect.....	16
Section 2. Elections Commission .....	16
2-1. Jurisdiction.....	17
2-2. Appointment .....	17
2-3. Term of Office .....	17
2-4. Election Codes .....	17
Section 3. Qualifications.....	17
3-1. Verification Authorized.....	17
Section 4. Term of Office .....	17
Section 5.....	18
Section 6. Vacancies .....	18
Article VII: Direct Powers of the Undergraduate Student Body .....	18
Section 1. Referenda .....	18
1-1. Referenda Initiation and Petition.....	19
1-1.1. Restrictions on Constitutional Referendum .....	19
1-2. Referendum Election and Approval .....	19
1-2.1. Constitutional Referendum Approval .....	19
1-2.2. Financial and Initiative Referendum Approval.....	19
1-2.3. Challenge Referendum Approval.....	19

1-3. Expiration of Financial Referenda.....	20
Section 2. Recall Election.....	20
2-1. Election Commission Action.....	20
2-2. Eligible Voters and Limited Disqualification.....	20
2-3. Recall Election Question .....	20
Section 3. Initiative Legislation .....	20
Section 4. Co-Sponsorship.....	20
4-1. Student Government Co-Sponsorship Funding Guidelines.....	21
Article VIII: Impeachment.....	21
Section 1. Impeachment Proceedings .....	21
1-1. Grounds for Charges in Articles.....	21
Section 2. Initiation of Proceedings .....	21
Section 3. Select Commission in Impeachment.....	21
Section 4. High Court of Impeachment and Trial.....	22
4-1. Staff of the High Court .....	22
4-2. Senator Recusal .....	22
4-3. Trial Procedures.....	22
4-3.1. Confidential Evidence and Closed Sessions .....	22
4-4. Deliberation .....	22
4-5. Verdict and Judgment.....	22
Article IX: Amendments and Revisions .....	23
Section 1. Ratification Procedure .....	23
1-1. Finality of Decision .....	23
1-2. Ratification Responsibility .....	23
Section 2. Student Processing of Initiated Amendments or Revisions.....	23
2-1. Senate Action.....	23
2-2. Senate Referral .....	24
Section 3. The Constitutional Revision Commission .....	24
3-1. Initiation of the Commission .....	24
3-2. Members of the Commission.....	24
3-3. Purpose of the Commission.....	24
3-4. Approval .....	24
3-5. Ratification Process .....	25

3-6. Finality of Decision .....	25
<b>Statutes to the Constitution of the University of Miami Student Government.....</b>	<b>26</b>
Chapter I: The Senate.....	26
Title I. Senate Apportionment.....	26
Section 1. Basis of Constituency Populations.....	26
Section 2. Academic and Residential Constituencies .....	26
2-1. Academic Constituency Seat Apportionment .....	26
2-2. Residential Constituency Seat Apportionment .....	26
Section 3. Unique Population Constituencies .....	27
3-1. Unique Population Seat Appointment.....	27
3-2. Unique Population Seat Initiation .....	28
3-3. Unique Population Seat Creation .....	28
Section 4. Organizational Constituencies .....	28
4-1. Organizational Constituency Seat Review .....	28
4-2. Organizational Constituency Seat Creation .....	29
4-3. Minimum Waiting Period .....	29
Title II. Procedures of the Senate as a Legislative Body .....	29
Section 1. Temporary Presiding Officer .....	29
Section 2. Absences from Senate or Senate Committee Meetings .....	29
Section 3. Proxy and Absentee Votes .....	30
3-1. Absentee Voting.....	30
3-2. Quorum .....	30
Section 4. Senate Vacancies .....	30
4-1. Creation of Senate Vacancies.....	30
4-2. Applicant Screening, Interview and Recommendation.....	30
4-3. Senate Action on Senate Vacancies .....	31
Section 5. Legislative Procedures .....	31
5-1. Deadline for Requested Legislative Actions.....	31
5-2. Senate Agenda.....	31
5-3. Senate Legislation .....	31
Section 6. Senate Floor Action .....	33
6-1. Processing Amendments to Submitted Actions .....	33
6-2. Author-Accepted Amendments.....	33
6-3. Confirmation of Appointees.....	33

6-4. Elections of Senate Officers .....	34
Section 7: Senate Procedure on Internal Executive Branch Appointments .....	34
7-1. Senate Procedure on Minor Executive Appointments .....	34
7-2. Senate Procedure on Internal Executive Branch Appointments Made to Fill Vacancies .....	35
Section 8. Voting .....	35
8-1. Rules Governing Roll Call and Secret Ballot .....	35
8-2. Motions for Immediate Vote on the Pending Question .....	35
8-3. Votes of No Confidence .....	35
8-4. Votes on Co-Sponsorships .....	35
Section 9. Voting Privileges of Tardy Senators .....	35
Section 10. Judicial Review of Procedures .....	35
Title III. Duties .....	36
Section 1. Duties of the Senators .....	36
Section 2. Duties of Committee Chairs and Vice Chairs .....	36
2-1. In addition to their duties as a Senator, the duties of Senate committee Vice Chairs shall include, inter alia: .....	36
Title IV. Senate Committees .....	36
Section 1. Standing Committees .....	37
1-1. Definition of an Active Member .....	37
1-2. Committee Designation .....	37
1-3. Committee Establishment .....	37
1-4. Committee Chair Establishment .....	39
1-5. Transmission of Minutes From Committees .....	39
Section 2. Council of Chairs .....	40
Chapter II: The Executive Branch .....	40
Title I. Duties of the Executive Officers and Assistant Executive Officers .....	40
Section 1. Duties of the President .....	40
1-1. Appointments External to Student Government .....	40
1-2. Appointments Internal to Student Government .....	41
Section 2. Regulations on Executive Appointments and Nominations .....	41
2-1. Submission of Designations to the Senate .....	41
2-2. Minor Appointments .....	41
2-3. Acting Appointments .....	41

2-4. Filling Vacancies.....	42
Section 3. Duties of the Vice President .....	42
Section 4. Duties of the Treasurer.....	42
Section 5. Duties of the Assistant Executive Officers .....	43
5-1. Duties of the Director of Academic Affairs .....	43
5-2. Duties of the Director of University Affairs .....	43
5-3. Duties of the Chief of Staff .....	43
5-4. Duties of the Director of Internal Affairs.....	43
5-5. Duties of the Director of Outreach.....	44
5-6. Duties of the Director of Communications .....	44
5-7. Duties of the Director of Diversity, Equity, and Inclusion .....	44
Section 6. Responsibilities of Executive Officers and Assistant Executive Officers .....	44
6-1. Additional Functions.....	44
6-2. Report Required of Officers.....	45
Section 7. Student Government Annual Report.....	45
Title II. Executive Board Councils .....	45
Section 1. Selection and Vacancy Filling for Executive Committee Boards .....	45
1-1 Vacancies .....	45
Section 2. Academic Liaison Council.....	45
2-1. Academic Liaison Council Members.....	45
2-2. Duties of the Academic Liaison Council .....	46
Section 3. Campus Liaison Council.....	46
3-1. Campus Liaison Council Members .....	46
3-2. Duties of the Campus Liaison Council .....	46
Section 4. Outreach Committee .....	47
4-1. Outreach Committee Composition.....	47
4-2. Duties of the Outreach Committee.....	47
Section 5. Board of Communications .....	48
5-1. Board of Communications Composition.....	48
Section 6. First-Year Leadership Council.....	49
6-1. First-Year Leadership Council Composition .....	49
6-2. Duties of the First-Year Leadership Council .....	49
Section 7. Diversity Equity and Inclusion Council.....	50
7-1. Diversity, Equity, and Inclusion Council Members.....	50

7-2. Duties of the Diversity, Equity, and Inclusion Council .....	50
Title III. Executive Absence, Inability or Vacancy .....	51
Section 1. Temporary Executive Function.....	51
1-1. Recess Period Executive Function .....	51
Section 2. Multiple-Vacancy Presidential Succession.....	51
Section 3. Executive Committee Vacancies .....	52
Chapter III: The Judicial Branch.....	52
Title I. Composition of the Supreme Court .....	52
Section 1. Officers of the Court .....	52
Section 2. Appointment Procedure .....	52
2-1. Court Nominations .....	52
2-2. Court Membership Review .....	52
Section 3. Duties .....	52
3-1. Duties of the Chief Justice of the Court.....	52
3-2. Duties of the Associate Chief Justice of the Court .....	53
3-3. Duties of the Clerk of the Court.....	53
Section 4. Removal .....	53
Title II. Judicial Power.....	53
Section 1. Judicial Review.....	53
Section 2. Power of Injunction.....	54
Section 3. Power of Subpoena .....	54
Section 4. Additional Powers.....	54
Section 5. Conclusion .....	54
Title III. Judicial Processes .....	54
Section 1. Voting .....	54
Section 2. Appeals .....	54
Chapter IV: Elections Codes.....	54
Title 1. Elections Commission.....	55
Section 1. Purpose.....	55
Section 2. Composition.....	55
2-1. Chair(s) and Vice Chair Selection.....	55
2-2. Elections Commissioners Selection .....	55
2-3. Ratification.....	55

2-4. Removal or Unexpected Vacancies .....	55
Section 3. Authority .....	55
3-1. Powers of the Elections Commission.....	56
3-2. Responsibilities of the Elections Commission.....	56
Title 2. Voting and Results .....	57
Section 1. Voter Eligibility .....	57
Section 2. Polling Stations .....	57
Section 3. Ballot.....	57
3.1. Ballot – Ticket Appearance .....	57
Section 4. Election Results .....	57
4-1. Election Results Announcement .....	58
Section 5. Electoral Fraud.....	58
Title 3. Candidacy and Referendum .....	59
Section 1. Student Rights & Responsibilities Handbook.....	59
Section 2. Candidacy Requirements .....	59
Section 3. Referenda Campaign Requirements .....	59
Section 4. Application Procedures.....	59
4-1. Filing for Candidacy .....	59
4-2. Formation of a Ticket.....	60
Section 5. Mandatory Candidates Meeting.....	60
Section 6. Slogans, Campaign Names and Graphic Campaign Material.....	60
Section 7. Establishment of a Campaign .....	60
7-1. Soliciting Campaign Supporters or Members .....	61
7-2. Campaign Members .....	61
Section 8. Run-off Election Candidacy .....	61
8-1. Write-In Candidates in Run-off Elections.....	61
Section 9. Withdrawal or Disqualification.....	61
Title 4. Finances.....	61
Section 1. Expenditures .....	61
1-1. Goods and Services .....	62
1-2. Corporate Sponsorship.....	62
Section 2. Financial Report Procedure.....	62
2-1. Financial Report Procedure for Expenditures .....	62

2-2. Financial Report Procedure for Lack of Expenditures.....	62
Section 3. Runoff Election.....	62
Title 5. Campaigning .....	62
Section 1. Campaign Procedures .....	62
1-1. Campaigning Definition.....	63
1-2. Verbal Campaign Definition.....	63
1-3. Graphic Campaign Definition.....	63
1-4. Review of Graphic Campaign Materials.....	63
1-5. Campaign Endorsement .....	63
Section 2. Campaign Ethics .....	64
Section 3. Campaigning Policies .....	64
3-1. Graphic Campaigning Permissible In-Person Locations .....	64
3-2. Graphic Campaigning Prohibited In-Person Locations .....	65
3-3. Graphic Campaigning In-Person Permissible Actions.....	65
3-4. Virtual Graphic Campaigning.....	66
3-5. Graphic Campaigning In-Person and Virtual Prohibited Actions.....	67
Section 4. Run-Off Elections .....	67
Title 6. Violations & Enforcement.....	67
Section 1. Infraction Types .....	67
1-1. Minor Infraction.....	67
1-2. Major Infraction .....	68
1-3. Automatic Disqualification .....	68
Section 2. Elections Commission Procedures.....	68
Section 3. Supreme Court Procedures .....	69
Section 4. Trial Court Procedures.....	69
4-1. Affirmative Rights of the Accused Party .....	70
Section 5. Appellate Court Procedures .....	70
5-1. Automatic Disqualification Considerations .....	71
Section 6. Violations and Penalties.....	71
6-1 Violations of the Student Rights & Responsibilities Handbook.....	71
Title 7. Commission on Elections Codes Revision.....	72
Chapter V. Category 5 .....	72
Title 1. Establishment .....	72
Section 1. Category 5 The Spirit Programming Board (“Category 5”).....	73

Title 2. Membership.....	73
Section 1. Voting Membership .....	73
Section 2. Category 5 Chair .....	73
2-1. Presidential Confirmation .....	73
2-2. Senate Confirmation.....	73
Section 3. Committees .....	73
Chapter VI. ECO Agency .....	73
Title 1. Establishment and Membership .....	73
Section 1. Organization Entities .....	73
Section 2. Voting Membership .....	73
Section 3. ECO Agency Chair .....	74
3-1. Presidential Confirmation .....	74
3-2. Senate Confirmation.....	74
Title 2. ECO Agency Purposes and Functions.....	74
Section 1. ECO Agency Responsibilities.....	74
Chapter VII. What Matters to U .....	74
Title 1. What Matters to U Membership.....	74
Section 1. Composition.....	74
Section 2. Voting Membership .....	74
2-1. Chair Selection .....	75
2-2. Presidential Confirmation .....	75
2-3. Senate Confirmation.....	75
Section 3. Executive Board Selection.....	75
Title 2. What Matters to U Responsibilities.....	75
Section 1. What Matters to U Procedures .....	75
Section 2. Committees .....	76
Section 3. Composition and Purpose of the What Matters to U Planning Committee .....	76
Chapter VIII: Impeachment .....	76
Title 1. Select Commission on Impeachment .....	76
Section 1. Composition.....	76
Section 2. Powers of Select Commission .....	76
2-1. Presentment of Article for Trial .....	77
Title 2. High Court of Impeachment.....	77

Section 1. Trial Procedures .....	77
Section 2. Rules of the High Court of Impeachment .....	77
Chapter IX: Budget & Appropriations of Referendum Monies.....	78
Title I. Student Government Budget.....	78
Section 1. Formulation of the Budget.....	78
1-1. Budgetary Purpose .....	78
1-2. Budget Compilation .....	78
Section 2. Approval of the Budget.....	78
Title 2. Trial Initiatives & Programs Appropriations Committee.....	79
Section 1. Definition of TIPAC .....	79
1-1. TIPAC Membership.....	79
1-2. TIPAC Funds .....	79
1-3. TIPAC Responsibilities and Procedures .....	79
1-4. Power to Override Decisions of TIPAC.....	80
1-5. Termination of TIPAC funding.....	80
Chapter X. Resignations .....	80
Title 1. Resignation Procedures .....	80
Section 1. Definition of Resignation.....	80
1-1. Validity.....	80
1-2. Valid Resignations of Branch Heads .....	80
1-3. Transmittal .....	80
1-4. Graduation and Inauguration.....	81

## **Constitution of the University of Miami Student Government**

### **Preamble**

We, the undergraduate students of the University of Miami, in order to form a more perfect campus, establish equity, ensure academic and social tranquility, provide for the common defense of student interests, and promote the general welfare of students, do ordain and establish this Constitution for the University of Miami Student Government. This Constitution shall be supreme in all matters relating to the internal operation of Student Government.

### **Article I: General Provisions**

#### ***Section 1. Name***

The name of this organization shall be Student Government.

#### ***Section 2. Jurisdiction***

All registered full-time undergraduate students at the University of Miami shall be subject to its Constitution and Statutes.

#### ***Section 3. Organization***

Student Government shall be composed of the Legislative, Executive, and Judicial Branches, Category 5, the Elections Commission, the What Matters to U Agency (WMTU), and the ECO Agency.

#### ***Section 4. Authority***

Student Government is an official representative and agent of the undergraduate student body. It is authorized to represent the needs and wishes of the undergraduate student body and to act as a governing agent in those matters delegated to it by the President of the University or relevant intermediaries.

#### ***Section 5. Equal Protection***

No action by Student Government shall deny any student the equal protection of the provisions of this Constitution nor its Statutes, nor the student's right to vote.

#### ***Section 6. Members of Student Government***

All members of Student Government must maintain a 2.5 GPA, have paid the Student Activity Fee, and be a full-time student. No person shall concurrently hold any two (2) offices, elected or appointed internally to Student Government within or among the Executive, Legislative, and Judicial branches, the Elections Commission, as well as officer positions in other associated agencies with the exclusion of non-officers members on the Elections Commission serving in non-officer positions on other agencies.

##### ***6-1. Absences***

An absence by a member of Student Government shall be defined as the failure to attend a meeting, arriving at a meeting after scheduled starting time at the discretion of the Chair, or leaving a meeting before the Chair of said meeting allows members to depart.

#### 6-1-1. Excused Absences

Absences shall be eligible to be defined as excused given notification of absence to the Chair of said meeting twenty-four (24) hours prior to the scheduled meeting.

#### 6-1-2. Absence Based Removal

Whenever any member of Student Government has been absent from meetings for a total of three (3) unexcused absences or a total of five (5) absences, they shall be automatically removed from Student Government office or position.

#### *6-2. Removals from Office*

Any member removed from either appointed or elected office shall not be allowed to run for or hold office within one (1) year of said removal.

### ***Section 7. Advisor to Student Government***

There shall be at least one Advisor to Student Government appointed by the Vice President for Student Affairs. The advisor(s) will have speaking privileges at Senate meetings, express advisory opinions, provide guidance on University policies and procedures, and may attend meetings of any part of Student Government. Advisor(s) shall be responsible, at minimum, for continuity of Student Government history, management of ballots and election processes, management of Student Government financial accounts, and verification of student eligibility. Advisor(s) have the right to remove a Student Government member from their position if they are found to not meet grade point average requirements or have violated University policy including but not limited to the Student Rights and Responsibilities Handbook upon consultation with the Dean of Students Office or Vice President for Student Affairs.

### ***Section 8. Non-Discrimination***

Neither Student Government nor its members shall discriminate on the basis of race, color, sexual orientation, religion, sex, national origin, age, physical handicap, marital status, veteran's status, gender identity, gender expression, political affiliation, religious affiliation or any other discriminatory factor, real or perceived, in any of its policies, procedures, or practices.

### ***Section 9. Responsibility***

Student Government shall comply with all University of Miami policies and procedures, including but not limited to, those policies set forth in the Student Rights and Responsibilities Handbook, The Student Organization Handbook, COSO Guidelines, and if applicable, SAFAC guidelines, as well as all local, state, and federal laws.

### ***Section 10. Proportion of Votes Required to Elect***

Chief Executive Officers shall be elected by a majority vote. In all other elections, a plurality shall prevail, unless otherwise stipulated.

#### *10-1. Runoff Elections*

When an elected Executive Committee office requiring a majority vote has no candidate obtaining a majority, the two highest-placed candidates shall enter into a runoff. Further, if the

second-highest candidate position is tied, the candidates shall enter into a separate runoff to determine which shall be declared the second-highest candidate. Should any runoff election result in a tie, voting shall be extended for twenty-four hours (24). In the case of Senate elected officer positions, voting shall be postponed until the following meeting.

### ***Section 11. Election Dates***

Election for all offices filled by vote of the undergraduate student body shall take place in the designated semester at least four (4) weeks prior to the beginning of that semester's final examination period. The Senate shall enact specific dates at least four (4) weeks prior to the proposed dates for a given election.

#### ***11-1. Runoff Election Dates***

In the case of a tie vote on the initial ballot, or in the case of an Executive Office when no candidate has obtained a majority, a runoff election shall be conducted within seven (7) days of the initial ballot.

## **Article II: The Legislative Branch**

### ***Section 1. Senate***

The legislative power of Student Government shall be vested in the Senate.

### ***Section 2. Composition of the Senate***

The Senate shall be composed of Senators representing the following constituencies:

#### ***2-1. Academic Constituencies***

Academic constituencies shall consist of the following undergraduate academic schools of the University:

1. College of Arts and Sciences
2. Miami Herbert Business School
3. School of Education and Human Development
4. College of Engineering
5. School of Architecture
6. Frost School of Music
7. School of Nursing and Health Studies
8. School of Communication
9. Rosenstiel School of Marine, Atmospheric, and Earth Science

#### ***2-2. Residential Constituencies***

The apportionment of residential seats shall be consistent with the current proportion of students living in university residential areas and off campus housing. Residential constituencies shall consist of the following areas of residency:

1. Stanford Residential College
2. Eaton Residential College
3. Pearson Residential College
4. Mahoney Residential College

5. Fraternity Row Residence Area
6. University Village
7. Lakeside Village
8. Commuter Students

### *2-3. Class Constituencies*

There shall be two (2) Senators elected by each undergraduate class. Class shall be based on the number of years at the University of Miami. Transfer students will vote based on credits.

### *2-4. Organizational Constituencies*

Any undergraduate student organization that is a COSO-registered University student organization, receives funding from SAFAC, and demonstrates substantive needs currently unmet by the Senate shall be entitled to full voting representation on behalf of its constituency in the Senate, provided said organization shall follow the procedure set forth within the Statutes.

#### 2-4.1. Organizational Senators

Each organization receiving Senate representation as listed in these Statutes shall be entitled to no more than one (1) seat in the Senate and shall be subject to Senate requirements. Each organization shall elect or appoint its representative for an annual term in the Senate.

### *2-5. Unique Population Constituencies*

Any undergraduate student population, not related to class, school, or residency, that is overseen by an official department of the University and demonstrates substantive need currently unmet by the Senate shall be entitled to full voting representation on behalf of its constituency in the Senate, provided said unique population shall follow the procedure set forth within the Statutes.

### *2-6. Liaisons to the Senate*

The Senate shall include liaisons as follows. Except for voting in the Senate and in committee and acting as a committee chair, liaisons shall have all the privileges of the Senate, including committee membership.

#### 2-6.1. Liaison from the Graduate Student Association

The President of the Graduate Student Association shall be invited to appoint one (1) liaison immediately following the annual spring semester elections for a period of one (1) calendar year.

#### 2-6.2. Liaison from the Student Health Advisory Committee

The President of the Student Health Advisory Committee (SHAC) shall be invited to appoint one (1) liaison immediately following the annual spring elections for a period of one (1) year.

### *2-7. Senate Reapportionment*

Academic and residential constituencies shall be reapportioned annually, coordinated by the Speaker of the Senate, upon the release of the latest University of Miami student enrollment data from the Office of the Registrar. Any student whose office is affected by the reapportionment may complete the normal term.

### **Section 3. Officers of the Senate**

All Officers of the Senate must meet the qualifications stated in [Article VI, Sections 4](#) and [5](#) of this Constitution.

#### **3-1. Speaker**

The Senate shall be chaired by the Speaker, selected by the Senate, from the undergraduate student body at-large for an annual term.

##### **3-1.1. Rights of Speaker**

The Speaker of the Senate shall:

1. Have all the rights of the floor.
2. Have no vote except in times when the Senate sits as the High Court of Impeachment.
3. Preside over all Senate meetings as Chair.
4. Appoint standing or ad hoc committees of the Senate as the student or the Senate may deem necessary for the functioning of the Senate.
5. Designate appointments to fill vacancies in the Senate as provided for in the Statutes.
6. Require reports from the committees and commissions that they may deem necessary for the functioning of the Senate.
7. Have the right to request reports from all other branches and agencies of Student Government.
8. Notify Senators of meetings, prepare an agenda, and distribute said agenda and previous week's minutes at least five (5) hours before Senate meetings.
9. Appoint a representative from the Legislative Branch to serve on the Trial Initiatives & Programs Appropriations Committee (TIPAC).
10. Submit a budget proposal to the Treasurer for the Legislative Branch at the written request of the Treasurer.
11. Have the right to make the external appointment of one (1) Student Government representative to the University of Miami Faculty Senate

##### **3-1.2. Speaker Election**

The Senate shall elect a Speaker by written ballot at the third Senate meeting following the final announcements of all spring election results, including any runoff elections. The Speaker shall be elected by a majority (fifty percent plus one) of the Senate seats filled at said time of elections. A quorum shall be required to elect a Speaker.

#### **3-2. Speaker Pro Tempore**

There shall be a Speaker Pro Tempore who shall serve for an annual term.

##### **3-2.1. Rights of Speaker Pro Tempore**

The Speaker Pro Tempore shall:

1. Preside in the Speaker's absence as Chair.
2. Maintain rights as a Senator.
3. Have speaking rights to the floor ahead of all members of the Senate barring the Speaker.
4. Preside over the Council of Chairs.
5. Maintain the attendance rolls of the Senate.

6. Expel any Senator from office who accumulates three (3) unexcused absences or five (5) total absences per semester from Senate, primary committee meetings, and Council of Chairs meetings, if applicable.

### *3-2.2. Speaker Pro Tempore Election*

At a meeting of the new Senate, following the annual spring election and no later than the end of the spring semester, the Senate shall elect by written ballot a Speaker Pro Tempore. The Speaker Pro Tempore shall be elected by a majority (fifty percent plus one) of the Senate seats filled at said time of elections. A quorum shall be required to elect a Speaker Pro Tempore.

### *3-3. Parliamentarian*

There shall be a Parliamentarian.

#### 3-3.1. Duties of the Parliamentarian

The Parliamentarian shall:

1. Have authority in the Senate on procedure.
2. Act as an advisor in regards to Robert's Rules of Order.
3. Act as an advisor to the Senate in regards to issues on the constitutionality of Senate actions and procedures.
4. Have no vote except in those cases provided for in the latest edition of Robert's Rules of Order, Newly Revised.
5. Maintain for all Senate meetings a copy of the most recently updated Constitution, Statutes, and Robert's Rules of Order.
6. Train each Speaker of the Senate on Robert's Rules of Order within the first two weeks of their appointment.
7. Act as liaison between the Judicial and Legislative Branches.

#### 3-3.2. Appointment of Parliamentarian

The Chief Justice of the Supreme Court shall fill the role of the Parliamentarian. In the case of an absence of the Chief Justice, they may designate another member of the court to fill the role of Parliamentarian.

### *3-4. Secretary of the Senate*

There shall be a Secretary of the Senate.

#### 3-4.1. Duties of the Secretary of the Senate

The Secretary of the Senate shall:

1. Maintain current records for the use of the Senate, including but not limited to minutes, voting records, and records of the Executive, Legislative and Judicial branches and of independent agencies.
2. Certify Senate minutes with the Speaker and Parliamentarian.
3. Perform such additional duties as the Speaker or the Senate shall request.
4. Send meeting minutes to all of the Senate within three (3) days after weekly meetings.

### 3-4.2. Appointment of the Secretary of the Senate

The Speaker shall appoint the Secretary of the Senate.

### *3-5. Senate Internal Relations Coordinator*

There shall be a Senate Internal Relations Coordinator.

#### 3-5.1. Duties of the Senate Internal Relations Coordinator

The Senate Internal Relations Coordinator shall:

1. Meet with all newly elected or appointed Senators, who have not held a Senate seat in the past, to explain all Senate Floor motions and procedures.
2. Review the University of Miami Student Government Constitution and Statutes, in their entirety, with all newly elected or appointed Senators, who have not held a Senate seat in the past.
3. Explain the process of Committee policy and bill writing with all newly elected or appointed Senators, who have not held a Senate seat in the past.
4. Work to promote a communicative and collaborative environment within the Senate.

#### 3-5.2. Appointment of the Senate Internal Relations Coordinator

The Speaker shall appoint the Senate Internal Relations Coordinator from the presently elected senators, excluding the other Officers of the Senate.

### *3-6. The Council of Chairs*

There shall be a Council of Chairs representing the committees of the Senate.

#### 3-6.1. Duties of the Council of Chairs

The Council of Chairs shall:

1. Report to the Speaker and Speaker Pro Tempore of the Senate.
2. Oversee their respective committees and projects.
3. Attend regular meetings with the Speaker Pro Tempore.
4. Conduct interviews for vacant Senate seats.
5. Complete other duties and responsibilities as outlined by the Statutes and/or those deemed necessary for the functioning of Student Government by the Speaker and/or Speaker Pro Tempore.
6. Not be considered a committee.

### ***Section 4. Powers of the Senate***

The Student Senate shall have power, within the framework of other University policy, to:

1. Propose referenda to the University Vice President for Student Affairs.
2. Approve the budget of Student Government.
3. Provide a formal means of communication between the constituency and their respective senator.
4. Override a veto of the Student Government President by a two-thirds (2/3) majority of the Senators present and voting.
5. Ratify all appointments, by a majority of all present and voting Senators or greater if otherwise stipulated, to the offices or positions of:

- a. Senator
  - b. Supreme Court Justice
  - c. Agency Chair
  - d. Assistant Executive Officer
6. Establish procedures for the execution of its business.
  7. Advise and consent to procedures and regulations governing Student Government elections.
  8. Establish any independent committee, commission, agency, board, or organization it may deem necessary for the functioning of Student Government.
  9. Take authorized actions necessary and proper to make recommendations to promote the general welfare of the undergraduate student body concerning any facet of undergraduate student life at the University.
  10. Review organizational appeals of the decisions of the Student Activity Fee Allocation Committee (SAFAC) and make recommendations to the University administration as needed.
  11. Overrule an allocation or the withdrawal of funds by the Trial Initiatives & Programs Appropriations Committee (TIPAC).

### ***Section 5. Meetings***

The Senate shall hold weekly meetings at a designated time and place during the fall and spring terms, and once set for a given academic year, may not be changed for any reason without concurrence of three-fourths (3/4) of those Senators present and voting.

#### ***5-1. Special Meetings***

The Speaker, or in the Speaker's absence, the President at the Speaker Pro Tempore's consent, shall, on the petition of five (5) Senators, call a special meeting. The agenda for such a meeting shall be distributed when the meeting is called.

#### ***5-2. Cancellation of Meetings***

A regular meeting of the Senate may be cancelled at the discretion of the Speaker of the Senate.

### ***Section 6. Senate Procedures***

All records of Student Government shall be available upon request at the mutual convenience of the Senate and any member of the University community requesting access, at the discretion of the Speaker of the Senate.

#### ***6-1. Quorum***

A majority of the occupied Senate seats shall constitute a quorum to do business. The Senate, in the absence of a quorum in formal meeting, may meet as a Committee of the Whole. Any action taken shall be a nonbinding recommendation which must be re-voted once a quorum is reached.

#### ***6-2. Rights of the Floor***

The rights of the floor at Senate meetings shall be allotted in the following order of preference:

1. Officers of the Senate
2. Senators

3. Senate Liaisons
4. Advisor(s) to Student Government
5. President
6. Vice President
7. Treasurer
8. Assistant Executive Officers
9. Agency Chairs or their designees
10. Justices of the Supreme Court
11. All other members of Student Government

No other person shall have speaking privileges at the Senate unless invited by an active Senator and approved by the Speaker of the Senate.

### *6-3. Rules of Order*

Unless a defined rule in the Constitution, Rules of Order, or Standing Rules of Student Government states otherwise, the Senate shall be governed by Robert's Rules of Order, Newly Revised. In a situation whereby the Rules of Order fail to answer a question of procedure, the Senate Parliamentarian shall be the final authority.

### *Section 7. Special Qualifications for Senators to Retain Office*

Any Senator who represents an Academic Class, Organization, Academic, Residential, or Unique Population constituency, as defined in [Section 2-1.](#), [2-2.](#), [2-3.](#), [2-4.](#), and [2-5.](#) of this Article, must reside in or be a member of the constituency which the senator represents throughout the term of office, excluding the period between the start of the fall semester and fall elections. Otherwise the student shall be automatically removed from said office.

## **Article III: The Executive Branch**

### ***Section 1. Definitions***

The supreme executive powers of the undergraduate student body as an entity shall be vested in three (3) Chief Executive Officers:

1. The President
2. The Vice President
3. The Treasurer

The term "Assistant Executive Officers" shall refer to the Director of University Affairs, Director of Academic Affairs, Director of Outreach, Director of Internal Affairs, Chief of Staff, Director of Communications, and Director of Diversity, Equity, and Inclusion, jointly, whenever it is used. Chief Executive Officers and Assistant Executive Officers shall be collectively referred to as the Executive Committee.

### ***Section 2. Election, Qualifications and Removal of Executive Officers***

The three (3) Chief Executive Officers shall be elected from the undergraduate student body at-large at the annual spring semester elections. Each shall meet and maintain qualifications stated in [Article VI, Sections 4. and 5.](#) of this Constitution. No Chief Executive Officer may be removed from office except by impeachment and conviction, recall or disqualification.

### *2-1. Selection Process of Assistant Executive Officers*

All Assistant Executive Officer positions shall be available to any undergraduate student at the University of Miami who can meet and maintain the qualifications stated in [Article VI, Section 3](#) of this Constitution. All those applying to an Assistant Executive Officer position shall be subject to an application and interview process of the Chief Executive Officers' making following the annual spring semester elections to serve for a period of one (1) calendar year.

### **Section 3. Powers of the President of Student Government**

The President of Student Government shall have the power to:

1. Make recommendations to the Senate and transmit reports from executive agencies and officeholders to the Senate.
2. Issue orders to and require reports from officeholders and agencies in the Executive branch.
3. Enforce and administer the provisions of this Constitution and actions enacted thereto.
4. Recommend approval of expenditure requests for forwarding to the appropriate account signatory and sign forms for expenditure on all University accounts relating to Student Government. Failure to approve or sign shall constitute a veto of expenditure, and the President of Student Government shall transmit to the Senate such an expenditure item with the reasons for veto within five (5) days of the initial expenditure request.
5. Call and preside at meetings of the undergraduate student body.
6. Approve actions of legislative nature under the jurisdiction of the executive and legislative branches, enactments or amendments of the Student Government Statutes, or resolutions of the Senate.
7. Veto actions of legislative nature under the jurisdiction of the executive and legislative branches, enactments or amendments of the Student Government Statutes, or resolutions of the Senate. Veto power can only be exercised within ten (10) days after the action is approved by the Senate and is delivered to the Office of the President of Student Government. Failure by the President of Student Government to veto or approve the legislation within those ten (10) days shall constitute approval and such actions shall become effective. If an action is vetoed, the President shall transmit to the Senate such action with the President's signature and a recorded reason for the veto, via email to the Speaker, Speaker Pro Tempore, and all authors and sponsors of the vetoed action.
8. Establish by executive order such subsidiary bodies and positions deemed necessary and proper by the President in the performance of their duties, specifying the purpose, composition, qualifications for service and authority of the same. The President may similarly establish such positions and bodies in the Executive departments as requested by the appropriate officers of the Executive Branch. Appointments to such positions, as well as any other Assistant Executive Officers, shall be subject to confirmation via ratification by the Senate. The Senate may enact regulations on such positions and bodies by actions internal to Student Government as it may deem proper.
9. Serve as an ex-officio member of all Executive Branch committees.
10. Represent the University of Miami undergraduate student body in all matters dealing with the faculty, administrative officers, and the Board of Trustees of the University and with individuals or groups from other universities. The President may delegate their authority in whole or in part to designated representatives, who shall be subject to the advice,

consent and confirmation of the Senate. Such representation, however, excludes any financial, legal, contractual or other similar agreements, which would be binding.

11. Present to the Senate, at least once a semester, a State of the University address.
12. Appoint a representative from the Executive Branch to the Trial Initiatives & Programs Appropriations Committee (TIPAC).
13. Submit a budget proposal to the Treasurer for the Executive Branch at the written request of the Treasurer.
14. Hold all other such powers as appropriate to execute and administer the provisions of this Constitution, as may be specified elsewhere in this document, and all actions pursuant thereto.

#### ***Section 4. Powers of the Vice President of Student Government***

The Vice President of Student Government shall:

1. Act as President of Student Government in the case of the absence or incapacitation of the same, exercising all duties of the Office of the President of Student Government.
2. Serve as the designated representative of the President of Student Government when requested by the President of Student Government and perform such duties for the President of Student Government as are mutually determined.
3. Act as Chair of the First-Year Leadership Council (FLC).

#### ***Section 5. Powers of the Treasurer of Student Government***

The Treasurer of Student Government shall:

1. Report monthly, to the President of Student Government, the Executive Committee, and Senate on fiscal matters and on all transactions related to the Student Government budget.
2. Approve any use of the Student Government budget.
3. Compile a budget for Student Government to be presented and ratified by the Senate annually.
4. Serve as the non-voting Chair of TIPAC.
5. Perform other duties charged to them as the President or Speaker of the Senate shall request.
6. Serve as the Student Government SAFAC Delegate.
  - a. In the instance of the Treasurer's inability to attend SAFAC meetings, they may appoint an active member of Student Government to serve as the Delegate in their stead two months prior to the beginning of the Delegate's slated term.
  - b. Any appointee proffered by the Treasurer to the position of Student Government SAFAC Delegate must be subject to the approval of the current SAFAC Chair.

#### ***Section 6. Executive Board***

The Executive Board shall be composed of the President as Chair, the Vice President, the Treasurer and the Assistant Executive Officers, the Speaker of the Senate, the Speaker Pro Tempore, the Chief Justice, and the agency chairs. It shall meet and carry out actions in formal meetings or by informal consultation, such matters delegated by executive authority. It shall meet no less than once every two (2) weeks. All members of the Executive Board shall maintain a 2.75 GPA.

*6-1. Executive Board Minutes*

Minutes shall be kept of all meetings by the Chief of Staff.

*6-2. Advice of Executive Board*

The Executive Board or its members may advise the President of Student Government on any matter or duty under their authority. The Executive Board may also advise any individual officer of the Committee on matters under their authority.

*6-3. Substitute for Absent Officer*

In the event that an Executive Officer is unable to attend the Executive Committee, they may, at the President of Student Government's discretion, send a substitute representative from their board.

***Section 7. Student Government Actions Requiring External Response***

The President of Student Government or the Speaker of the Senate shall transmit to the University Vice President for Student Affairs all legislative or executive actions external to Student Government, unless such actions are vetoed within ten (10) days.

*7-1. Actions Within the Authority of the Office of the Vice President for Student Affairs*

The Vice President for Student Affairs shall render a decision as to the implementation of the action to the President of Student Government and the Speaker of the Senate within thirty (30) days of action receipt. The Vice President for Student Affairs may inform them in writing within such time that an extension of time is needed, citing reasons and an estimated date of response.

*7-2. Referrals of Action outside the Authority of the Office of the University Vice President for Student Affairs*

For actions requiring implementation outside of Student Affairs, the Vice President for Student Affairs shall refer the action to the appropriate office or agency and provide notification of referral within thirty (30) days of receipt. The referrer will then notify the Vice President for Student Affairs when a decision has been made, or at most before the conclusion of an academic semester, and the Vice President shall then inform the President of Student Government and Speaker of the Senate.

**Article IV: The Judicial Branch**

***Section 1. The Supreme Court***

Supreme judicial powers in this Constitution shall be vested in the Supreme Court.

***Section 2. Composition***

The Supreme Court shall consist of nine (9) justices and a Clerk of the Court. The nine (9) justices shall include:

1. Chief Justice
2. Associate Chief Justice
3. Associate Justice(s)
4. Clerk of the Court

## *2-1. Appointment Procedure*

### 2-1.1. Appointment of Chief Justice

The President of Student Government shall appoint the Chief Justice. The President shall have final authority in appointing a Chief Justice but must request the advice of the Court.

### 2-1.2. Appointment of Associate Chief Justice

The appointment of the Associate Chief Justice shall be at the discretion of the Chief Justice and shall occur each semester.

### 2-1.3. Appointment of Associate Justices

The appointment of Associate Justices shall be at the discretion of the Chief Justice.

### 2-1.4. Appointment of Clerk of the Court

The appointment of the Clerk of the Court shall be at the discretion of the Chief Justice and shall occur each semester.

## *2-2. Term of Office*

A Justice shall retain office unless the student is impeached and removed, resigns, leaves the undergraduate schools of the University, fails to meet the qualifications set forth in Section 3 of this Article, or is not retained following the annual review by the Chief Justice.

### 2-2.1 Review Process

Once per academic year, the Chief Justice may initiate a one (1) week review process for current members of the Supreme Court in order to determine if each Justice will remain on the Court for the following year. At the discretion of the Chief Justice, a call for applications shall be publicized to the student body at large following the one (1) week review period.

## ***Section 3. Qualifications***

Each Justice of the Supreme Court shall be a full-time undergraduate student studying at the University of Miami campus maintaining a minimum 2.5 cumulative grade point average at the time of nomination to the Court. The Chief Justice shall maintain a 2.75 GPA.

## ***Section 4. Conflict of Interest***

Justices must remain fair and impartial throughout all Student Government elections.

### *4-1. Judicial Recusal*

If due to position or affiliation, a Justice cannot render a fair and impartial decision, the Justice shall abstain from any judicial participation on such matters being heard.

### *4-2. Elected Office*

A Justice must resign from office prior to filing a declaration of candidacy for any elected office or prior to nomination to any appointed office under this Constitution.

## ***Section 5. Jurisdiction***

The Supreme Court shall have judicial responsibility and authority. The decisions of this Court shall be binding upon candidates and officeholders of Student Government.

### ***5-1. Judicial Decisions***

The Court shall render judicial decisions enforcing and interpreting the provisions of this Constitution and determining those cases and controversies relating to enforcement and interpretation of this Constitution which are referred to it by any member of Student Government, except as to those cases and controversies arising related to impeachment proceedings, which shall remain under the jurisdiction of the Select Commission on Impeachment and the Senate.

### ***5-2. Court Opinions***

The Supreme Court may, at its discretion, issue opinions, which involve interpretation of this Constitution and its Statutes.

#### **5-2-1. Advisory Opinions**

Requests for Advisory Opinions by the Court must be made to the Chief Justice. A written request by email is required. Requests for Advisory Opinions may be anonymous. Upon receipt of the request, the Court has 10 class days to reject or return the Advisory Opinion with the judicial review.

#### **5-2-2. Judicial Review**

Requests for Judicial Review of legislation passed through the Student Government Senate or actions of Executive Officers are required to be in writing and submitted to the Chief Justice and Clerk of the Court.

#### **5-2-3. Supreme Court Decision Appeals**

Requests from appellate hearings regarding Supreme Court decisions must be made in writing, submitted to the Chief Justice and Student Government Advisors, and meet the criteria prescribed in the Student Government Constitution and Statutes.

### ***5-3. Subpoenas***

The Supreme Court shall have the authority to issue such subpoenas or writs to any undergraduate student. The enforcement of subpoenas issued under this Article or the Statutes shall be referred for appropriate disciplinary action through the Dean of Students Office (DOSO), under the controlling disciplinary authority.

## ***Section 6. Quorum***

Quorum of the Supreme Court shall be required to transact any Court business other than the Trial Court. Quorum for all such business shall consist of a minimum of two-thirds (2/3) of current Justices, including the Chief Justice. Quorum for Trial Court business shall consist of three (3) members of the Trial Court. In the absence of or when there is a vacancy in the position of Chief Justice, the Associate Chief Justice shall serve as acting Chief Justice.

### ***Section 7. Rules of Procedure***

The Supreme Court is authorized to make and amend rules of procedure for the Court, provided such rules shall not conflict with any provisions of this Constitution and of the Statutes. Such rules shall require the concurrence of five (5) Justices for adoption and shall be transmitted to the Senate five (5) days following adoption. The Court may recommend amendments to the Statutes which affect or govern Court procedures.

### ***Section 8. Attendance***

All Supreme Court Justices shall attend all meetings of the Court. Any Justice who accumulates five (5) total absences or two (2) unexcused absences within the period of a semester shall be disqualified and removed automatically from office.

### ***Section 9. Records of Decisions***

The Court shall transmit written copies of all decisions rendered to the Student Government website and Speaker of the Senate.

### ***Section 10. Judicial Administration***

The Supreme Court is authorized to establish such positions, giving their function, qualification and duties, as it determines to be appropriate for the operations of the Judicial branch of Student Government.

### ***Section 11. Trial Court***

At the discretion of the Chief Justice, the Supreme Court may hold formal trials in order to resolve constitutional and statutory issues and inconsistencies. The Trial Court shall have original jurisdiction in the hearing of Elections Codes violations.

#### ***11-1. Trial Court Procedures***

The Trial Court shall adhere to Article I, IV, VI, and VIII of the [Federal Rules of Evidence](#).

### ***Section 12. Appellate Court***

Following the conclusion of a Court decision, a guilty party has the right to seek an appeal, within 24 hours of written decision, for one of the following reasons:

1. The procedures of or leading to decisions were in violation of this Constitution or these Statutes.
2. The penalty does not properly reflect the severity of the violation.
3. New evidence has become available that would significantly alter the outcome.

#### ***12-1. Appellate Court Procedures***

The Appellate Court shall adhere to procedures outlined within these Statutes, of which the greatest is that the Justices who serve did not serve within the original hearing. The composition of the Appellate Court shall be at the discretion of the Chief Justice.

## **Article V: Agencies**

### ***Section 1. Agency Definition***

An Agency shall be defined as a group or organization that exists for a specific purpose that is not addressed by the Executive, Legislative, or Judicial Branch.

### ***Section 2. Power of an Agency***

A Student Government Agency shall have authority over their makeup, goals, and procedures as outlined within the Statutes.

### ***Section 3. Membership of an Agency***

Any individual who is a member of an Agency shall be considered a member of Student Government. As such, all agencies members must abide by the membership requirements outlined in [Article 1. Section 6.](#) of this Constitution.

### ***Section 4. Student Government Agencies***

Student Government Agencies include:

1. Elections Commission
2. Category 5
3. ECO Agency
4. What Matters to U

### ***Section 5. Student Government Agencies Purpose***

Student Government Agencies shall exist to serve the following purposes.

1. Elections Commission shall have primary jurisdiction over student body elections.
2. Category 5 shall have primary jurisdiction over Student Government's relationship with University Athletics and associated athletic programming or initiatives to build University spirit.
3. ECO Agency shall have primary jurisdiction over environmentally conscious and sustainable programming, initiatives, and associated projects.
4. What Matters to U shall have primary jurisdiction over large-scale discussion-based or out-of-the-classroom engagement opportunities for the student body.

## **Article VI: Elections, Qualifications for Office and Vacancies**

### ***Section 1. Proportion of Votes Required to Elect***

Chief Executive Officers shall be elected by a majority vote. In all other elections, a plurality shall prevail, unless otherwise stipulated.

### ***Section 2. Elections Commission***

The Elections Commission shall be an agency with its composition and authority determined by the Statutes.

*2-1. Jurisdiction*

Jurisdiction shall include all elections conducted under this Constitution.

*2-2. Appointment*

The Elections Commission Chair shall be appointed by the President of Student Government and shall be dependent upon advice, consent, and confirmation by a two-thirds (2/3) majority of the Senate.

*2-3. Term of Office*

The Elections Commissioners and the Elections Commission Chair shall serve an annual term, from one spring semester to the next, beginning with the inauguration of the new Executive Committee. Members of the Elections Commission shall not be removed from office except by disqualification or by conviction on Articles of Impeachment. Should any member of the Elections Commission begin their term after this time period for any reason, their term shall only last until the end of the existing term.

*2-4. Election Codes*

There shall be permanent election codes for the annual fall and spring elections. The Elections Commission shall possess the ability to refer code violations to the Supreme Court as they deem necessary.

***Section 3. Qualifications***

Each candidate, except those who have no cumulative grade-point average recognized by the University Registrar, shall have at the time specified in [Article VI, Section 3-1](#), a minimum 2.5 cumulative grade-point average as determined by the University Registrar and shall be enrolled at the University of Miami as a full-time student. Candidates for President, Vice President, and Treasurer of Student Government and Elected Officers of the Senate shall have a 2.75 cumulative grade-point average. Failure to meet these requirements shall result in automatic disqualification. Graduating seniors completing their annual tenure in their final semester may remain in office during the semester while taking only the credits necessary to complete graduation requirements, which shall be considered full-time status for the purpose of [Article I, Section 6](#) of this Constitution, but in no event shall this amount be less than six (6) credits.

*3-1. Verification Authorized*

By the process of formally declaring candidacy, each candidate authorizes the Elections Commission or its duly authorized representatives to inspect the academic records and credentials of said candidate. Each office holder of Student Government by the student's installation in office authorizes public disclosure of such records to the authorized individuals stipulated below as to verify the office holder's continued qualification to hold office. Verification may be requested by the officers of the Executive and Legislative branches or by the Chief Justice of the Supreme Court.

***Section 4. Term of Office***

All persons elected or appointed to an office in Student Government shall be sworn or affirmed into office no later than ten (10) days following their election or appointment, except in the case

of Executive Officers and appointees in the spring semester who shall be sworn or affirmed into office as soon as is reasonably possible.

### ***Section 5.***

All officers of the Executive, Legislative and Judicial branches, including all Senators and Justices shall be administered the oath of office. The oath may be administered by the Speaker, the acting Senate Chair, Chief Justice, or an Associate Justice. The oath to be administered shall be: “I, (name of individual), do solemnly swear (or affirm) that I shall preserve, protect and defend the Constitution of the University of Miami Student Government and that I shall execute the duties of my office to the best of my abilities.”

### ***Section 6. Vacancies***

In the case of a vacancy in the Office of President of Student Government, the Vice President of Student Government shall become President of Student Government, to serve until a successor is regularly elected at the next spring election.

In the case of a simultaneous vacancy both in the Office of President of Student Government and Vice President of Student Government, the Speaker of the Senate shall become President of Student Government.

In the case of a vacancy in the Office of Vice President of Student Government, the President of Student Government shall nominate a new Vice President with the consent of a two-thirds (2/3) majority of the Senate. This Vice President of Student Government shall serve until a successor is regularly elected at the next annual spring election.

In the case of a vacancy in the Office of Treasurer of Student Government, the President of Student Government shall nominate a new Treasurer with the consent of a two-thirds (2/3) majority vote of the Senate. This Treasurer of Student Government shall serve until a successor is regularly elected at the next annual spring election.

In the case of a vacancy in the Office of Speaker of the Senate, the Speaker Pro Tempore shall become Speaker, to serve until a successor is regularly elected at the next spring election. In the case of a vacancy in the Office of Speaker Pro Tempore of the Senate, the Senate shall elect a new Speaker Pro Tempore. In the case of a vacancy in the office held by a Senator, the Senate shall provide by Statute for a procedure to fill such a vacancy. In the case of a vacancy in any other office or position, such vacancy shall be filled in the same manner used to fill such vacancy originally, for the remainder of such term. A vacancy in any other elected office shall be filled as the Senate shall provide by Statute.

## **Article VII: Direct Powers of the Undergraduate Student Body**

### ***Section 1. Referenda***

A referendum is a petition of a singular question whose answer directly impacts the Undergraduate Student Body. Referenda may be one of the following types:

1. Initiative referendum - a question that seeks change to policy, procedure, or services within the University.
2. Financial referendum - a question that requests to increase the Student Activity Fee for the purpose of granting specific funding to a student organization.
3. Constitutional referendum - a question that amends or changes the Student Government Constitution and Statutes.
4. Challenge referendum - a question that seeks to challenge any of the above referenda with the opposite of the referendum question.

### *1-1. Referenda Initiation and Petition*

Any full-time, undergraduate student must initiate a referendum petition that includes the referendum question and the consent via signature of either 10% of the unique undergraduate population or, in the case of a student body applicable question, five hundred (500) full-time, undergraduate students. This petition must then be filed with the Elections Commission Chair. All signatures must then be verified with the Advisors before the start of Graphic Campaigning.

#### 1-1.1. Restrictions on Constitutional Referendum

No referendum question shall extend to elections authorized by this Constitution or Student Government Statutes, to actions that advise, consent, and confirm appointments or nominations for appointments, or to the power of the Senate to impeach or to convict under Articles of Impeachment.

### *1-2. Referendum Election and Approval*

A referendum petition may only appear on the spring ballot and voted on by the entire student body, even if relevant to a specific enfranchised population within the student body. Referenda will be approved by a two-thirds ( $\frac{2}{3}$ ) majority vote of the student body. Approval of referendum, i.e. that a vote occurred and appropriate vote totals were reached, must then be confirmed by the Senate.

#### 1-2.1. Constitutional Referendum Approval

Approved actions internal to Student Government shall be binding, unless reversal action is taken. No reversal action may be pursued by Senate within (1) one year of said referendum's passage.

#### 1-2.2. Financial and Initiative Referendum Approval

All questions requiring external response, as determined by the Speaker of the Senate, shall be transmitted pursuant to [Article III, Section 7](#). of this Constitution, for appropriate action within ten (10) days of the referendum election.

#### 1-2.3. Challenge Referendum Approval

In the event that, at a given single election, contradictory initiatives or questions are adopted, the conflict shall be resolved through the confirmation of referendum receiving the highest number of affirmatively adopting votes.

### *1-3. Expiration of Financial Referenda*

If the account for a passed financial referendum is inactive for a period of two (2) years, the referendum will expire. Students shall no longer be charged in the Student Activity Fee for expired referenda. All monies in the account at the time of the referendum's expiration shall be withdrawn from that account and placed into the general SAFAC fund for redistribution.

## ***Section 2. Recall Election***

Recall and removal of any Executive Officers, the Speaker of the Senate, or any Senator may be initiated by a recall petition. Said petition must be signed by at least either 10% of the enfranchised undergraduate population or five hundred (500) undergraduate students including identification numbers and filed with the Elections Commission. It shall be verified within ten (10) class days of receipt per recall petition received.

### *2-1. Election Commission Action*

If a sufficient number of signatures are verified, the Elections Commission shall call a recall election immediately following verification of the recall petition, but no later than a regular election that fell within the aforementioned ten (10) day period.

### *2-2. Eligible Voters and Limited Disqualification*

In the case of a recall election for a Senator, only students who comprise the constituency of said seat may vote in the recall election. No person, once recalled and removed from office, shall be eligible to hold any office or position in Student Government for one (1) calendar year following the date of removal from office.

### *2-3. Recall Election Question*

The question on the ballot shall state the reason for recall, if any, as petitioned and ask: "Shall (name of individual), (title), be recalled and removed from (office held)?"

## ***Section 3. Initiative Legislation***

Any undergraduate student may petition the Senate to hear, discuss, and determine any legislation within the authority of the Senate through sponsorship of the proposed legislation by one (1) or more Senators or the Speaker Pro Tempore of the Senate, or through a petition signed by at least twenty-five (25) enfranchised undergraduate students, with their school, class, and identification numbers, filed with the Speaker of the Senate and verified at the speaker's discretion within two (2) class days per petition received. If a sufficient number of signatures is verified, the legislation shall be classified as submitted legislation and submitted by the Speaker of the Senate for its action on the agenda. This section shall not prevent the petitioners from invoking the other provisions of this Article, Article VII.

## ***Section 4. Co-Sponsorship***

Any undergraduate student may propose legislation to the Senate requesting co-sponsorship, so long as the student is representing an undergraduate student organization that is:

1. Registered with the Committee on Student Organizations (COSO),
2. Registered with the Office of the Dean of Students,
3. Registered with the Butler Center for Service and Leadership, or

4. Registered with the Office of Multicultural Student Affairs, and the event resides within the boundaries of the campus, is free of charge, and is open to all undergraduate students.

The author(s) of the legislation must retain approval of the subsidiary committee as defined in the statutes before requesting to be placed on the agenda, and must present a complete budget in writing to the committee. Passed legislation shall include Student Government as a co-sponsor of the event.

#### *4-1. Student Government Co-Sponsorship Funding Guidelines*

All applications for student government co-sponsorship funding are subject to the funding guidelines and procedures outlined within the Statutes.

### **Article VIII: Impeachment**

#### ***Section 1. Impeachment Proceedings***

All persons holding a position in Student Government shall be removed from and forever disqualified from holding any position upon conviction of Articles of Impeachment by a two-thirds (2/3) majority of the Senators voting in concurrence in trial, with the Senate sitting as High Court of Impeachment. The respondent shall nevertheless be liable and subject to legal proceedings or University disciplinary action as deemed necessary. A resignation by a respondent shall not terminate impeachment proceedings in the inquiry or trial stage.

#### *1-1. Grounds for Charges in Articles*

Articles of Impeachment shall be presented to the Senate upon adoption by the Select Commission; the Articles shall charge such action or conduct which is detrimental in nature to the office of position held or to the Student Government including, but not limited to, bribery; misappropriation of funds or property; negligence of duty; abuse of authority; malfeasance, misfeasance or nonfeasance of office or position; conduct or actions unbecoming of such person holding such office or position in Student Government.

#### ***Section 2. Initiation of Proceedings***

Impeachment proceedings may be initiated on the written request of three (3) Senators; five (5) undergraduate students who are non-Senators; to the Chief Justice. In the case that the respondent is the Chief Justice, the request may be submitted to the Associate Chief Justice. Such recommendation shall be based on a reasonable belief that a person(s) holding an office or position has engaged in detrimental conduct or actions as specified in [Article VIII, Section 1-1](#), of this Constitution.

#### ***Section 3. Select Commission in Impeachment***

The Chief Justice shall appoint a Select Commission on Impeachment, whose composition shall be designated by Statute. The Select Commission shall act on approved recommendations to initiate impeachment proceedings and shall complete its inquiry within twenty (20) class days following appointment. Adoption of the Articles of Impeachment against any respondent named in the recommendation shall be constituted by a majority vote. The Select Commission shall then

transmit the adopted Articles of Impeachment to the Senate within seventy-two (72) hours of the vote. An advisor must be present at all Select Commission meetings.

#### ***Section 4. High Court of Impeachment and Trial***

Upon adoption of the Articles of Impeachment, the Senate shall convene within the next two weekly senate meetings as the High Court of Impeachment and shall sit as such until a final determination is reached unless otherwise ordered by the Senate. The Chief Justice of the Supreme Court shall act as Presiding Officer of the High Court at trial, unless the respondent named is the Chief Justice, in which case the Associate Chief Justice shall act as Presiding Officer. The Presiding Officer shall have no vote in the final judgment.

##### *4-1. Staff of the High Court*

The Senate Liaisons, the Advisor to Student Government, non-elected Senate Officers, and such other personnel as are needed by the Senate shall serve as a staff to the High Court, and perform administrative or resource functions for the Senate while sitting as the High Court. The Presiding Officer of the High Court, as necessary, shall delineate the appropriate functions for the resource and administrative staff.

##### *4-2. Senator Recusal*

If a Senator cannot render a fair and impartial decision during the High Court of Impeachment, the Senator shall abstain from any participation on such matters being heard.

##### *4-3. Trial Procedures*

The Senate shall determine either by Statute or by order when convened as the High Court of Impeachment such forms, procedures, regulations and authority to be used in trial proceedings when sitting at trial. The trial proceedings shall be open, except when the Senate shall order a closed session, or when the Senate shall receive evidence in confidence. All witnesses shall be sworn as to their testimony.

##### 4-3.1. Confidential Evidence and Closed Sessions

Evidence shall be presented in confidence at the discretion of the presiding officer, or on written request of the prosecutor or the respondent with a majority vote of the Senators present. A closed session, meaning only those directly involved with proceedings shall be permitted, shall be ordered whenever evidence is to be reviewed in confidence.

##### *4-4. Deliberation*

The Presiding Officer shall chair a confidential and closed deliberation period following the presentation of all evidence. Only the Presiding Officer, eligible Senators, and Advisors may be present. Each Senator present shall have the opportunity to speak no more than twice.

##### *4-5. Verdict and Judgment*

Upon completion of the presentation of all testimony and evidence, and of all arguments and of final debate in trial, a written ballot vote shall be taken on each Article presented, with each Article on each respondent being voted on separately. A judgment of acquittal shall be entered if an insufficient number of Senators votes to find the respondent guilty. A judgment of guilt shall

be entered if a sufficient number of Senators votes to find the respondent guilty, and a declaration of vacancy and permanent disqualification shall be made, and the vote on any remaining Articles shall be waived and the proceedings for said respondent terminated. The presented Articles and all judgment thereon shall be transmitted at the conclusion of proceedings to the Advisor to Student Government and the University Vice President for Student Affairs by the Presiding Officer.

## **Article IX: Amendments and Revisions**

### ***Section 1. Ratification Procedure***

All amendments or revisions approved by any of the methods specified in Section 2 of this Constitution by the Senate or the undergraduate student body as an entity must be transmitted to the Supreme Court within ten (10) class days of passing by the Senate. The Supreme Court must review the amendment or revision within ten (10) class days of transmittal and may vote on the constitutionality of such revision. The Supreme Court may find, via supermajority vote, the amendment or revisions unconstitutional and thereby no adoption would occur. Amendments or revisions that violate or contradict University policy, including but not limited to Student Rights and Responsibilities Handbook and Committee on Student Organizations Guidelines, shall not be adopted and will be deemed unconstitutional.

#### *1-1. Finality of Decision*

Any member of Student Government may appeal an amendment or revision deemed unconstitutional by submitting a written request within ten (10) business days of Supreme Court notification for a request for review by the Advisor(s) and Vice President for Student Affairs. The Vice President for Student Affairs, after consulting the Advisor(s), shall make the final decision regarding adoption and be given 30 calendar days to make a final decision. If any appeal is approved by the Vice President for Student Affairs, such amendment or revision shall be automatically adopted.

#### *1-2. Ratification Responsibility*

The Chief Justice of the Supreme Court must send notification to the Executive Officers and Advisors of changes made to the Constitution and Statutes of Student Government. The Vice President for Student Affairs may request these documents at any time.

### ***Section 2. Student Processing of Initiated Amendments or Revisions***

Amendments or revisions to this Constitution may be initiated only by the following methods:

#### *2-1. Senate Action*

The Senate, with a quorum, may by a vote of two-thirds (2/3) of the Senate present and voting, approve amendments or revisions of this Constitution. The vote shall come after a second reading of the title of the proposed amendment or revisions, the first having been in the presence of a quorum at a previous meeting at least five (5) days prior to the date of the meeting at which action is taken. After the initial submission of the proposed amendment or revision to the Constitution, the Speaker must submit the written bill to the Chief Justice.

### *2-2. Senate Referral*

By a two-thirds (2/3) vote of Senators present, the Senate may initiate an amendment or revision in the form of a referendum of the undergraduate student body at a date no later than the next regular election. The Speaker of the Senate shall notify the Elections Commission of the referendum. If a majority of those voting thereon approve the referendum question, it shall be declared approved in the official declaration of results by the Elections Commission for the given election, and subsequently delivered to the Supreme Court.

## ***Section 3. The Constitutional Revision Commission***

### *3-1. Initiation of the Commission*

A revision of this Constitution and its Statutes may be initiated by a petition signed by the President, the Speaker of the Senate, the Chief Justice, at least four other Justices, and a Student Government Advisor requesting the creation of a Commission for Constitutional Revision. The petition should indicate that “effective and efficient functioning of Student Government requires holistic changes to the Student Government Constitution and Statutes.” Such a commission cannot be created if the Constitution was amended through this procedure within the past three years.

### *3-2. Members of the Commission*

The Commission shall be comprised of the: Chief Justice or Associate Chief Justice, who shall serve as a non-voting chair, a voting representative from the Executive Branch chosen by the President of Student Government, a voting representative from the Legislative Branch chosen by the Speaker of the Senate, a voting representative from the Judicial Branch chosen by the Chief Justice of the Supreme Court,

### *3-3. Purpose of the Commission*

The Commission’s purpose shall be to make edits and revisions to the Constitution and Statutes that:

1. clarify the meaning of the text in instances where it is overly broad or vague.
2. eliminate redundancies or anachronisms.
3. resolve textual conflicts.
4. rearrange the structure of the documents.
5. ensure that the Constitution and Statutes complement each other.
6. correct any grammatical or factual errors.

It shall be the duty of the Chair to ensure that all changes being proposed fit the above criteria. The Commission may propose as many revisions as its members feel is necessary so long as the proposed revisions fit the above criteria.

### *3-4. Approval*

If the Commission unanimously votes to accept the revised Constitution and Statutes in their entirety, the revisions are then referred to the Senate. The Senate, with a quorum, may by a vote of two-thirds (2/3) of the Senate present and voting, approve the revisions in their entirety. The vote shall come after a second reading of the title of the proposed revisions, the first having been

in the presence of a quorum at a previous meeting at least five (5) days prior to the date of the meeting at which action is taken. If the same is approved by the required vote, the Officers of the Senate shall sign as part of the original copy and transmit it within five (5) days of Senate enactment to the University Vice President for Student Affairs to initiate the ratification process as provided in [Article IX, Section 1-1.](#) of this Constitution.

### *3-5. Ratification Process*

All amendments or revisions approved by any of the methods specified in Section 2 of this Constitution by the Senate or the undergraduate student body as an entity shall not be ratified and entered into effect unless the Administration of the University, through the University Vice President for Student Affairs, or in appeal, the President of the University, approves of such action. The University Vice President for Student Affairs shall notify the Senate in writing of the approval or disapproval of the proposed amendment or revision within thirty (30) days of receipt. If the University Vice President for Student Affairs is unable to decide within the thirty (30) day period, the University Vice President for Student Affairs shall notify the Senate in writing and specify the amount of additional time necessary to reach a decision. Unless a decision is rendered within the specified extension period required for the University Vice President for Student Affairs decision, it shall be assumed that the amendment or revision has been approved by the University Vice President for Student Affairs and the same shall be considered ratified and in full force.

### *3-6. Finality of Decision*

The decision of the University Vice President for Student Affairs shall be considered final unless the Senate, within ten (10) class days of receipt of the decision, resolves by majority vote to appeal the decision to the President of the University. Unless a decision has been received by the Senate within thirty (30) days of the receipt of the appeal by the Office of the President of the University, it shall be assumed that the amendment or revision has been approved by the President of the University on appeal and shall be considered ratified and in full force. In cases of appeal, the action of the President of the University as defined in this paragraph shall be considered final.

## **Statutes to the Constitution of the University of Miami Student Government**

### **Chapter I: The Senate**

#### ***Title I. Senate Apportionment***

##### *Section 1. Basis of Constituency Populations*

Academic, Residential, and Unique Population constituencies shall be guaranteed one Senate seat plus one additional Senate seat for everyone one thousand (1000) total constituents.

##### *Section 2. Academic and Residential Constituencies*

Pursuant to [Article II, Sections 2-1 and 2-2](#) of the Student Government Constitution, those seats from the academic and residential constituencies shall be apportioned as provided in Sections 2 of this Chapter, and shall be maintained until the next regular apportionment has been approved by the Senate.

#### **2-1. Academic Constituency Seat Apportionment**

The basis of constituency populations, by school or class, shall be determined through the last issued Enrollment Report of the University Registrar.

Those seats from the academic constituencies shall be apportioned as follows, to be elected by the given constituencies:

1. College of Arts and Sciences: four (4) seats
2. College of Engineering: one (1) seat
3. School of Architecture: one (1) seat
4. Miami Herbert Business School: three (3) seats
5. School of Communication: two (2) seats
6. School of Education and Human Development: one (1) seat
7. Frost School of Music: one (1) seat
8. School of Nursing and Health Studies: one (1) seat
9. Rosenstiel School of Marine, Atmospheric, and Earth Science: one (1) seat

#### **2-2. Residential Constituency Seat Apportionment**

The basis of constituency populations, by residence, shall be determined through the records of the Department of Housing and Residential Life on-campus, the Dean of Students Office for the Fraternity Row Residence Area, and by other records available in the Division of Student Affairs for off-campus residential districts.

Unless changed by a majority vote of the Senate, those seats from the residential constituencies shall be apportioned as follows among the various districts:

1. Eaton Residential College: one (1) seat
2. Stanford Residential College: one (1) seat
3. Mahoney Residential College: one (1) seat
4. Pearson Residential College: one (1) seat
5. Lakeside Village: one (1) seat
6. Fraternity Row Residence Area: one (1) seat

7. Commuter District: six (6) seats
8. University Village: one (1) seat

#### *2-2.1. Fraternity Row Residence Area Definition*

The Fraternity Row Residence Area shall be designated as the fraternity houses within the geographic area bounded by San Amaro Drive, Brescia Avenue, Red Road and Mataro Avenue.

#### *2-2.2. University of Miami Main Campus Definition*

The University of Miami main campus is defined as the geographic area generally bounded by Ponce de Leon Boulevard, Red Road, Mataro Avenue, San Amaro Drive/Campo Sano Avenue, Pisano Avenue, and Carillo Street.

On-campus residential districts include those residential dwellings operated by the Department of Housing and Residential Life.

#### *2-2.3. Commuter Area Definition*

The Commuter Area designation shall apply to all geographical areas not constrained by Sections 2-2.1 and 2-2.2 and shall apply to all students not living in official, sanctioned University of Miami residences.

#### *2-2.4. Remote Area Definition*

The Remote Area designation shall apply to all students not living in official, sanctioned University of Miami residences that have been officially approved and specified as exclusively virtual/remote learning students by the University.

### *Section 3. Unique Population Constituencies*

The basis of constituency populations, by Unique Population group, shall be determined through the student designation process and records of the overseeing University department.

Each Unique Population constituency listed below, along with its overseeing University department, is subject to the provisions of [Article II, Sections 2-5](#) of the Constitution and shall be apportioned as provided in [Section 3](#) of this Chapter and shall be maintained until the next regular apportionment shall have been approved by the Senate.

#### 3-1. Unique Population Seat Appointment

Those seats from the Unique Population constituencies shall be apportioned as follows, to be elected by the given constituencies:

1. Transfer Students: three (3) seats
2. Veteran Students: one (1) seat
3. Student Athletes: one (1) seat
4. International Students: two (2) seats
5. Student Employees: two (2) seats
6. First-Generation Students: one (1) seat

### 3-2. Unique Population Seat Initiation

Any undergraduate student within the constituency of the Unique Population seeking representation, wherein that population meets the criteria set forth in Article II, Section 2-5 of the Constitution, may initiate the creation of a new Unique Population seat.

### 3-3. Unique Population Seat Creation

A two-thirds vote by the Senate is required to amend the list of Unique Population seats in the Senate. The Speaker shall draft the appropriate statutory amendment for vote by the Senate if:

- (1) the overseeing University office is alerted to the possible seat creation,
- (2) the overseeing University office is willing and able to provide the Elections Commission with constituency population information.

### *Section 4. Organizational Constituencies*

The constituency populations for respective organizational constituencies shall not be required. Each organization listed below is subject to the provisions of [Article II, Sections 2-4 and 2-4.1](#) of the Constitution.

1. Federación de Estudiantes Cubanos
2. National Panhellenic Council
3. SpectrUM
4. Panhellenic Council
5. Federation of Club Sports
6. United Black Students
7. Multicultural Greek Council
8. Veteran Students Organization
9. Asian American Students Association
10. Alliance of Latin American Students
11. Arab Students Union
12. National Organization for Women
13. Disability Ambassadors

### 4-1. Organizational Constituency Seat Review

Organizational Constituency Seats shall be reviewed each Fall semester.

#### *4-1.1. Declaration of Review*

Upon initiation of the reapportionment process, all Organizational Constituency Seats as listed in Chapter 1, Title I, Section 4 shall be declared open for review by the Speaker, who shall arrange appropriate publicity.

#### *4-1.2. Review Hearing*

Each organization holding an Organizational Constituency Seat shall submit to the Clerk of the Supreme Court at its own discretion written notice of the organization's intent to retain its seat in the Senate. The organization shall then be placed on the docket of the Supreme Court for a hearing of review at a date determined by the Chief Justice.

#### *4-1.3. Decision of the Supreme Court*

At the conclusion of the hearing(s) of review, the Supreme Court shall have ten (10) class days to issue a judicial review to the Senate with its recommendation that each organization retain or be relieved of its seat in the Senate.

#### *4-1.4. Overturning the Decision of the Supreme Court*

Should the Senate wish to overturn the decision of the Court with specific regard to organizational seat renewal, a total of three (3) Senators must submit a request for a vote to the Speaker of the Senate. The Speaker will then draft the appropriate legislation. In order to overturn the decision of the Court, a 2/3rds majority of the Senate must vote to overturn it. The Senate may call members of the Court to testify.

### 4-2. Organizational Constituency Seat Creation

Any undergraduate student organization meeting the criteria set forth in Article II, Section 2-4 of the Constitution wishing to obtain a seat in the Senate shall submit to the Clerk of the Supreme Court written notice of the organization's intent to obtain a Seat in the Senate. The organization shall then be placed on the docket of the Supreme Court for a hearing of review at a date determined by the Chief Justice.

#### *4-2.1. Decision of the Supreme Court Regarding Seat Creation*

At the conclusion of the hearing(s) of review, the Supreme Court shall have ten (10) class days to issue a judicial review to the Senate with its decision on the proposed creation of a specific organization's seat. The Speaker shall draft the appropriate statutory amendment(s) for vote by the Senate if an organization is recommended by the Supreme Court for a seat in the Senate. A majority vote by the Senate is required for approval and subsequent creation of said seat. Decisions regarding the creation of organizational seats may not be overturned by the Senate.

### 4-3. Minimum Waiting Period

Any undergraduate organization relieved of an existing Organizational Constituency Seat by a vote of the Senate, or rejected in its effort to obtain a seat either by a vote of the Senate or recommendation against it by the Supreme Court, shall not be allowed to reapply for a seat for a minimum of two (2) years from said removal or rejection.

## ***Title II. Procedures of the Senate as a Legislative Body***

### *Section 1. Temporary Presiding Officer*

If neither the Speaker nor the Speaker Pro Tempore is available to preside as Chair and the Speaker has not designated an individual Senator, the Parliamentarian shall serve as Temporary Presiding Officer.

### *Section 2. Absences from Senate or Senate Committee Meetings*

An absence by a Senator shall be defined as the failure to attend a meeting, arriving to a meeting after Open Forum, or leaving a meeting before the Chair of said meeting allows members to depart.

Whenever any Senator has been absent from meetings of the Senate or of their Primary Committee, and Council of Chairs if applicable for a total of three (3) unexcused absences, or a total of five (5) absences in a calendar year, they shall automatically be removed from office, and the office declared by the Speaker to be filled.

Any Senator so removed shall not be eligible to hold any office or position in Student Government as outlined in Article I, Section 6-2 of the Student Government Constitution.

### *Section 3. Proxy and Absentee Votes*

The Speaker or such other office presiding in the Chair of the Senate shall not recognize proxy votes for any Senate action.

#### 3-1. Absentee Voting

Any Senator, except as restricted by Chapter I, Title II, Section 3-1.1 of these Statutes, may cast an absentee vote on Senate actions, provided that the absentee ballot shall be submitted in writing to the Speaker of the Senate; the ballot shall specify the date of the meeting and the action being voted upon, the vote by the given Senator on the action and the Senator's full signature.

##### *3-1.1. Legitimacy of Absentee Votes on Bills of Appointment*

Absentee ballots shall not be allowed on Senate bills for appointments to Student Government offices, or for the addition or removal of organizations to Chapter I, Title I, Section 4 of these Statutes, should that Senator not be present for the presentation of the designees or organizational representatives, respectively.

#### 3-2. Quorum

Whenever a quorum count is called, for ascertaining whether a quorum has been initially established, or for record of attendance, the results of such count shall be included in the minutes of said meeting. Any Senator who has, to the knowledge of the Chair, departed from the meeting prior to the end of the meeting without valid cause shall be subject to the provisions of Section 9 of this Chapter.

### *Section 4. Senate Vacancies*

Pursuant to Article VI, Section 6 of the Constitution, the following procedure is prescribed in the case of a vacancy in the Senate.

#### 4-1. Creation of Senate Vacancies

Upon the creation of a vacancy in the Senate for any reason, the Speaker shall announce the vacancy at the first Senate meeting following the creation of said vacancy, ensure communication to the student body, and arrange for an application process.

#### 4-2. Applicant Screening, Interview and Recommendation

The Speaker shall transmit all valid applications to the Council of Chairs, hereafter referred to as The Council, for screening and interviews. The Council shall be required to review all submitted applications. The Council may choose not to interview an applicant based on their application by

majority vote. After the interview process, The Council shall recommend the candidate(s) it deems qualified to the Senate by plurality vote. In the case of a tie, the Speaker Pro Tempore shall cast the deciding vote, otherwise the Speaker Pro Tempore would refrain from voting.

#### 4-3. Senate Action on Senate Vacancies

The Speaker shall draft the appropriate legislation to ratify the applicant recommended by the Council, with the Senate ratifying the applicant by a majority vote. Only the Speaker, or in their absence the Speaker Pro Tempore, shall have the power to designate appointees to the Senate.

### *Section 5. Legislative Procedures*

In addition to such procedures established by the Constitution, the following procedures are established by the Senate to govern the processing of legislative action, reports and Senate Committee minutes, and the preparation of the Senate agenda and legislative calendar.

#### 5-1. Deadline for Requested Legislative Actions

All legislative actions for regular Senate meetings shall be submitted in writing to the Speaker by the specified time before a regular Senate meeting as designated by the Speaker at the beginning of their term.

#### 5-2. Senate Agenda

The agenda of regularly-scheduled Senate meetings shall be of the following items unless specifically modified by a vote of the Senate:

1. Call to Order, by the presiding officer
2. Roll Call
3. Orders of the Speaker, which shall include any and all Committee, Executive Committee, Elections Commission, ECO Agency, Category 5 The Spirit Programming Board (“Category 5”), Supreme Court, Advisor, and Liaison reports
4. Open Forum, for the discussion of future or past business
5. Old Business, for further proceedings on matters previously considered by the Senate body
6. New Business, for new proceedings on matters not previously considered by the Senate as a body
7. Open Session, for general announcements, reminders and information
8. Adjournment

An additional category labeled Special Orders of the Speaker shall be included between the second and third items if necessary.

#### 5-3. Senate Legislation

All legislation appearing before the Senate shall conform to the following rules:

##### *5-3.1. Bill Definition and Structure*

Bills are how the Senate takes action, and they must be written and sponsored by a Senator.

Title: The title of the bill shall begin with “A Bill to...” and shall describe in that single sentence the nature of the bill.

- a. The Secretary of the Senate shall assign Bills with the title, category, and by the action number.
- b. The remainder of the bill will be divided into consecutively numbered Articles specifying the action to be taken.

#### *5-3.2. Resolution Definition and Structure*

Resolutions are also used to express the sentiments of the Senate, such as offering condolences, making declarations of support, or it may give "advice" on university policy or other university business. They do not have to be written by a Senator, but must be sponsored by a Senator.

Title: The title of the resolution shall begin with "A Resolution to..." and shall describe in that single sentence the nature of the proposal.

1. The reason why the resolution should be adopted as the resolve of the Senate should be stated in statements beginning, "Whereas..."
2. The conclusion of the statements should be a sentence beginning, "Be it Resolved..."

#### *5-3.3. Processing of Introduced Actions*

Upon its placement on the agenda, each proposed legislative action shall be assigned a(n):

1. Action number of five digits, the first two digits shall be assigned as the last two digits of the year of the current Senate (i.e., the 1999-2000 Senate legislation will start with 00) and the last three digits shall be assigned consecutively to each action beginning with 001 and running to 999.
2. Category as provided for by the appropriate statutory provision and assigned by the Speaker or the Speaker's designee.

#### *5-3.4. Legislation Categories*

All Senate actions shall be classified in the following manner by the Secretary and Parliamentarian:

1. Category A. Actions to amend or revise the Constitution,
2. Category B. Actions of a legislative nature under the jurisdiction of the executive and legislative branch; enactment of Statutes; referenda; approval of budget proposals; and resolutions,
3. Category C. Actions of an internal or procedural nature, receipt of information, or recommendations.
4. Category D. Actions to recommend policies, procedures, positions or other such actions to other University bodies and their consideration or action; actions deemed by the Speaker to require such consideration or actions by appropriate University bodies or offices for the exception of referenda.
  - a. Category D actions shall be transmitted by the Speaker of the Senate to the President of Student Government within one (1) month of their passage, and subsequently subject to their approval as provided in Article III, Section 7 of the Constitution.
5. Category E. Actions to advise, consent to and confirm appointments or nomination for appointments by the Executive Officers; and actions to override vetoes by the President of Student Government.

### *5-3.5. Effective Dates of Legislation*

1. Category A actions are effective upon ratification in accordance with Article VIII of the Constitution,
2. Category B actions are effective when approved in accordance with this Constitution.
3. Category C and E actions are effective upon passage by the Senate in accordance with this Constitution.
4. Category D actions shall be transmitted by the President of Student Government as provided in Article III, Section 7 of the Constitution upon passage of the action.

### *5-3.6. Authorship and Sponsorship of Proposed Legislation*

Each proposed legislative action shall have at least one (1) author and one (1) sponsor. An author is defined as any enfranchised undergraduate student who has paid their Student Activity Fee. A sponsor is defined as any Senator, or the Speaker.

#### 5-3.6.1. Attendance of Author and the Rights of the Floor

At least one (1) of the authors of the proposed legislation must be present at the Senate meeting when the action is being considered. If no author is present, the action shall be automatically tabled for a maximum of two (2) regular Senate meetings. Any author shall be granted floor rights in order to speak on behalf of their proposed legislation.

### *Section 6. Senate Floor Action*

In discussion of any legislative action or amendment thereto, the Speaker or acting Chair may initiate a list from which Senators shall be designated to speak on the action. The Speaker may, before compiling the list, set guidelines for the number of speakers or the amount of time each speaker may have the floor. The list shall contain affirmative, negative and/or general speakers.

#### 6-1. Processing Amendments to Submitted Actions

Whenever possible, the sponsor of a formally written, proposed amendment to any substantive action shall present a written copy to the Secretary of the Senate in advance of its introduction.

#### 6-2. Author-Accepted Amendments

If the original author(s) of a legislative action accepts a proposed amendment, then such action shall be considered amended by the Speaker.

##### *6-2.1. Processing of Formal Amendments on the Senate Floor*

If a proposed amendment is rejected by the author, the Senate may decide to consider the amendment formally. A two-thirds (2/3) majority of those Senators present and voting is required to formally accept an amendment.

#### 6-3. Confirmation of Appointees

No motion to confirm any appointment by the President of Student Government, or Speaker if the appointment is for a vacant Senate seat, shall be in order for consideration unless the person so appointed is present at the meeting when such motion is presented. Such motions shall be automatically tabled for a maximum of two (2) regular Senate meetings. Should an appointee

have a conflict with the regularly-scheduled Senate meeting time a written statement by the appointee may take the place of that appointee's presence at the meeting.

#### *6-3.1. Consideration of Appointees*

During consideration of an appointee by the Senate, all appointees, whether nominated for the same or different positions shall leave the meeting until the Chair calls the appointee in for questioning and will leave upon the request of the Chair for the duration of said process. No appointees or non-members of Student Government, with the exception of members of the media, shall remain in the Senate meeting while any other appointee is being considered.

#### 6-4. Elections of Senate Officers

The Senate Parliamentarian shall administer all elections of Senate Officers. The following procedures shall govern all elections of Senate Officers:

##### *6-4.1. Declaration of Candidacy*

During the consideration of a candidate by the Senate, all candidates for the same position shall leave the meeting until the Parliamentarian calls the candidates in for questioning on an individual basis. At this time, the candidate shall deliver a short presentation to the Senate, at the discretion of the Parliamentarian. After questioning, the candidate shall leave upon the request of the Parliamentarian for the duration of said process.

##### *6-4.2. Consideration of Candidates*

Only after all candidates have been presented to the Senate and made available for questioning shall discussion begin. Voting shall be conducted by written ballot, with each ballot to already have each Senator's name and seat on it prior to the vote. The Advisor(s) shall pass out the ballots and privately count them when they have all been submitted. Candidates for the Office of Speaker and Speaker Pro Tempore of the Senate shall be elected with a majority of the Senate from its present membership. In the event that no such candidate receives a majority, the Senate shall follow the procedures detailed in Article I, Section 10-1 of the Constitution.

#### *Section 7: Senate Procedure on Internal Executive Branch Appointments*

All other appointments of the Executive Branch shall be submitted to the Speaker Pro Tempore at the weekly Senate meeting. Every appointment to the positions outlined within Article II, Section 4, Clause 5 of the Constitution, must be brought to the floor of the Senate to be ratified by a margin of a simple majority of all present and voting Senators.

#### 7-1. Senate Procedure on Minor Executive Appointments

All appointments external to Student Government as defined by [Chapter II, Title I, Section 1-1](#), shall be submitted to the Speaker Pro Tempore at the weekly Senate meeting. The Speaker Pro Tempore will publicly place them in the Student Government office. If no member of the Council of Chairs objects to the appointment at their next regularly scheduled meeting, then the appointee shall be sworn in without ratification. If any chairperson objects or if five (5) Senators submit a petition before the next regularly scheduled meeting of the Council of Chairs, then the appointee shall go through the entire ratification process as directed by the Statutes.

### 7-2. Senate Procedure on Internal Executive Branch Appointments Made to Fill Vacancies

All special appointments made by the President to fill vacant Assistant Executive Officer positions shall not require immediate ratification by the Senate. The special appointee shall have up to four (4) weeks following the time of their initial appointment to serve in full without ratification. The appointment must be submitted to the Speaker Pro Tempore at a weekly Senate meeting and ratified by a simple majority of all present and voting Senators prior to the end of the four (4) week period. The Speaker of the Senate may extend this period as they deem fit in the case of exigent circumstances.

### *Section 8. Voting*

Normal voting procedure shall be a rising hand vote, except when the action shall be passed by consent.

### 8-1. Rules Governing Roll Call and Secret Ballot

At the request of the Speaker, or of any Senator with a second, a roll call vote shall be taken on a given question before the Senate. Secret ballot votes on any matter shall be taken upon the affirmative vote of two-thirds of Senators present and voting.

### 8-2. Motions for Immediate Vote on the Pending Question

Whenever the previous question is moved and deemed in order by the Speaker, and has been seconded, the Speaker will ask the floor if there are any objections. If any objections occur, a majority vote of those present and voting is needed to continue discussion on the said motion being considered. No debate, discussion, commentary, questions of privilege or points of information or order shall be made or considered in order by the Speaker until the vote is made, except for a request for a particular voting procedure prior to when voting actually begins.

### 8-3. Votes of No Confidence

In the event that a vote of no confidence is called, the Senate shall have the right to move to discussion on the matter.

### 8-4. Votes on Co-Sponsorships

In the event of a co-sponsorship being presented to the Senate body as a whole, any Senator who is an active member of the organization that is soliciting the funds may not be present during discussion, voting, nor cast a vote towards said matter.

### *Section 9. Voting Privileges of Tardy Senators*

Any Senator who arrives after the title of an action has been read to the Senate shall not be allowed to vote on that action. Said Senator shall be able to vote on later actions in the meeting as long as they are present for the full reading of the action.

### *Section 10. Judicial Review of Procedures*

The Student Government Supreme Court may review all Senate actions. The Court may abrogate erroneous or unconstitutional Senate actions.

### ***Title III. Duties***

#### *Section 1. Duties of the Senators*

The duties of each Senator shall include, *inter alia*:

1. The faithful and diligent representation of the interests of their constituents,
2. The earnest pursuit of suggestions and opinions regarding Senate actions under consideration and future action from their constituents,
3. The attendance of at least one event co-sponsored by the Senate or an approved alternate event with the approval of the Speaker of the Senate with appropriate documentation per semester,
4. A minimum of 2 hours of tabling at Senate events per semester,
5. The attendance of their primary committee meeting each week, or a make-up meeting pursuant to Chapter I, Title IV, Section 1 of these Statutes,
6. The execution of committee projects assigned by the respective committee Chair(s),
7. Wearing a Senate polo or business casual attire to all Senate meetings. Failure to do so for a total of three (3) unexcused attire violations, or a total of five (5) attire violations in the period of one calendar year will result in removal from office.

#### *Section 2. Duties of Committee Chairs and Vice Chairs*

In addition to their duties as a Senator, the duties of Senate committee Chairs shall include, *inter alia*:

1. The publication of committee meeting times and locations to the Senate with adequate notice in advance of each meeting,
2. The moderation of discussion in committee meetings,
3. The delegation of projects to committee members,
4. The attendance of all Council of Chairs meetings, except when excused by the Speaker Pro Tempore,
5. The delegation of any of these duties to the Vice Chair with adequate notice as needed,
6. The attendance of at least one additional event co-sponsored by the Senate or an approved alternate event with the approval of the Speaker Pro Tempore of the Senate with appropriate documentation.

2-1. In addition to their duties as a Senator, the duties of Senate committee Vice Chairs shall include, *inter alia*:

1. Recording and distribution of committee meeting minutes,
2. Assisting the Chair in moderating committee discussion,
3. The attendance of all Council of Chairs meetings, except when excused by the Speaker Pro Tempore,
4. The performance of any duties delegated by the Chair,
5. The attendance of at least one additional event co-sponsored by the Senate or an approved alternate event with the approval of the Speaker Pro Tempore of the Senate with appropriate documentation.

### ***Title IV. Senate Committees***

### *Section 1. Standing Committees*

The Senate shall establish standing committees to be composed of an appropriate number of Senators and students appointed by the Speaker. These committees shall initiate legislation, and work with the Executive Branch to establish projects. Each standing committee shall meet no less than once every fourteen (14) days during the Spring and Fall semesters.

Every Senator shall serve on at least one (1) standing committee and shall be required to attend any and all meetings of said committees of which they are a member, unless excused for legitimate reason by the Chair or by the Speaker or Speaker Pro Tempore.

#### 1-1. Definition of an Active Member

An active member is a Senator who has voting rights in their designated primary and/or secondary committee(s) provided that they complied with the committee policies outlined in Section 1-3. A Senator who is not an active member of a committee shall not have voting rights within that committee.

#### 1-2. Committee Designation

A Senator shall designate a primary, and any optional secondary committee(s) within the first two weeks of their term as well as the first two weeks of each succeeding semester.

##### *1-2.1 Committee Appointment*

If committee size is in jeopardy, the Speaker, Speaker Pro Tempore, and Council of Chairs shall then appoint Senator(s) to a primary committee with preference based upon availability, then based upon seniority.

##### *1-2.2 Conflict with Appointment*

If a Senator has a conflict with their primary committee appointment as stipulated in Section 1-3.1 that Senator may appeal their primary committee appointment to the Speaker, Speaker Pro Tempore, and Council of Chairs within the first week of the appointment. The Speaker, Speaker Pro Tempore and Council of Chairs shall then reassign that Senator to a primary committee.

#### 1-3. Committee Establishment

The standing committees of the Senate shall be established as follows:

##### *1-3.1. University Affairs*

There shall be a committee on University Affairs which shall be composed of no less than six (6) Senators, in addition to the Director of University Affairs and the Director of Diversity, Equity, and Inclusion. The Director of University Affairs and the Director of Diversity, Equity, and Inclusion, or an Executive Branch representative must attend all meetings.

The committee shall be charged with considering all matters:

1. Related to the non-academic policies, programs and innovations in the University departments and offices, the Board of Trustees and the standing and ad hoc committees of the University.
2. Related to undergraduate rights, privileges, and responsibilities in university fiscal or disciplinary procedures.

### 1-3.2. Academic Affairs

There shall be a committee on Academic Affairs and services which shall be composed of no less than six (6) Senators, in addition to the Director of Academic Affairs. The Director of Academic Affairs or a Executive Branch representative must attend all meetings.

The committee shall be charged with handling matters:

1. Related to academic policies, programs and innovations.
2. Under consideration in either the Faculty Senate or other academic policy-making bodies and requiring Senate action.
3. Regarding the relationship of individual students, the undergraduate student body or the Student Government to the academic community.
4. Related to a broad, annual Academic Survey in order to gather Data regarding student opinion on all academic issues.

### 1-3.3. Public Relations

There shall be a committee on Public Relations to promote all activities of the Senate while increasing student body awareness, and it shall be composed of no less than six (6) Senators, in addition to the Director of Communications and the Director of Outreach. The Director of Communications and the Director of Outreach, or a Executive Branch representative must attend all meetings.

The committee shall be charged with:

1. Working with the appropriate Senate committees and Senators to coordinate publicity as necessary.
2. Contacting mass media about pertinent Senate activities.
3. Raising awareness of ongoing Student Government services and programs.
4. Planning and executing a minimum of 2 tabling events, 1 social event, and 1 signature event per semester

### 1-3.4. Policy and Finance

There shall be a committee on Policy and Finance which shall be comprised of no less than six (6) senators, in addition to the Treasurer and Chief Justice. The Student Government SAFAC Delegate, as well as the Chief Justice or a Judicial Branch representative must attend all meetings.

The Committee shall be charged with:

1. Reviewing and revising appropriation requests including those of co-sponsorship, in accordance with Article VII, Section 4 of the Constitution as well as the *Student Government Co-Sponsorship Funding Guidelines*, made to the Senate through consultation with the author of said request one week prior to submission to Senate,
  - a. Any Senator who sits on the Policy & Finance Committee and is an active member of the organization that is soliciting the funds may not be present during voting, nor cast a vote towards said matter.
2. The maintenance of the Student Government Co-Sponsorship Funding Guidelines,
3. Consulting with the Student Government Treasurer as to finances for appropriations and the formation of the Student Government budget,

4. Making recommendations to the Senate concerning the final version of the appropriations bill,
5. Safeguarding guidelines and stops set forth by Senate for appropriations and the constitutionality of bills,
6. Reviewing Student Government policy and making any necessary recommendations to the Senate for internal policy change,
7. Reviewing University policy for students and providing recommendations to the Senate for policy change, by the Speaker's request,
8. Hearing all organizational appeals of the decisions of the Student Activity Fee Allocation Committee (SAFAC) and recommending all valid appeals to the Senate for final review. The Senate shall be notified of all rejected appeals in writing,
9. Consulting with SAFAC per the following procedure:
  - a. The Policy & Finance (P&F) Committee Chair shall invite the Student Activity Fee Allocation Committee (SAFAC) Chair and Vice-Chair to one P&F meetings per semester, to discuss the appeals process, SAFAC Funding Guidelines, referendum review, and the student activity fee.
  - b. P&F Senators shall familiarize themselves with the current SAFAC Funding Guidelines in advance of these meetings to facilitate meaningful discussion.
  - c. The dates of these meetings shall be announced to the full Senate to allow for any interested Senators to attend with at least two weeks notice.
  - d. If the SAFAC Chair and Vice-Chair are unable to attend a given P&F meeting, the Student Government Treasurer shall facilitate the committee's discussion in their place.

#### 1-4. Committee Chair Establishment

Each Spring semester, after the election of the Speaker and the Speaker Pro-Tempore, the Speaker has the authority to choose, at their discretion, any qualified senator to serve as Chair of the standing committees. The chair positions shall be available to any Undergraduate student currently serving as a Senator who can meet and maintain the qualifications stated in Article VI, Section 3 of the Constitution. All those applying to a Council of Chairs position shall be subject to an application and interview process of the Speaker's making.

##### *1-4.1. Chair Term Limits*

1. Each Chair term shall serve a renewable annual term.
2. If a chair were to become unable to serve their term, the Chair must notify the Speaker or Speaker Pro-Tempore accordingly, and the Speaker may designate a replacement to fulfill the remainder of the term.
3. In the case that the Senate seat of a chair expires, they may remain Chair until such time as the Speaker can fill the position with a current senator.

#### 1-5. Transmission of Minutes From Committees

Each committee shall transmit written minutes of every meeting to the Speaker Pro Tempore for inclusion in the Senate files.

### *Section 2. Council of Chairs*

The Chair of the standing committees and the Speaker Pro Tempore shall serve as the Council of Chairs, with the Speaker Pro Tempore serving as the Chair of the Council. The Speaker of the Senate shall serve as a non-voting, ex-officio member. The Council shall be charged with:

1. Functioning as a screening committee for any applicant to the Senate and for any nomination made by the President or the other executive officers as defined in Article III, Section 1 of the Constitution and according to the procedure set forth in Chapter I, Title II, Section 4-3 of these Statutes.
2. Providing the Speaker with advice in cases of disciplinary procedures against Senators.
3. Reviewing updates to these Statutes and other Senate procedures as determined by the Speaker.

## **Chapter II: The Executive Branch**

### ***Title I. Duties of the Executive Officers and Assistant Executive Officers***

#### *Section 1. Duties of the President*

The President has authority over the Executive Branch, except as specifically provided in the Constitution. Their duties shall include, but not be limited to:

1. The faithful and timely execution of all Constitutional duties.
2. The management of the Student Government Office and policies which shall be determined yearly by a joint consensus of the Executive Committee in conjunction with the Speaker of the Senate, the Speaker Pro Tempore, the Chief Justice, the Energy and Conservation Organization Agency Chair, the Category 5 Chair, What Matters to U Chair, and the Elections Commission Chair.
3. The exercising of signatory authority and coordination of work activities for the Student Government Administrative Assistant.
4. Serving as an undergraduate student representative to the University of Miami Board of Trustees.
5. Serving as an undergraduate student representative to the following University and external committees:
  - a. Rathskeller, Inc.
  - b. Honor Council Selection and Appeals Committee
  - c. Coral Gables Community Relations Committee
  - d. Board of Publications
6. Making executive appointments as stated by Senate legislation.
7. Coordinating administration-lobbying efforts.
8. The appointment and removal of individuals to fill the executive positions as listed below with appropriate Senate ratification, and the ability to create new positions as they deem necessary.

#### 1-1. Appointments External to Student Government

1. Board of Trustees Committee Representatives
  - a. Master Planning and Construction
  - b. Student Affairs
  - c. Athletic Affairs

d. Academic Affairs

2. Department of Wellness and Recreation Advisory Board Representative
3. WVUM Advisory Board Representative
4. Building and Grounds Committee Representative
5. Parking Advisory Committee Representative
6. Student Activity Fee Allocation Committee
7. Other Appointments as requested by University officials

1-2. Appointments Internal to Student Government

1. Supreme Court Chief Justice
2. Director of Academic Affairs
3. Director of University Affairs
4. Chief of Staff
5. Director of Internal Affairs
6. Director of Outreach
7. Director of Communications
8. Director of Diversity, Equity, and Inclusion
9. Election Commission Chair(s)
10. Category 5 Chair(s)
11. What Matters to U Chair
12. ECO Agency Chair

*Section 2. Regulations on Executive Appointments and Nominations*

The Chief Executive Officers as provided in this Section, shall jointly designate all appointments or nominations for appointments required or requested of Executive authority or remove such designation; however, the President has the power of designation as provided under [Article III, Section 3](#) of the Constitution in the performance of their duties. Concurrence by at least two (2) of the three (3) Chief Executive Officers shall be necessary to a designation or removal of the same. Designations outside of the Executive Branch of Student Government are not subject to Executive dismissal or removal.

2-1. Submission of Designations to the Senate

All initial designations shall be submitted to the Senate for its advice, consent and confirmation no later than the last regular meeting of the Senate in the spring academic semester. This deadline may be extended to a specific date for specific positions by a vote of two-thirds (2/3) of the Senate at the meeting prior to the date required for submission. Failure to submit designations by the date specified shall constitute nonfeasance.

2-2. Minor Appointments

Any positions not included in the definitions of [Chapter II, Title I, Section 1-2](#) of these Statutes shall be designated as a minor appointment by the Senate.

2-3. Acting Appointments

No person may be designated on an acting or interim basis to those offices as defined in [Chapter II, Title I, Section 1-2](#) of these Statutes. However, in consultation with the Student Government

Advisor(s), an acting appointee may serve for a maximum of two months due to extenuating circumstances, i.e., health.

#### 2-4. Filling Vacancies

If at any point during the year, a vacancy shall occur in an Assistant Executive Officer position as defined by the Constitution in [Article III, Section 1](#), the President shall make a special appointment to fill said position. The special appointment will not be subject to an application and interview process. The special appointee will assume the full role and responsibilities of the Assistant Executive Officer position from the time of their appointment.

##### *2-4.1 Submission of Internal Executive Branch Appointments Made to Fill Vacancies to Senate*

The special appointment shall serve for no more than four (4) weeks from the time of their official appointment without ratification by the Senate. Before this period is over, the special appointment must be submitted to the Speaker Pro Tempore at a weekly Senate meeting. All special appointments are subject to ratification by the Senate as outlined in [Chapter I, Title II, Section 7-2](#).

##### *2-4.2 Failure to Submit Appointment to Senate*

The special appointment shall be dismissed in the instance of a failure to be submitted to and ratified by the Senate before the end of the four (4) week period, unless otherwise extended by the Speaker.

#### *Section 3. Duties of the Vice President*

The duties of the Vice President shall include but not be limited to:

1. Act as President of Student Government in the cases of the absence or incapacitation of the same, exercising all duties of the Office of the President of Student Government, as outlined by [Article III, Section 4](#) of the Constitution.
2. Serve as the designated representative of the President of Student Government when requested by the President of Student Government; and perform such duties for the President of Student Government as are mutually determined, as outlined by [Article III, Section 4](#) of the Constitution.
3. Oversee the First Year Leadership Council, as outlined by [Chapter II, Title II, Section 5](#) of these Statutes and secure guest speakers from diverse areas of campus to speak to the members of the First Year Leadership Council about student involvement at the University of Miami.
4. The faithful and timely execution of all Constitutional and Statutory duties.

#### *Section 4. Duties of the Treasurer*

The duties of the Treasurer shall include, but not be limited to:

1. The faithful and timely execution of all Constitutional duties,
2. Establish proper accounting procedures with the Student Government Administrative Assistant.
3. Develop a yearly Student Government budget, reviewed, and approved by the Senate.
4. Give budget reports to the Senate when requested.
5. Attend all Senate Policy and Finance Committee meetings.

6. Review all appropriation forms submitted for co-sponsorship and authorize or decline them.
7. Serve as the non-voting Chair of the Trial Initiatives & Programs Appropriations Committee (TIPAC) as described in [Chapter IX. Title II.](#)

### *Section 5. Duties of the Assistant Executive Officers*

Duties of the Assistant Executive Officers shall include but not be limited to:

#### 5-1. Duties of the Director of Academic Affairs

1. Facilitate and coordinate the Academic Liaison Council as described in [Chapter II, Title II, Section 1.](#) of these Statutes.
2. Maintain an overall understanding of all current projects and initiatives within all aspects of Student Government.
3. Serve as a non-voting member and advisor to the Academic Affairs Senate Committee meetings.

#### 5-2. Duties of the Director of University Affairs

1. Facilitate and coordinate the Campus Liaison Council as described in [Chapter II, Title II, Section 2.](#) of these Statutes.
2. Maintain an overall understanding of all current non-academic projects and initiatives within all aspects of Student Government.
3. Serve as a non-voting member and advisor to the University Affairs Senate Committee meetings.

#### 5-3. Duties of the Chief of Staff

1. Serve as the chief advisor to the President, Vice President, and Treasurer in all matters of Student Government procedure and policy.
2. Maintain records of all Student Government Executive Committee meetings and transmit them to the appropriate advisor(s) to Student Government.
3. Collaborate with the Advisors of Student Government and the Senate Secretary to collect and maintain an archive of Student Government proceedings.
4. Manage all Presidential appointments, both internal and external, to Student Government and request reports from those appointees when appropriate.
5. Maintain an overall understanding of all current projects and initiatives within all aspects of Student Government.
6. Serve as the official Executive Branch representative at all regular Senate meetings.
7. Attend at least one (1) meeting of the supreme court, every executive committee, agency, and senate committee meeting per semester to conduct a performance evaluation.

#### 5-4. Duties of the Director of Internal Affairs

1. Facilitate and coordinate intra-organizational communication through the management of the Student Government Engage account.
2. Plan and implement a Student Government retreat once during the Fall semester.
3. Plan an Executive Committee retreat at the beginning of the Fall semester.

4. Collaborate with the Advisors of Student Government to plan a Student Government annual banquet in the Spring semester.
5. Plan and implement at least one Student Government internal community building event during the Fall semester and during the Spring semester that has an emphasis on creating mentorship opportunities.

#### 5-5. Duties of the Director of Outreach

1. Facilitate and coordinate the Outreach Committee as described in [Chapter II, Title II, Section 3.](#) of these Statutes.
2. Collaborate with UM organizations on any relevant Student Government initiatives, projects or events.
3. Plan and implement at least one campus-wide program or event during the Fall semester and during the Spring semester.
4. Responsible for organizing Student Government's involvement in campus service days and outreach events and programs.
5. Serve as an Executive representative to the Public Relations Senate Committee meetings.

#### 5-6. Duties of the Director of Communications

1. Maintain and manage Student Government publicity, including full correspondence with on- and off-campus media, and oversee Student Government's online presence.
2. Consult and aid in the implementation of marketing plans for Student Government events, programs, and initiatives.
3. Plan and execute a Student Government awareness day once during the Fall and once during the Spring semesters.
4. Serve as an Executive representative to the Public Relations Senate Committee meetings.
5. Develop and maintain a working relationship with University Communications.
6. Research, edit and produce the Student Government Annual Report as described in [Chapter II, Title II, Section 4.](#) of these Statutes.

#### 5-7. Duties of the Director of Diversity, Equity, and Inclusion

1. Facilitate and coordinate the Diversity Equity and Inclusion Council as described in [Chapter II, Title I, Section 6.](#) of these Statutes.
2. Maintain an overall understanding of all current projects and initiatives within all aspects of Student Government.
3. Serve as a non-voting member and advisor to the University Affairs Senate Committee meetings.

### *Section 6. Responsibilities of Executive Officers and Assistant Executive Officers*

All Officers authorized by this chapter are to be designated as members of the Executive Committee and are subject to all provisions of this chapter.

#### 6-1. Additional Functions

When, by appropriate action, additional functions are charged to an Officer listed in this Chapter, such an Officer shall be fully responsible for the same and for its prompt and complete execution.

### 6-2. Report Required of Officers

Each Officer as designated by the Constitution shall give a report regarding their assignments or projects at least weekly in a manner prescribed by the Student Government President.

### *Section 7. Student Government Annual Report*

The Student Government Annual report shall consist of all completed and in-progress Student Government projects and initiatives in all aspects of Student Government and must be made available online.

## ***Title II. Executive Board Councils***

### *Section 1. Selection and Vacancy Filling for Executive Committee Boards*

At the direction of the President, a process for collecting applications, reviewing, interviewing, and selecting candidates shall be devised. All boards shall participate in this process at the end of the spring semester, excluding the First-Year Leadership Council members who shall be selected at the start of the following fall semester. Applications shall be publicized to the student body at-large, and applications shall be accepted for a time period of no less than one (1) week but not more than two (2) weeks. Responsibility for interviewing shall be shared with Student Government members as deemed appropriate by the President. Ultimate selection of executive committee board members shall be at the discretion of the President in consultation with the associated Director.

### 1-1 Vacancies

If, at any point during the year, a vacancy on a board occurs before the regular call for applications, a special application process shall occur. The Director of that board or council shall be responsible for creating a process to collect applications and review candidates as appropriate before filling the vacancy. Collaboration where multiple boards, councils, or agencies have simultaneous vacancies is encouraged. Vacancies shall be publicized to the student body at-large, and applications shall be accepted for a time period of no less than one (1) week but not more than two (2) weeks.

### *Section 2. Academic Liaison Council*

The Academic Liaison Council, a committee of the Executive Branch, will have the ultimate responsibility of serving as a board of liaisons that fosters communication and productive relationships between different areas of campus and Student Government.

### 2-1. Academic Liaison Council Members

The Academic Liaison Council shall consist of the Director of Academic Affairs, a representative from the Student Government Senate Academic Affairs Committee, and no fewer than eight (8) students representing the following areas on campus:

1. All Undergraduate Schools and Colleges and academic entities
2. Academic student services, included by not limited to:
  - a. Patricia and Harold Toppel Career Center,
  - b. 'Canes Central,

- c. Office of Academic Enhancement,
- d. Enrollment Management
  - i. 'Canes Success Center
  - ii. Office of Admissions
  - iii. Registrar
  - iv. Student Financial Assistance and Employment
  - v. International Student and Scholar Services

### 2-2. Duties of the Academic Liaison Council

Members of the Academic Liaison Council shall regularly meet or communicate with their respective departments. Liaisons are responsible for communicating relevant Student Government projects and initiatives to their respective departments and for serving as the student body representatives to the departments. Each Liaison shall act as a first point of contact for members of Student Government who wish to present projects or initiatives related to the Liaison's department. The Council as a whole shall meet with the Director of Academic Affairs no less than once every fourteen (14) days during the Fall and Spring semesters, at a set time and location.

### *Section 3. Campus Liaison Council*

The Campus Liaison Council, a committee of the Executive Branch, will have the ultimate responsibility of serving as a board of liaisons that fosters communication and productive relationships between different areas of campus and Student Government. The Campus Liaison Council must be consulted on any Student Government initiative involving: Auxiliary and Dining Services, Housing and Facilities, Security, Health and Wellness, Information Technology, Library, and Parking and Transportation.

### 3-1. Campus Liaison Council Members

The Campus Liaison Council shall consist of a representative from the Student Government Senate University Affairs committee and two (2) students representing each of the following areas on campus:

1. Auxiliary and Dining Services
2. Housing and Facilities
3. Security
4. Health and Wellness
5. Information Technology and Library
6. Parking and Transportation

### 3-2. Duties of the Campus Liaison Council

Members of the Campus Liaison Council shall regularly meet or communicate with their respective departments. Liaisons are responsible for communicating relevant Student Government projects and initiatives to their respective departments and for serving as the student body representatives to the departments.

#### *3-2.1 Respective Departments*

The Liaison's respective departments shall include but are not limited to:

1. Auxiliary and Dining Services: University of Miami Auxiliary Services Department
2. Campus Facilities: University of Miami Office of Facilities Management, University of Miami Police Department and the Office of Emergency Management.
3. Security: University of Miami Police Department and the Office of Emergency Management.
4. Health and Wellness: Patti and Allan Herbert Wellness Center, University of Miami Counseling Center, and Student Health Center
5. Information Technology: University of Miami Information Technology Department
6. Library: University of Miami Libraries
7. Parking and Transportation: University of Miami Department of Parking and Transportation.

#### *Section 4. Outreach Committee*

The Outreach Committee is a committee of the Executive Branch managed by the Director of Outreach. The committee's ultimate responsibility is to plan and coordinate programs that involve connecting and communicating with students and other student organizations.

##### 4-1. Outreach Committee Composition

The Outreach Committee shall consist of no fewer than five (5) coordinators who will work equally in the following departments:

1. Logistics
2. Marketing
3. Liaisons

##### 4-2. Duties of the Outreach Committee

All members of the Outreach Committee shall meet regularly to discuss, develop, and initiate Student Government programming. The committee as a whole shall meet at least once every fourteen (14) days during the Fall and Spring semesters, at a set time and location.

##### *4-2.1 Duties of the Logistics Coordinator*

Duties of the Logistics Coordinator shall be:

1. Manage all logistical aspects of each program managed by the Outreach Committee including but not limited to, reserving locations, coordinating audio/visual technology, and organizing a volunteer schedule.
2. Ensure that events are sufficiently prepared and properly executed.
3. Ensure the purchase and transportation of all materials needed for events.
4. Be present at events for setup, event management, and disassembly.
5. Ensure that events are sufficiently prepared and properly executed.

##### *4-2.2 Duties of the Marketing Coordinator*

Duties of the Marketing Coordinator shall be:

1. Work with the Director of Communications to develop and execute a marketing campaign for each program managed by the Outreach Committee.
2. Design and create promotional materials.
3. To reach out to campus communication entities to promote events.

4. Work with the Marketing Coordinator and Liaison to ensure the marketing materials are created and dispersed.
5. Work with the Director of Communications and the Marketing Coordinator to develop and execute a marketing campaign for each program managed by the Outreach Committee.

#### *4-2.3 Duties of the Liaison*

Duties of the Outreach and Sponsorship Coordinator shall be:

1. Invite organizations and individuals to participate in programs managed by the Outreach Committee.
2. Seek out and follow through with sponsorships for programs managed by the Outreach Committee.
3. Work with the Graphic Design Coordinator and the Marketing Coordinator to place sponsors' logos on marketing material.
4. Schedule and coordinate with Outreach representatives to visit student organization meetings for collaborations and to update the Outreach Committee on events outside of Student Government.

#### *Section 5. Board of Communications*

The Board of Communications is a committee of the Executive Branch with the ultimate responsibility of maintaining and managing Student Government publicity, including full correspondence with on- and off-campus media, and oversee Student Government's online presence.

##### 5-1. Board of Communications Composition

The Board of Communications shall consist of:

1. Director of Communications,
  - a. The Director of Communications must appoint members within the Board of Communications to collaborate with the following areas: Student Government Senate, Student Government Executive Committees, and Student Government Agencies.
2. The positions within the Board of Communications include but are not limited to at least one (1):
  - a. Vice Chair
  - b. Graphic Designer
  - c. Photographer
  - d. Videographer
  - e. Social Media Coordinator (i.e., Facebook, Instagram, Twitter, etc.)
  - f. Public Relations Coordinator (i.e., website, press releases, news stories, etc.)
3. A representative from the Student Government Senate Public Relations committee

##### *5-2. Duties of the Board of Communications*

All members of the Board of Communications shall meet regularly to discuss and aid in the implementation of marketing plans for Student Government. They shall maintain all facets of Student Government Social Media and the Website to ensure the student body at-large is aware of Student Government events, programs, and initiatives. The Board as a whole shall meet at

least once every fourteen (14) days during the Fall and Spring semesters, at a set time and location.

### *Section 6. First-Year Leadership Council*

The First-Year Leadership Council is a committee of the Executive Branch with the ultimate responsibility of managing and executing projects as delegated by the President and Vice President. This committee will also foster the growth, leadership and development of its First-Year Members. First-Year Members will be exposed to project completion, programming, and campus administration.

#### 6-1. First-Year Leadership Council Composition

The First-Year Leadership Council shall consist of:

1. Vice President,
2. No more than thirty (30) First-Year Members,
3. Up to (4) Project Coordinators and/or Leadership Development Coordinators.

##### *6-1.1. First-Year Member Appointment Procedure*

At the beginning of the Fall semester, a call for applications for First-Year Members shall be publicized to the student body at-large. Applications shall be accepted for a time period of no less than one week (1) but not more than three (3) weeks. After this period, the Vice President shall coordinate interviews with all applicants. Following interviews, First-Year Members shall be appointed by the President based on the recommendation of the Vice President.

#### 6-2. Duties of the First-Year Leadership Council

All members of the First-Year Leadership Council shall meet regularly to discuss the status of delegated projects and ways to enrich the lives of first year students at the University of Miami through focused programming. The Council as a whole shall meet at least once every fourteen (14) days during the Fall and Spring semesters, at a set time and location.

##### *6-2.1 Duties of the First-Year Members*

Duties of the First-Year Members shall be:

1. Recommend and work on projects as assigned by the Vice President.
2. Successfully and effectively complete projects in a manner as described by their relevant Project Coordinator.

##### *6-2.2 Duties of the Leadership Facilitator*

Duties of the Leadership Facilitator shall be:

1. Plan, prepare and host a leadership development activity once every 14 days for First-Year Leadership Council meetings in which all members shall participate.
2. Assist the Vice President in the management of the First-Year Leadership Council as a whole.

##### *6-2.3 Duties of the Project Coordinators*

Duties of the Project Coordinators shall be:

1. Collaborate with the Vice President to determine applicable projects for First-Year Members.
2. Aid First-Year Members in all aspects of project completion.
3. Provide general advice to First-Year Members throughout project development and completion.
4. Meet at least once every fourteen (14) days to work with the Vice President in establishing an overall strategy and direction of projects delegated to the First-Year Leadership Council.

#### *6-2.4 Project and Project Coordinator Assignment Procedure*

First-Year Members will be assigned to a Project Coordinator based on the following process:

1. At the advice and consent of the President, the Vice President shall delegate a list of projects to the First-Year Leadership Council.
2. The Vice President and each of the Project Coordinators will divide this list of projects amongst themselves.

#### *Section 7. Diversity Equity and Inclusion Council*

The Diversity Equity and Inclusion Council, a committee of the Executive Branch, will have the ultimate responsibility of serving as a board of liaisons that fosters communication and productive relationships between different areas of campus and Student Government.

##### 7-1. Diversity, Equity, and Inclusion Council Members

The Diversity, Equity, and Inclusion Council shall consist of no fewer than five (5) students responsible for the following areas:

1. Polling and Distribution
2. Student Life Liaison
3. Student Organization Liaison
4. Accessibility Services Liaison
5. Training Officer

##### 7-2. Duties of the Diversity, Equity, and Inclusion Council

Members of the Diversity, Equity, and Inclusion Council shall regularly meet or communicate with their respective departments. Liaisons are responsible for communicating relevant Student Government projects and initiatives to their respective departments and for serving as the student body representatives to the departments. Each Liaison shall act as a first point of contact for members of Student Government who wish to present projects or initiatives related to the Liaison's department. Throughout the duration of a project or initiative, Liaisons shall coordinate, facilitate and participate in communications and meetings among members of each department and Student Government. Liaisons shall update the Director of Diversity, Equity and Inclusion of their respective departments' ongoing projects and initiatives immediately following any meetings or communications with their respective departments. In addition, the Council as a whole shall meet with the Director of Diversity, Equity, and Inclusion no less than once every fourteen (14) days during the Fall and Spring semesters, at a set time and location.

### *7-2.1 Respective Areas*

The Liaisons shall liaise with the following groups including, but not limited to:

1. Division of Students Affairs, including but not limited to the Departments of Student Life, Multicultural Student Affairs, and the LGBTQ Student Center
2. Office of the Executive Vice President for Academic Affairs and Provost including but not limited to the Office of Disability Services
3. Committee on Student Organizations (COSO)
4. Office of Academic Enhancement

## ***Title III. Executive Absence, Inability or Vacancy***

### *Section 1. Temporary Executive Function*

In a prolonged absence or incapacitation of the President and failure of the Vice President to serve as acting President by absence from the local area, from inability to serve or by cause of a vacancy in said office, then the person whose office is highest on the following list and who is in the local area and able to serve shall then serve as acting President for the duration of the President's absence or inability to function, subject to such directives as the President shall have made, until the cessation of the absence or inability to serve:

1. Speaker of the Senate
2. Chief Justice
3. Treasurer
4. Chief of Staff
5. Speaker Pro Tempore
6. Director of Academic Affairs
7. Director of University Affairs
8. Director of Internal Affairs
9. Director of Outreach
10. Director of Diversity, Equity & Inclusion

### 1-1. Recess Period Executive Function

The provisions of [Chapter II, Title 1, Section 1](#) of these Statutes shall apply during and throughout recess periods.

### *Section 2. Multiple-Vacancy Presidential Succession*

Whenever, for any reason, the Offices of President, Vice President, Speaker, Chief Justice, Treasurer and Chief of Staff shall simultaneously be vacant or incapable of service, the Senate shall convene at the earliest practical time on the call of the Parliamentarian, who shall chair as temporary Presiding Officer, with the Speaker Pro Tempore serving as President ad interim. The Senate, in accordance with the procedure for electing a Speaker, shall elect a President for the remainder of the annual term. Following the election for President, the Senate shall immediately proceed to the election of a Speaker for the remainder of the annual term, as provided in the Student Government Constitution. Said meeting shall not adjourn until both elections have been completed and shall have no other items of business for consideration on the agenda.

### *Section 3. Executive Committee Vacancies*

If a vacancy shall occur in any position on the Academic Liaison Council, Campus Liaison Council, Outreach Committee, Board of Communications, First-Year Leadership Council, or Diversity Equity & Inclusion Committee, the relevant committee chair shall determine whether or not that position should be filled. If a special application process is deemed necessary, a special call for applications shall be publicized to the student body at large. Applications shall be accepted for a time period of no less than one (1) week but not more than two (2) weeks. After this period, the relevant board chair shall coordinate interviews with all applicants.

## **Chapter III: The Judicial Branch**

### *Title I. Composition of the Supreme Court*

#### *Section 1. Officers of the Court*

The Officers of the Court shall be the Chief Justice, Associate Chief Justice, and the Clerk of the Court.

#### *Section 2. Appointment Procedure*

##### 2-1. Court Nominations

The Chief Justice of the Supreme Court shall nominate each Associate Chief Justice, and Associate Justice, as necessary to fill vacancies on the Supreme Court in an expedient manner.

##### *2-1.2. Court Membership Vacancies*

Court vacancies shall be announced, and applications may be solicited of eligible Undergraduate Students.

##### *2-1.3. Court Membership Selection*

The selection process of all members of the Supreme Court shall include a formally written application and interview of each candidate for nomination.

##### 2-2. Court Membership Review

Each year, the Chief Justice and President shall review all Associate Justices to determine if they shall continue as a Court member.

#### *Section 3. Duties*

##### 3-1. Duties of the Chief Justice of the Court

The duties of the Chief Justice shall include but not be limited to:

1. Presiding over all meetings of the Court.
2. Calling meetings as the need arises.
3. Serving as Parliamentarian of the Senate.
4. Interpreting the rules of Court procedure as detailed in these Statutes.
5. Serving as the spokesperson for the Court to groups outside of Student Government.
6. Attending Student Government Executive Committee meetings.
7. Receiving and reviewing requests for hearings and determining, with input from members of the Court, whether to hear a case or not.

8. Maintaining and updating the latest version of the Student Government Constitution and Statutes.
9. Providing the Speaker of the Senate, Student Government President, Student Government Advisor, and all appropriate agencies with the latest dated version of Student Government Constitution and Statutes.
10. Appoint a representative from the Judicial Branch to the Trial Initiatives & Programs Appropriations Committee
11. Submit a budget proposal to the Treasurer for the Judicial Branch at the written request of the Treasurer.
12. Submitting a copy of the most updated Constitution to the Committee on Student Organizations on a semesterly basis.
13. Attending Elections Commissions meetings during Elections.

### 3-2. Duties of the Associate Chief Justice of the Court

The duties of the Associate Chief Justice shall include but not be limited to:

1. Presiding over meetings in the absence of the Chief Justice.
2. Contacting involved parties for hearings.
3. Assist the Chief Justice.
4. Coordinating all Trial Court proceedings, rooms, times, and acting as a point of contact to involved parties.

### 3-3. Duties of the Clerk of the Court

The duties of the Clerk of the Court shall include but not be limited to:

1. Preparing the minutes at each meeting and hearing.
2. Typing the Court decisions and submitting to the Chief Justice for signature.
3. Maintaining the records of the Supreme Court.
4. Transcribing Trial Court proceedings.
5. Serving as Supreme Court liaison to student media organizations.
6. Presiding over meetings in the absence of the Chief Justice and the Associate Chief Justice.
7. Preparing the docket for hearings and distributing the docket and relevant materials to the members of the Court.
8. Securing a location for meetings and hearings.

### *Section 4. Removal*

An Associate Justice may be removed from the Court for failure to attend four (4) total scheduled meetings of the Court or two (2) scheduled meetings of the court without an accepted excuse within the period of one (1) semester as specified by Article IV, Section 8, of the Constitution.

## ***Title II. Judicial Power***

### *Section 1. Judicial Review*

The Supreme Court shall have the power of judicial review over all legislation passed through the Senate and any action of the Executive Officers and Executive Committee. The power of

judicial review is limited to matters concerning the Student Government Constitution and Statutes. The Court shall reserve the right to amend, affirm, rescind or/and remand issues brought before it.

*Section 2. Power of Injunction*

The Chief Justice, with consent from a majority of the Justices on the Court, shall have the power to place an injunction against any action by the Senate, Executive Officers, Executive Committee or Standing Committees. This injunction shall be in place to allow the Court to meet and decide the constitutionality of said action, according to the process of judicial review. The injunction shall remain in effect for up to, but not exceeding, five (5) school days, for the purpose of allowing further action by the Court. Not more than one injunction may be issued for each action or piece of legislation.

*Section 3. Power of Subpoena*

Any full-time undergraduate student may be issued a subpoena to appear before the Court in relation to any Student Government issue in accordance with Article IV, Section 5-3 of the Constitution. If the party fails to comply with the subpoena, the noncompliance shall be considered malfeasance and shall be grounds for impeachment and/or disciplinary action.

*Section 4. Additional Powers*

Powers may be added to the Court by the passage of legislation to amend the Constitution and/or Statutes.

*Section 5. Conclusion*

In a situation whereby this Chapter fails to answer a question of procedure, the power of final authority shall be granted to the Chief Justice.

***Title III. Judicial Processes***

*Section 1. Voting*

The following shall govern the voting process within the Court on all Court matters:

1. The vote shall be recorded as a roll call vote.
2. A majority of the Justices on the Court shall decide all issues.

*Section 2. Appeals*

The following shall govern the process of appeals on all Court rulings:

1. An individual may submit an appeal to the Supreme Court only when relevant information was unavailable at the time the decision in question was made.
2. Appeals must be transmitted in the same manner as petitions, and the Chief Justice, with the consent of the Justices of the Court, shall decide whether or not to hear the appeal.
3. Appeals must be filed within ten (10) school days of the decisions to be appealed. The Court may vote to waive the ten (10) school day statute of limitation.

**Chapter IV: Elections Codes**

## ***Title 1. Elections Commission***

### *Section 1. Purpose*

The Elections Commission is established to facilitate fair and open Student Government Elections for both eligible candidates and eligible voters.

### *Section 2. Composition*

There shall be an Elections Commission composed of a up to two Chair(s), one Vice Chair, and at least ten (10) members at large and, up to but not, exceeding twenty (20) members at large, referred to henceforth as elections commissioners.

#### 2-1. Chair(s) and Vice Chair Selection

The Chair(s) of the Elections Commission shall be nominated by the Elections Commission via internal election and presented to the President of Student Government. The President shall either present the nominee(s) to the Senate for ratification or reject the nomination(s). In the case of rejection by the Senate or the President, the Elections Commission shall nominate new candidate(s). The Elections Commission shall elect a Vice Chair without ratification.

#### 2-2. Elections Commissioners Selection

Applications shall be made available at the discretion of the Chair(s) and Vice Chair. Following review of applications and reduction of the application pool if necessary, interviews shall be conducted with the presence of the Chair(s) and/or Vice Chair. Executive Officer(s) or Assistant Executive Officer(s) may assist with interviews. The Chair(s) shall make final decision concerning the elections commissioners.

#### 2-3. Ratification

Chair(s) of the Elections Commission shall submit the appropriate legislation to the Senate recommending the ratification of the selected applicants. Ratified Elections Commission members are not subject to the application process at the end of each elections cycle.

#### 2-4. Removal or Unexpected Vacancies

1. Should the Chair(s) of the Elections Commission be unable or unwilling to fulfill their duties as Chair, the Vice Chair of the Elections Commission shall take the place of the Chair until new Chair(s) are selected.
2. The Chair(s), Vice Chair, and Elections Commissioners shall not serve in or run for any elected Student Government position while also serving on the Elections Commission.
3. Elections Commission members, including the Chair(s) and Vice Chair, may be subject to removal in extreme circumstances as decided by the Advisor(s) of Student Government or a vote of three-fourths (3/4) of filled positions of the Elections Commission.

### *Section 3. Authority*

The Elections Commission is authorized to act as an independent agency of Student Government. The Elections Commission shall have original jurisdiction to pursue matters related to elections. The Supreme Court of Student Government shall have original judicial jurisdiction

regarding all elections processes. All University policies and decisions shall supersede these Elections Codes.

### 3-1. Powers of the Elections Commission

The Elections Commission is authorized to:

1. Conduct elections of its Chair(s) and Vice Chair.
2. Administer and conduct the organization, coordination, and operation of all student body-wide Student Government elections and referenda.
3. Administratively enforce regulations, procedures, and rules governing elections and referenda.
4. Refer all reviewed violations to the Student Government Supreme Court.
5. Decide on instances of automatic disqualification.
6. Promulgate and amend the Elections Codes to administer the powers and authority vested by this chapter and the Student Government Constitution.
7. Recommend amendments to the Student Government Constitution or remaining portions of the Statutes that relate to elections procedures.
8. Designate the timeframe for elections via Senate-approved calendar.
9. Make expenditures on the Elections Commission budgetary allocation.
10. Close voting, after consultation with the Advisor(s), and transmit such a decision in writing to the President of Student Government.

### 3-2. Responsibilities of the Elections Commission

1. Create, and have approved by the Senate, a semesterly Elections Calendar that includes, at minimum, dates to file for candidacy, mandatory candidates meeting, opening of polls, closure of polls, and run-off election polling opening and closure.
2. Publicize information about application procedures for candidacy and voter participation, including but not limited to
  - a. Deadlines for submissions
  - b. Mandatory meetings for candidates or campaigns
  - c. Meet the candidate events
  - d. Voting dates and times
3. Host a mandatory event for all candidates to review all election requirements.
4. Organize events that support educating the student body about elections.
5. Manage reservations for all events throughout the election season.
6. Staff and manage polling stations.
7. Act as a neutral body as it relates to candidates and campaigns.
8. Provide appropriate support for candidates throughout the election season.
9. Manage appropriate records of all submitted graphic campaign materials for at least one calendar year.
10. Enable all members of the University of Miami community to submit requests for violation review.
11. Announce all election results, as well as runoff election results if necessary, and notify candidates of their victory.

#### *3-2.1. Responsibilities of the Advisors*

1. Verify eligibility of candidates and voters.

2. Oversee all associated actions necessary to manage online voting system(s), including ballots, eligibility, and results.
3. Maintain historical record keeping.
4. Provide appropriate support to Elections Commission and Court.
5. Act as a neutral party as it relates to candidates and provide support at their request.

## ***Title 2. Voting and Results***

### *Section 1. Voter Eligibility*

1. Voters must be enrolled as full-time degree seeking undergraduate students and have paid the Student Activity Fee at the time of voting.
2. Voters may only vote for those candidates seeking to represent their constituency, such as school, year, residency, or other applicable seat.
3. Seats are further defined in [Article II, Section 2. of the Constitution](#), and [Chapter I, Title I of the Statutes](#).

### *Section 2. Polling Stations*

An official Student Government polling station is one that is monitored and staffed by the Elections Commission.

### *Section 3. Ballot*

1. Candidates shall be placed on their corresponding ballot based upon the seat or position which they indicate upon filing for candidacy.
2. Candidates shall be listed in alphabetical order by last name.
3. The ballot shall be prepared and presented to candidates during the mandatory candidates meeting.
4. Candidates may only make changes to the ballot up until the date designated on the elections calendar.

#### 3.1. Ballot – Ticket Appearance

1. Ticket affiliation shall be denoted through the usage of parenthesis appearing next to the candidate's name.

### *Section 4. Election Results*

1. Senate Candidates
  - a. To win a seat, candidates must achieve plurality of votes.
  - b. In the case of a constituency with more than one (1) seat up for election, the number of winners shall be representative of the number of open seats.
2. Executive Candidates
  - a. To win an executive position, candidates must receive a simple majority of votes (50% plus 1 vote).
3. Referendum
  - a. To adopt referendum, 2/3 majority of votes in favor is necessary.
  - b. In the event that a referendum receives an affirmative between 50% and 2/3, the question must be sent to the Senate (pursuant to Article VI, Section I of the Constitution).

#### 4-1. Election Results Announcement

1. The Elections Commission shall announce these election results to the general student body and submit them to be posted to the student body at large.
2. The Elections Commission shall also be responsible for formally notifying by email all candidates for office of their electoral status within forty-eight (48) hours of the original election results announcement.
3. The Elections Commission shall not announce vote total or winner(s) in the event that Elections Commission and/or applicable Court action has not been determined on a violation that has been submitted on time.
4. For the purpose of establishing a total vote count for a particular office, votes for a disqualified candidate shall not be counted.

#### *Section 5. Electoral Fraud*

1. Any action, physical, verbally, or otherwise, designed with the intent to interfere with any aspects of the voting process. Acts of interference with the voting process include, but are not limited to:
  - a. Manipulation of constituency: any act or attempt by a candidate or campaign to coerce, verbally or otherwise, any undergraduate student of the University of Miami to change or otherwise alter their residential status or academic school or college in order to qualify for a particular constituency.
  - b. Intimidation: any act or attempt, verbally or otherwise, designed to discourage or disenfranchise any undergraduate student of the University of Miami from voting in a Student Government election including but not limited to, violence or the threat thereof, attacks on polling places, and psychological threats.
  - c. "Vote Buying:" any act or attempt by a candidate or campaign to coerce any undergraduate student of the University of Miami to vote in a particular way by providing them with any individual benefit(s) or detriment(s).
  - d. Misinformation: act or attempt by a candidate or campaign to knowingly and willingly provide false information to a member of the University of Miami community concerning Student Government elections with the intent to discourage or disenfranchise undergraduate students from voting in a Student Government election.
  - e. Group Voting: any act or attempt by a candidate or campaign to collect personal information, such as University login credentials or any other information that is required for the purposes of voting, of any undergraduate student of the University of Miami with the intent to vote for or in lieu of the undergraduate student in a Student Government election.
  - f. Tampering with electronic voting machines: any act or attempt by a candidate or campaign to either damage, disrupt, or otherwise tamper with any device, personal or otherwise, that is being used as part of a Student Government election.
  - g. The Elections Commission reserves the right to report any act of electoral fraud to the Dean of Students Office for further investigation.

### ***Title 3. Candidacy and Referendum***

#### *Section 1. Student Rights & Responsibilities Handbook*

All candidates, tickets, and referendum must abide by the standards and policies enumerated in the Student Rights & Responsibilities Handbook. The Elections Commission reserves the right to report any alleged violation(s) of the Student Rights & Responsibilities to the Dean of Students Office.

#### *Section 2. Candidacy Requirements*

All candidates must meet the following requirements to appear on the ballot:

1. Be currently enrolled, full-time undergraduate students and be in good disciplinary standing as determined by the Dean of Students Office.
2. Have a grade point average (GPA) of at least 2.5 (Senate candidates) or at least 2.7 (Executive candidates).
  - a. First semester Freshmen or Transfers filing for candidacy are exempt from providing their grade-point average.
3. Be a member of the constituency they wish to represent.
4. Be a candidate for one (1) position per election cycle.
5. Submit the application (file for candidacy) on time.
6. Attend all mandatory candidates meeting(s).

#### *Section 3. Referenda Campaign Requirements*

1. A referendum may only appear on the Spring ballot.
2. Referenda authors must be currently enrolled, full-time undergraduate students and be in good disciplinary standing as determined by the Dean of Students Office.
3. All referenda authors must attend a Mandatory Writing Workshop to establish the question, which shall appear on the ballot.
4. The referendum campaign must submit a petition, featuring the question, that has been signed by at least five hundred (500) enfranchised undergraduate students.
  - a. The petition signers must include their school, academic class, and UMID number (C number) upon signing.
5. The referendum campaigning must submit the application (file for candidacy) on time.
6. The referendum authors must attend the mandatory candidates meeting.

#### *Section 4. Application Procedures*

The following guidelines apply to all candidates filing for application:

##### 4-1. Filing for Candidacy

1. Candidates shall declare their intention to run through online application.
2. Associated applications must be submitted by the date and time set forth in the semesterly elections calendar, or the student shall not appear on the ballot.
3. Candidates who wish to run with a ticket must declare affiliation within the application.

##### *4-1.1. Write-In Candidates*

Any student who did not submit an application for candidacy by the established deadline will still be eligible for a seat via write-in.

1. Write-in candidates who graphically campaign, with the exclusion of personal emails or other forms of individual communication, shall be disqualified.

#### 4-2. Formation of a Ticket

A ticket shall be defined as individuals who share publicity or finances with the goal of achieving election together. It shall consist of candidates from no more than one of the following categories:

1. Those candidates running for seats within a single school
2. Those candidates running for seats within a single academic class
3. Those candidates running for seats within a residential constituency
4. Those candidates running for seats within a unique population
5. Those candidates running for President, Vice President and/or Treasurer

##### *4-2.1. Ticket Names*

Ticket names will be assigned in the order received. A campaign shall hold all rights to the ticket name until they relinquish the name to another campaign or no longer remain University of Miami undergraduate student(s).

#### *Section 5. Mandatory Candidates Meeting*

1. All candidates, tickets, and referendum authors must attend any candidates meeting as outlined in the Election Calendar.
2. Candidates must review their ballot and affirm its accuracy or request changes by the completion of the meeting.
3. If a candidate cannot attend the meeting or must be late, a valid written excuse must be submitted to the Chair of the Elections Commission by noon the day of said meeting.
4. The Chair of the Elections Commission, after consultation with the Advisor(s) of Student Government, reserves the right to deny any written excuse submitted.
5. The decision of the Chair of the Elections Commission must be submitted to the candidate within twenty-four (24) hours and may not be appealed.

#### *Section 6. Slogans, Campaign Names and Graphic Campaign Material*

Slogans, campaign names or graphic campaign materials that are remarkably similar or that differ by words that do not significantly change the meaning or theme shall constitute affiliation with more than one ticket and shall be considered so at the discretion of the Elections Commission.

#### *Section 7. Establishment of a Campaign*

1. A campaign shall be defined as a group of one (1) or more individuals coming together with the purpose of developing a platform (i.e., campaign goals and/or initiatives) and getting a candidate or ticket elected or referenda passed
2. A member of a campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members.
3. A campaign supporter is any person who actively graphically or verbally campaigns on a candidate or ticket's behalf.

#### 7-1. Soliciting Campaign Supporters or Members

1. A candidate, ticket, or referendum may solicit the support of campaign members or campaign supporters before filing for candidacy.
2. Candidates may not intimidate, threaten, or bully, as determined by the Elections Commission, members, or supporters to join their campaign. Such actions will be considered electoral fraud (pursuant to Title 2, Section 5.) and be treated as such.

#### 7-2. Campaign Members

1. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members.
2. Candidates must submit a list of campaign members before said members contribute time or effort to a campaign in any way.
3. Additions may be made to the list of campaign members up until 11:59 PM night before the first day of voting.
4. Campaign members may not be removed from the list of campaign members and shall continue to count towards the total of 15.
5. Actions taken by campaign members shall carry the same gravity as it relates to these codes as a candidate or ticket.

#### *Section 8. Run-off Election Candidacy*

If a senate candidate fails to achieve plurality or an executive candidate fails to achieve simple majority then a run-off election shall commence in accordance with the Elections Calendar. The two candidates with the most votes, or in the case of a tie in all candidates who are tied, shall appear on the run-off ballot (pursuant to Title 2, Section 3.).

#### 8-1. Write-In Candidates in Run-off Elections

If an unopposed candidate for President, Vice President, or Treasurer fails to win a simple majority of the votes, then the name of the write-in candidate with the most votes will appear on the runoff ballot.

#### *Section 9. Withdrawal or Disqualification*

1. Candidates may withdraw at any point. Any candidacy withdrawn after the application deadline may not be reinstated. The candidate is eligible to run as a write-in candidate.
2. Votes received for candidates who withdraw or are disqualified (pursuant to Title 6, Section 1-3. and Title 6, Section 5. Clause 5) after voting has commenced shall be considered invalid and not counted.

### ***Title 4. Finances***

#### *Section 1. Expenditures*

1. Expenditures for independent candidates or tickets for the positions of President, Vice President, or Treasurer shall be limited to the amount of \$1000 for spring elections.
2. Expenditures for Senate candidates shall be limited to the amount of \$300 for fall or spring elections.

3. Expenditures for referenda shall be limited to the amount of \$300 for fall or spring elections.
4. Expenditures during run-off elections shall be limited to total retail expenditure per campaign of \$500 regardless of the amount of money spent during the election.

### 1-1. Goods and Services

All goods and services, excluding labor performed by full-time University of Miami undergraduate students, that are either purchased or donated shall be assessed as a campaign expenditure at its retail value. If these goods or services were acquired at a price substantially below the market value available to the general public or other candidates, the Elections Commission shall determine its retail value. Any University resources that are available to all students for free may be used by any candidate or ticket during their campaign.

### 1-2. Corporate Sponsorship

Any corporate or commercial promotion in graphic campaign material in exchange for sponsorship is prohibited.

## *Section 2. Financial Report Procedure*

A Financial Report must be submitted by ALL independent candidates, tickets, and referenda. The report must include the retail value of all goods and services used in the campaign, all income sources, expenditure receipts and other pertinent information as determined by the Elections Commission and included in the election packet.

### 2-1. Financial Report Procedure for Expenditures

Independent candidates, tickets, and referenda who spend money on their respective campaigns must submit a Financial Report by time of polls closure on the last day of voting.

### 2-2. Financial Report Procedure for Lack of Expenditures

Independent candidates, tickets, and referenda that do NOT spend money are also required to submit the Financial Report by the time of polls closure on the last day of voting and are similarly subject to disqualification in the event that they fail to do so.

## *Section 3. Runoff Election*

1. Expenditures for independent candidates or tickets for the positions of President, Vice President, or Treasurer shall be limited to the amount of \$500 for spring elections regardless of the amount of money spent during the election for tickets.
2. Expenditures for Senate candidates shall be limited to the amount of \$200 for fall or spring elections regardless of the amount of money spent during the election for tickets.

## ***Title 5. Campaigning***

### *Section 1. Campaign Procedures*

In areas where University policy conflicts with campaign procedures, the University policy shall be supreme. The following guidelines shall apply to all graphic campaign materials:

### 1-1. Campaigning Definition

1. Campaigning shall be defined as any verbal or graphic campaigning or any other action that is intended to solicit votes for a particular candidate, ticket, or referendum.
2. A member of a campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way.
3. A campaign supporter is any person who actively graphically or verbally campaigns on a candidate or ticket's behalf.
4. A ticket/candidate may be held responsible for any violation committed by a campaign member or supporter, to be determined at the discretion of the Elections Commission.
5. A referendum shall abide by all rules governing candidates unless stated otherwise.

### 1-2. Verbal Campaign Definition

Verbal campaigning constitutes oral solicitation of votes for any candidate, ticket, or referendum. Verbal campaigning will be held to equal standards as any other form of campaigning in regards to the Elections Codes.

### 1-3. Graphic Campaign Definition

Graphic campaigning shall include the distribution or exhibition of any written, electronic, or printed material that contains any reference in support of or is a clear reference to a candidate, ticket, or referendum. Any election code that refers to graphic campaigning applies to articles of clothing, unless otherwise stated.

### 1-4. Review of Graphic Campaign Materials

1. Graphic campaign material that shall be printed or made available with physical copies must be reviewed by the Elections Commission for the purpose of ensuring validity of information.
2. Graphic campaign material that shall be shared through a listserv must be review by the Elections Commission for the purpose of ensuring validity of information.
3. Other graphic campaign materials are not required to be reviewed before distribution, but all graphic campaign material must abide by these codes or be deemed a violation.

### 1-5. Campaign Endorsement

An endorsement is the verbal or graphic approval of an individual for an office. Candidates, tickets, and referendum may seek out the endorsement of their campaign by a University of Miami registered student organization. The student organization may publicize their endorsement as they see fit so long as the endorsement abides by these codes, particularly Section 5-2. However, candidates, tickets, and referendum may not do the following:

1. Seek out endorsement of a non-University of Miami student.
2. Seek out the endorsement of a University of Miami Department, Division, or non-student entity.
3. Seek out the endorsement of a business (in conjunction with Section 4-1.2.)
4. Seek out the endorsement of a "celebrity" or someone famous, as so deemed by the Elections Commission, excluding current University of Miami students.

### *Section 2. Campaign Ethics*

1. All campaigning must be done with a positive manner.
2. Negative campaigning or “mudslinging” is not permitted through any media or medium, including graphic or verbal campaigning.
3. Platforms of an opposing candidate, ticket, or referendum may be discussed candidly, but must not be discussed as personal attacks.
4. Personal attacks on candidates, tickets, or referenda as well as current student government members are not permitted and any graphic material that is negative or slanderous in content, as deemed by the Elections Commission, is strictly prohibited.
  - a. Slander shall be defined as oral defamation, in which someone tells one or more persons an intentional untruth about another.
  - b. Libel will be defined as to publish in print, writing, or broadcast through radio, television or film, an intentional untruth about another which will do harm to that candidate or their reputation.
5. Candidates may not berate or otherwise behave inappropriately with Elections Commissioners.

### *Section 3. Campaigning Policies*

The following campaigning policies shall apply to all candidates and referenda:

1. There shall be no campaigning prior to the time established by the Election Calendar.
2. As indicated in the Elections Calendar, during the Interim Period, candidates, campaigns, or organizations part of an organizational referendum campaign may contact an organization’s president/chair or the event coordinator, whichever is applicable, in order to schedule a time to campaign or make a formal presentation at any organizational meeting, general or otherwise.
3. Authorized campaign materials may only be removed by the elections commission or the original candidate, ticket or referendum that posted them.
4. The Elections Commission, after consultation with the Advisor(s) of Student Government, reserves the right to deny any candidate, campaign, or organization as part of an organizational referendum campaign the right to campaign, graphically or otherwise, at any time, provided that the candidate, campaign, or organization is violating Student Government and/or official University policy.
5. Graphic or verbal campaigning is permissible in both virtual and in-person settings (pursuant to the following clauses).
6. Graphic or verbal campaigning at student organizations meetings, including Greek Life, class meetings, or other meetings related to University of Miami business is permitted with the approval of the meeting organizer and the Elections Commission.

#### 3-1. Graphic Campaigning Permissible In-Person Locations

Graphic Campaigning for individual tickets, candidates, or referendum shall be allowed in the following areas of campus:

1. The U-Statue. Candidates must reserve the U-Statue through the Elections Commission 48 hours prior to intended times of use.
2. Student Organizations upon approval from the organization’s president and the Elections Commission. This includes Fraternity houses and the panhellenic suites.
3. Merrick Fountain and the surrounding courtyard.

4. Bulletin boards and other designated posting areas upon approval by the elections commission. Only one piece of graphic campaign material per candidate or ticket is permitted per designated posting area. Graphic campaign material for a single ticket or candidate may not cover more than one-fourth (1/4) of the posting area.
5. Banners in designated areas through recommendation of the Elections Commission. A candidate is limited to a maximum of one.
6. Stakes on the walkway from the Ashe building to the University Center. Usage of this space may be requested from the Elections Commission.
7. Any locations not mentioned will be evaluated at the discretion of the Elections Commission. Graphic Campaigning at any other location of campus may not violate any other codes.

### 3-2. Graphic Campaigning Prohibited In-Person Locations

There shall be no graphic or verbal campaigning for any individual candidates, tickets, or referenda in the following areas of campus:

1. In the entire area defined as the Student Center Complex (pursuant to Title 5, Section 3-2.1.), including the Rathskeller and its patio, except for wearing graphic campaign materials.
2. In or immediately around any of the University Libraries, with the exception of wearing graphic campaign materials.
3. At University sporting events. For the purpose of this rule, students wearing graphic campaign materials shall be considered to be actively campaigning.
4. On University shuttles, except for wearing graphic campaign materials.
5. At any Student Government event or meeting, except for student government organizational referendum.
6. In the Student Government office.

#### *3-2.1. Student Center Complex*

1. The Student Center Complex shall be defined as the entire Shalala Student Center building, Rathskeller and its patio, Whitten University Center building, the Food Court, the Rock, the Patio, UC Pool, and the Breezeway, as well as their immediate vicinities and the pathways around them, excluding the U Statue.
2. No student employee of the Student Center Complex or an office located in the Student Center Complex may wear or display graphic campaign material during the time they are at work.
3. No organization's office in the Student Center Complex may be used for campaign meetings, storing, or producing campaign materials or serving as a campaign base in any other way. This does not apply to the organizational referenda of those organizations possessing offices.

### 3-3. Graphic Campaigning In-Person Permissible Actions

The following actions related to graphic or verbal campaigning for individual candidates, tickets, or referendum are permissible:

1. Amplification (i.e., sound) of any kind upon approval by the elections commission.
2. Placement of graphic campaign materials on personal property with consent of the owner. Personal Motor vehicles are considered personal property.

3. Students wearing graphic campaign materials will not be actively campaigning if they are moving or passing through an area in an inconspicuous manner.

### 3-4. Virtual Graphic Campaigning

Graphic Campaigning for any candidate, ticket, or referendum may take place in the following virtual spaces:

1. Social media platforms that will enable a candidate, ticket, or referendum to share their campaign information in a positive manner.
2. Personal social media accounts.
3. Virtual meetings hosted by University of Miami student organizations, students, or faculty.
4. Listservs or University email.

#### *3-4.1. Virtual Meetings*

1. A candidate, ticket, or referendum may attend a virtual meeting with the purpose of graphic campaigning after they have received approval from the individual(s) organizing the meeting and the Elections Commission.
2. Candidates may show or distribute graphic campaign material at the discretion of the meeting organizer.
3. Candidates may not negatively discuss opposing candidates, tickets, or referendum while attending a virtual meeting (pursuant to Title 5, Section 2.)

#### *3-4.2. Social Media*

1. During the graphic campaigning period determined by the Elections Calendar, a candidate's social media account shall be considered graphic campaigning.
2. Geotagging on social media platforms may be permissible as long as the geotagging location is on the Coral Gables campus.

#### *3-4.3. University Email*

1. Emails sent to Listservs (i.e., electronic mailing lists maintained by a University administrator or faculty member or maintained by a student organization) that utilize a mail merge software function, or are otherwise an attempt to send an email to multiple recipients are permitted.
2. Emails sent to Listservs must be approved by the Elections Commission before distribution with the consent of the Listserv manager shown to the Elections Commission for approval.
3. Graphic campaign material for any single campaign shall not be distributed to the same listserv more than once.
4. Graphic campaign material shall not be sent privately to an individual recipient more than three (3) times. In the event of a runoff election, the same rule would apply.

#### *3-4.4. Group Chats*

1. A group chat shall be determined as a messaging group of 3 or more individuals.
2. Graphic campaign material for any single campaign shall not be distributed to the same group chat more than three (3) times. This excludes group chats used for the purpose of a campaign team.

### 3-5. Graphic Campaigning In-Person and Virtual Prohibited Actions

The following actions related to graphic or verbal campaigning for individual candidates, tickets, or referendum are prohibited:

1. Impeding or constricting the normal flow of traffic.
2. Unreasonably disruptive actions deemed by the Elections Commission, e.g., shouting, virtual commenting, etc.
3. Oral or graphic solicitation of votes in any student residence by campaigning door to door.
4. Distributing graphic campaign material under doors in the student residence areas.
5. Chalking or marking on University property includes motor vehicles.
6. Attaching graphic campaign materials to plant life or trees.
7. Inserting graphic campaign materials into the ground.
8. Covering other posted material with campaign materials, unless the other posted material is outdated.
9. University of Miami student employees must not have graphic material visible while at work, regardless of the location of their job.
10. Wearing graphic campaign material (t-shirts, sweatshirts, etc.) at polling stations. Such violations are recommended at the discretion of the Elections Commission.

### *Section 4. Run-Off Elections*

The same established rules for graphically campaigning shall apply to runoff election, except that write-in candidates who are placed upon the runoff ballot shall be permitted to graphically campaign.

## ***Title 6. Violations & Enforcement***

### *Section 1. Infraction Types*

Candidates, tickets, or referendum that have violated these established codes shall be subject to penalties based upon the infraction type. Infractions shall fall into the following categories:

- Minor Infraction
- Major Infraction
- Automatic Disqualification

#### 1-1. Minor Infraction

A minor infraction shall include violations of the following, but not limited to:

1. Campaigning in advance of the established Election Calendar (pursuant to [Title 5, Section 3. Clause 1](#))
2. Campaigning at a student organization meeting without the approval of the meeting organizer (pursuant to [Title 5, Section 3. Clause 6](#))
3. Campaigning in a location that is prohibited (pursuant to [Title 5, Section 3-2.](#) and [Title 5, Section 3-2.1.](#))
4. Campaigning in permissible spaces without appropriate approval or reservation (pursuant to [Title 5, Section 3-1.](#))
5. Campaigning through prohibited actions (pursuant to [Title 5, Section 3-3.](#))

6. Seeking out an endorsement, other than a University of Miami student organization (pursuant to [Title 5, Section 1-5.](#))
7. Campaigning through email that exceeds the contact limitations of usage of a listserv once and private messaging an individual recipient more than three (3) times (pursuant to [Title 5, Section 3-4.3.](#))
8. Campaigning through any of the in-person or virtual prohibited actions (pursuant to [Title 5, Section 3-3.](#))

### 1-2. Major Infraction

A major infraction shall include violations of the following, but not limited to:

1. Intimidation, threatening, or bullying of individuals to join a campaign (pursuant to [Title 3, Section 7.](#) and [Title 3, Section 7-1.](#))
2. Any actions that contradict the Campaign Ethics (pursuant to [Title 5, Section 2.](#))
3. Electoral fraud, in cases where the Elections Commission has not automatically disqualified the candidate, ticket, or referendum (pursuant to [Title 2, Section 5.](#))
4. Repetition (i.e., the second occurrence) of any minor infraction action to which a candidate has been determined responsible for previously.

### 1-3. Automatic Disqualification

The Elections Commission is granted the right to automatically disqualify candidates for the following actions:

1. Electoral fraud of any kind (pursuant to [Title 2, Section 5.](#))
2. Failure to meet requirements for candidacy (pursuant to [Title 3, Section 2.](#))
3. Failure to attend the mandatory candidates meeting (pursuant to [Title 3, Section 5.](#))
4. Failure to submit a Financial Report (pursuant to [Title 4, Section 2.](#) and associated sections)
5. Exceeding the spending limits for a candidate, ticket, or referendum (pursuant to [Title 4 Section 1.](#))
6. Falsification of any document submitted to the Elections Commission, Trial Court, or Supreme Court
7. False testimony to the Elections Commission, Trial Court, or Supreme Court
8. Accrual of three (3) minor and/or two (2) major infractions (whichever first occurs) as decided by the Supreme Court (pursuant to [Title 6, Section 6. Clause 5.](#))

### *Section 2. Elections Commission Procedures*

1. Any University of Miami undergraduate student may bring notice of any Elections Codes or official University policy violation to the attention of the Elections Commission up until one (1) hour after the polls close on the last voting day.
2. Such notice may include an action that is in violation of more than one (1) code, however, the Elections Commission shall only consider one code, the most egregious, per action.
3. The complaint must be submitted within 24 hours from the time of its first occurrence or observance by complainant (whichever first occurs) via online form.
4. The Chair(s) of the Elections Commission shall notify all candidates of a complaint brought against them.

5. The Chair(s) of the Elections Commission may, at their discretion, forward any submissions to the Dean of Students Office without presenting to the Elections Commission.
6. The Chair(s) shall evaluate submissions via an internal procedure and determine if each meets the below criteria. All submissions must:
  - a. Contain a complainant;
  - b. Have been filed against a current candidate, ticket, or referenda sponsor;
  - c. Be associated with at least one of the infractions outlined within Title 6, Section 1 of these Elections Codes; and
  - d. Contain accompanying evidence.
7. All submissions determined by the Elections Commission to have met the above criteria must be forwarded to the Chief Justice of the Supreme Court within twenty-four (24) hour of the initial receipt of the submission.
8. The Chair(s), after consulting an Advisor, may dismiss any violation requests if they deem it not an infraction of the elections codes.
9. The Elections Commission reserves the right to hold a mandatory meeting during campaigning, with attendance from all requested campaign members, to discuss the state of campaigning. Failure to attend could result in a violation.

### *Section 3. Supreme Court Procedures*

1. All complaints that are approved by the Elections Commission must be forwarded to the Chief Justice of the Supreme Court for the determination of probable cause.
2. The Supreme Court may devise internal procedures for the determination of probable cause in consultation with an Advisor, however, a final vote of some sort must occur. A simple majority vote is necessary to find probable cause.
3. The Chief Justice is responsible for alerting the Elections Commissions Chair(s) of the final determination on all transmitted submissions within twenty-four hours of their receipt.
4. If probable cause is found, the submission must be argued before the Trial Court.

### *Section 4. Trial Court Procedures*

1. The Chief Justice shall be responsible for the execution of Trial Court.
2. The Trial Court shall be a standing committee of the Student Government Supreme Court. The Trial Court shall be composed of the Associate Chief Justice, acting as the non-voting Chair of the Trial Court, and five (5) Associate Justices.
  - a. The Chair shall participate in all hearings of the panel; quorum for trial court will consist of the chair and four (4) associate justices. In instances wherein only four (4) associate justices are present, the Associate Chief Justice shall be empowered to cast a tie-breaking vote as Chair.
3. All parties involved in hearings before the Trial Court shall be served notice by the Chief Justice of the time, location, and nature of the Trial Court hearing.
4. The accused party shall be made aware of its Affirmative Rights when served notice of the time, location, and nature of the Trial Court hearing.
5. Any party, excluding the Trial Court, may choose not to attend the hearing.
6. Hearings shall be made accessible to the public at the discretion of the Chief Justice.
7. Hearings shall commence at 8:00 PM and end no later than 12:00 AM.

8. All parties shall be sworn in prior to the start of the first hearing of the night.
9. The Trial Court shall use the standard “beyond a reasonable doubt,” meaning that no other logical explanation may be derived based upon the evidence.
10. The Trial Court shall adhere to Article I, IV, and VIII of the [Federal Rules of Evidence](#).
11. The Trial Court shall determine responsibility and, at their discretion, assess a penalty or dismiss the complaint.
12. A penalty shall be decided upon at the discretion of the Court.
  - a. Example penalties include suspension of in-person or virtual graphic campaigning rights, service hours to student government, reduction of campaign expenditure limits, formal apologies, etc.
13. All decisions of the Trial Court are to be expressed and explained in writing and are public information.
14. The Associate Chief Justice shall inform the accused party of its Affirmative Rights before commencing with the Trial Court proceedings.

#### 4-1. Affirmative Rights of the Accused Party

1. The accused party has the right to challenge the hearing date, time, or location.
  - a. The objection must be submitted in writing to the Chief Justice of the Supreme Court within 16 hours of receipt of the notice.
2. The objection must fully explain the reasons for the request.
  - a. The accused party has the right to not attend the hearing and have a decision made in their absence.
3. The accused party has the right to choose a University of Miami undergraduate student to attend the hearing and assist the accused party. The chosen student cannot speak on the accused party’s behalf.
4. The accused party has the right to question the complainant and witnesses and submit statements or evidence to prove innocence.
5. The accused party has the right to remain silent and no inference may be drawn from this silence.
6. The accused party has the right to call witnesses and present evidence in its defense. A student may offer a written request to the Trial Court that the Court call specific witnesses for it if those witnesses have previously refused to appear and are shown in the request to be material to the accused party’s defense. The Trial Court shall determine a witness's materiality based on the statement presented by the accused party.
7. The accused party, if found responsible, has the right to review a written summary upon which the finding of responsibility was based.
8. The accused party has the right to appeal and be heard. The appellate option may only be exercised after the Trial Court’s decision finding responsible or from penalties arising from the violation. Appeals must be in writing, addressed to the Chief Justice of the Supreme Court and be submitted within twenty-four (24) hours of receipt of the Trial Court’s decision.

#### *Section 5. Appellate Court Procedures*

1. The Student Government Supreme Court shall have final appellate jurisdiction.
2. Appellate hearings shall be made public at the discretion of the Chief Justice.

3. Appeals to the Supreme Court must be submitted in writing within twenty-four (24) hours of the decision by the Trial Court. All parties involved shall be served reasonable notice of the time, location, and nature of the Supreme Court hearing.
4. There shall be three grounds for appeal:
  - a. The procedures of or leading to decisions by the Elections Commission or Trial Court violated the Elections Codes.
  - b. The penalty does not properly reflect the severity of the violation.
  - c. New evidence has become available that would significantly alter the outcome.
5. In all appeals properly submitted, the Supreme Court may affirm the decisions of the Trial Court, reverse and remand the decision with instructions, or reassess the penalties.
6. Supreme Court Justices hearing a case as members of the Trial Court shall be prohibited from personally participating in the appellate hearing of the same case in any manner whatsoever.
7. The Chief Justice of the Supreme Court shall inform the appealing party of its Affirmative Rights before commencing with the Appellate Court proceedings.

#### 5-1. Automatic Disqualification Considerations

1. If a candidate feels that they have been wrongly automatically dismissed, the candidate has the right to submit a written appeal to the Chief Justice of the Supreme Court within twenty-four (24) hours of notification of automatic dismissal.
2. If the Chief Justice of the Supreme Court determines that the request meets the standards for appeal as outlined in [Title 6, Section 5, Clause 4](#) of the Elections Codes, the case will be brought before the Student Government Supreme Court.
3. The appellate court has the authority to assign major or minor infraction status to the violation.
4. The decision of the Supreme Court may not be appealed.

#### *Section 6. Violations and Penalties*

1. The Elections Commission shall charge candidates, tickets, or campaigns with Automatic Disqualification.
2. The Trial Court shall be empowered to penalize independent candidates, tickets, and referenda for violations stated within these Elections Codes.
3. The Trial Court shall determine if the violation occurred.
4. The Trial Court shall assign major or minor infraction status to a violation.
5. The accumulation of three (3) minor or two (2) major infraction status violations, whichever is the first to occur, shall disqualify a candidate, ticket, or referendum.
6. An automatic disqualification shall supersede any other violations.
7. A penalty shall be decided at the discretion of the Court ([pursuant to Title 6, Section 4, Clause 11](#)).
8. Any penalties assessed to a ticket or candidate will be charged to the ticket.

#### 6-1 Violations of the Student Rights & Responsibilities Handbook

1. The Elections Commission reserves the right to report any violation of the Student Rights & Responsibilities Handbook to the Dean of Students Office.

2. Any candidate, campaign, or organization as part of an organizational referendum that is found responsible for violating the Student Rights & Responsibilities Handbook by the Dean of Students Office, shall be automatically disqualified.
3. An automatic disqualification due to a violation of the Student Rights & Responsibilities Handbook may not be appealed.
4. Should a candidate, campaign, or organization as part of an organizational referendum be found not responsible of violating the Student Rights & Responsibilities Handbook by the Dean of Students Office, the case against them shall be dismissed and no agency or branch of Student Government may pursue actions against them regarding the alleged violation.
5. Violations of the following shall be cause for automatic disqualification and may not be appealed to the Supreme Court:

### ***Title 7. Commission on Elections Codes Revision***

A revision of Elections Codes may be initiated by a petition signed by the President, the Speaker of the Senate, the Chief Justice, the Chair of the Elections Commission, and the Student Government Advisor requesting the creation of a Commission on Elections Codes Revision. The petition should indicate that, “effective and efficient functioning of Student Government elections requires holistic changes to the Student Government Elections Codes.” The Commission shall be comprised of the Chief Justice or Associate Chief Justice, who shall serve as a non-voting Chair; a voting representative from the Executive Branch chosen by the President of Student Government; a voting representative from the Legislative Branch chosen by the Speaker of the Senate; a voting representative from the Judicial Branch chosen by the Chief Justice of the Supreme Court; and a voting representative from the Elections Commission chosen by the Chair of the Elections Commission. The Commission on Elections Codes Revision’s purpose shall be to make edits and revisions to the Codes that, inter alia:

1. address student concerns;
2. reflect de facto changes to the electoral process and the environment in which elections take place, particularly with regards to new media and physical changes to campus geography;
3. facilitate the proper functioning of enforcement mechanisms with regard to Codes violations;
4. uphold the integrity of the democratic elections process; and
5. correct any grammatical or factual errors.

It shall be the duty of the Chair to ensure that all changes being proposed fit the above criteria. The Commission may propose as many revisions as its members feel are necessary so long as the proposed revisions fit the above criteria. If the Commission unanimously votes to accept the revised Elections Codes in their entirety, the revisions shall then be referred to the Senate. The Senate, with a quorum, may, by simple majority of the present senators, approve the revisions in their entirety.

## **Chapter V. Category 5**

### ***Title 1. Establishment***

*Section 1. Category 5 The Spirit Programming Board (“Category 5”)*

There shall be a Spirit Programming Board composed of one Chair and one Vice-Chair, whose selection shall be determined by Statute (Chapter V, Section 2 ), and an Executive Board selected by the Chair and Vice-Chair. The President or their designee shall oversee the Spirit Programming Board’s progress.

***Title 2. Membership***

*Section 1. Voting Membership*

Only the Chair and those committee members placed by the Chairs shall be entitled to vote on official business of Category 5.

*Section 2. Category 5 Chair*

The membership of Category 5 shall select one (1) designee for Chair who shall be referred to the President to a term of one (1) year each. The Vice-Chair shall be appointed internally by the Chairperson of the Spirit Programming Board following the Chairperson’s appointment and ratification.

2-1. Presidential Confirmation

The President does not have the right to decline a candidate to the position of Category 5 Chair. They are however, responsible for the transmission and presentation of said candidate to the Senate.

2-2. Senate Confirmation

The Senate has the right to not confirm a candidate. In the case that such an event occurs, Category 5 shall conduct elections again and provide the name of another candidate. This process will repeat until such a time that a candidate is ratified.

*Section 3. Committees*

The creation of standing committees on Category 5 shall be determined at the discretion of the Category 5 Chair.

**Chapter VI. ECO Agency**

***Title 1. Establishment and Membership***

*Section 1. Organization Entities*

Student Government Environment & Conservation Organization (“ECO Agency”) shall be composed of the ECO Executives, ECO Board, Green Committee, ECO Reps, and Green Organization Coalition.

*Section 2. Voting Membership*

ECO Agency members who hold positions on the ECO Board shall be eligible to vote on ECO Agency matters.

*Section 3. ECO Agency Chair*

The membership of the ECO Board shall select one (1) designee for Chair who shall be referred to the President to a term of one (1) year each.

3-1. Presidential Confirmation

The President does not have the right to decline a candidate to the position of the ECO Agency Chair. They are however, responsible for the transmission and presentation of said candidate to the Senate.

3-2. Senate Confirmation

The Senate has the right to not confirm a candidate. In the case that such an event occurs, the ECO Agency shall conduct elections again and provide the name of another candidate. This process will repeat until such a time that a candidate is ratified.

***Title 2. ECO Agency Purposes and Functions***

*Section 1. ECO Agency Responsibilities*

ECO Agency shall be responsible for the maintenance, care, and enforcement of their constitution, so far as the associated clauses are not in disagreement with these Statutes and Constitution. The ECO Agency membership, responsibilities, and purposes shall be available through the ECO Agency constitution.

**Chapter VII. What Matters to U**

***Title 1. What Matters to U Membership***

*Section 1. Composition*

There shall be a What Matters To U Agency composed of one (1) Chair, one (1) Vice Chair, and up to eight (8) but no less than four (4) Executive Board members selected by the Chairs whose purpose shall be to plan opportunities for student engagement, including, but not limited to What Matters to U events. The Chair or their designee shall oversee the What Matters To U Agency. Board Members shall be permitted to serve in another role within any of the three Student Government branches. Executive Board members shall include at least one (1) but no more than two (2) Graphic Designers, at least one (1) but no more than two (2) Marketing & Public Relations Specialists, and, at least (2) but no more than (3) Logistics & Operations Specialists. Student Government advisors shall serve as the advisors to the What Matters To U Agency, while a member from the Division of Student Affairs appointed by the Chair shall serve as a consultant.

*Section 2. Voting Membership*

The Chair, Vice Chair and those committee Executive Board members placed by the Chair shall be entitled to vote on official business of the What Matters To U Agency. In the event of a tie during voting, the Chair's vote shall be the official selection of the voting matter.

### 2-1. Chair Selection

The Executive Board of the What Matters To U Agency, not including the Chair and Vice Chair, shall select one (1) designee for Chair and one (1) Vice Chair for appointment to a term of one (1) year each. In the event of a tie for the selection of Chair or Vice Chair, the incumbent Chair shall possess the tiebreaker vote. Only members of the What Matters To U Agency Executive Board and the What Matters to U Planning Committee are eligible to declare their candidacy for the Chair and Vice Chair positions. Any candidate for Chair or Vice Chair must give notice to the incumbent Chair no less than one (1) week prior to selection. The selection of Chair shall take place no later than two (2) weeks after the final What Matters To U Agency event of the academic school year.

### 2-2. Presidential Confirmation

The President does not have the right to decline a candidate to the position of What Matters To U Agency Chair. They are, however, responsible for the transmission and presentation of said candidate to the Senate.

### 2-3. Senate Confirmation

The Senate has the right to not confirm a candidate. In the case that such an event occurs, the What Matters To U Agency shall conduct elections again via the process outlined in Chapter II, Title I, Section 1-1 and provide the name of another candidate. This process will repeat until such a time that a candidate is ratified.

### *Section 3. Executive Board Selection*

The Executive Board of the What Matters To U Agency shall be appointed through an application and interview process. It is at the discretion of the Chair and Vice Chair to grant interviews to applicants that are deemed qualified. Following interviews, the Chair and Vice Chair shall select members of the Executive Board no less than three (3) days following the completion of the final interview. Previous and/or incumbent members of the What Matters To U Agency shall be exempt from the application and interview process at the discretion of the Chair. The application and interview process for selection of the Executive Board shall last no less than two (2) weeks, no more than three (3) weeks, and shall begin no more than two (2) weeks following the appointment of the Chair.

## ***Title 2. What Matters to U Responsibilities***

### *Section 1. What Matters to U Procedures*

The Executive Board shall exist to oversee the What Matters to U Planning Committee, plan and execute at least two (2) What Matters to U events per academic school year, in addition to providing other opportunities for student engagement. All members of the Executive Board and What Matters to U Planning Committee shall sign a Non-Disclosure Agreement at the first official meeting of their appointment and shall not discuss any matters deemed confidential by the Chair or Vice Chair outside of meetings. Should there be a breach of confidentiality, the responsible party shall be immediately dismissed from the committee and their replacement party shall be appointed by the Chair, with approval from advisor(s). Should the Chair be the responsible party in a confidentiality breach, the Vice Chair shall assume the position of Chair

and select a Vice Chair from the incumbent What Matters To U Agency Executive Board. An individual to replace the student who has assumed the role of Vice Chair shall be selected by the Chair with approval from advisor(s). Any programming outside of What Matters to U related events shall be proposed by the What Matters To U Agency Executive Board to both the Director of Outreach and the Public Relations Chair, who shall approve the event or programming, and have the right to deny the event or programming if found that it shall fall under the responsibility of either the Outreach Committee or Public Relations Committee. Both the Director of Outreach and the Public Relations Chair must approve the event or programming.

### *Section 2. Committees*

The Chair shall determine the creation of standing committees on the What Matters To U Agency.

### *Section 3. Composition and Purpose of the What Matters to U Planning Committee*

There shall be an ancillary subdivision of the What Matters To U Agency called the What Matters to U Planning Committee, whose size and membership the Chair and Vice Chair shall determine, and whose purpose shall be to work with the What Matters To U Agency Executive Board to plan, execute, and provide feedback to all What Matters to U Events.

## **Chapter VIII: Impeachment**

### ***Title 1. Select Commission on Impeachment***

#### *Section 1. Composition*

The Select Commission shall be composed of a panel of five (5) Supreme Court Justices, excluding the Chief Justice, who shall serve as Presiding Officer of the High Court of Impeachment as provided in Article VIII, Section 4 of the Constitution. The Associate Chief Justice, or the senior member of the Court as necessary, shall serve as Chair of the Select Commission and shall cast a vote only in the event of a tie.

#### *Section 2. Powers of Select Commission*

The Select Commission shall have the power to:

1. Inquire, investigate and ascertain evidence, testimony or statements relevant to possible or alleged conduct or action detrimental in nature by the respondent(s); and for this purpose shall possess the power of subpoena.
2. To adopt, by majority vote, Articles of Impeachment against any respondent named in the recommendation, or against such other person found by the Select Commission to have allegedly engaged in detrimental actions or conduct in the course of the inquiry.
3. In ascertaining whether to adopt and present Articles to the Senate for trial, the Commission shall assess a standard of whether a reasonable cause or belief exists that there is evidence to warrant trial proceedings.
4. To designate prosecutors on the Articles at trial.
5. To manage the administration of the prosecutor's office during trial proceedings.
6. To determine its own procedures whenever such are not otherwise specified in this Constitution or by Statute.

### 2-1. Presentment of Article for Trial

Within 72 hours of a vote by the Select Commission to adopt one or more Articles of Impeachment against one or more respondents, the Chairperson of the Select Commission shall present the adopted Articles to the Senate, which shall convene for this purpose and to organize as a High Court of Impeachment for trial proceedings on the Articles. Notice of a presentment shall be given to the authority which appointed the Select Commission.

## ***Title 2. High Court of Impeachment***

### *Section 1. Trial Procedures*

The Senate may enforce its orders, writs, rules and regulations deemed essential or conducive to the ends of justice. The Presiding Officer shall direct all necessary preparations; conduct the trial and issue decisions on procedural or incidental questions. Any decision of the Presiding Officer may be overruled by a majority vote of the Senators present at the request of any Senator. An advisor must be present for the entirety of the High Court of Impeachment.

### *Section 2. Rules of the High Court of Impeachment*

1. Article I, IV, and VIII of the Federal Rules of Evidence shall apply.
2. If a respondent or their representative or counsel shall fail to appear or to plea answer, a presumption of a plea of not guilty shall be entered on each Article presented.
3. Representatives of the prosecution and respondent shall be admitted to the floor of the High Court of Impeachment and heard in the proceeding.
4. Only full-time undergraduate students at the University of Miami may represent or counsel the respondent or the prosecution.
5. All motions by parties, except when requested by any Senator or the Presiding Officer, shall be addressed to the Presiding Officer in writing.
6. Opening Arguments shall be presented first on the part of the prosecution; closing arguments shall be presented first on the part of each and every respondent. The number of speakers in opening arguments for each side shall not exceed one, and in closing arguments, two, unless otherwise ordered by the Senate.
7. Witnesses shall be called by the prosecution and the respondent; the party calling such witnesses shall examine first, then the other parties shall cross-examine.
8. Any questions to a witness from a Senator shall be delivered anonymously in writing during or before witness testimony to the Presiding Officer, who, at their discretion, shall deliver them to the prosecution to be asked during cross examination.
9. A motion by any Senator shall be delivered to the Presiding Officer in writing, and put to the Senate for a vote with no debate by two-thirds majority.
10. The following oath is prescribed upon organization of the High Court of Impeachment: "I, (name), do solemnly swear (or affirm) that in all matters pertaining to the trial of (respondent), (title) on the presented Articles of Impeachment, I shall do impartial justice according to the Constitution of Student Government."
11. The following oath is prescribed for each witness: "I, (name), do solemnly swear (or affirm) that all evidence that I shall give in the trial of respondent (name), (title) on presented Articles of Impeachment shall be only the whole and complete truth."

12. The student news media may observe the proceedings, but shall not be present in any closed session of the trial nor report on the content of such sessions.
13. Observers may be present at the proceedings as space shall permit, but shall maintain absolute order and silence, and may not observe any proceedings in closed session or in confidence.
14. All proceedings shall be audio-recorded and such records shall be kept until transcribed.
15. All eligible senators shall vote via written ballot on each article separately as prepared by the Advisors and shared with the Presiding Officer. Each question on the ballot shall be formatted as “Is respondent (name), (title) guilty on Article No. (number)?”
16. The Chair of the High Court of Impeachment, in consultation with the prosecution and the respondent shall, with a majority of the vote of the Senate, set additional rules for procedure.

## **Chapter IX: Budget & Appropriations of Referendum Monies**

### ***Title I. Student Government Budget***

#### *Section 1. Formulation of the Budget*

The budget, as defined in this section, relates to the formulation of a budget for all funds appropriated to Student Government as a result of the referendum funding.

##### 1-1. Budgetary Purpose

The budget shall be allocated in the best interest of the University of Miami Student Body.

- a. Allocations shall not be made for internal administrative costs, including but not limited to salary costs, telephone lines, or other non-essential operating costs.
- b. All funds not set aside for startup projects or the Executive, Legislative, and Judicial Branches shall be set aside in a reserve fund to be used by any entity of Student Government as allocated by the Treasurer.

##### 1-2. Budget Compilation

Upon submission of these independent budgets, the Treasurer shall be required to compile a single, all-encompassing budget in which the requests of the independent branches, the Trial Initiatives and Programs Appropriations Committee, and applicable agencies are consolidated. Co-sponsorship funding for Senate shall be included as part of the referendum allocations allotted to the Senate branch of Student Government.

#### *Section 2. Approval of the Budget*

1. The Senate shall be required to approve or reject the consolidated budget presented by the Treasurer as a Category B bill by a majority vote of Senators present and voting.
2. The Treasurer shall be required to compile and present the proposed budget no later than two Senate meetings before the end of the semester prior to the semester in which the funds will be utilized.
3. Upon the approval of the Senate, the budget will be fully enacted. Should the Senate fail to approve the budget, the Treasurer must present a revised budget at the next meeting of the Senate until the body approves the allocation.

4. Should the Senate fail to accept the budget prior to the start of the semester in which the funds will be utilized, all new spending will be halted until approval of the budget.

## ***Title 2. Trial Initiatives & Programs Appropriations Committee***

### *Section 1. Definition of TIPAC*

A portion of referendum money, allocated in the budget which is formulated by the Treasurer and approved by the Senate, will be set aside for distribution to start-up projects to be appropriated by the Trial Initiatives & Programs Appropriations Committee, also to be known as *TIPAC*.

#### 1-1. TIPAC Membership

The committee shall be comprised of the following members:

1. Treasurer of Student Government, who shall serve as the non-voting chair of the committee
2. A voting representative from the Executive Branch chosen by the President of Student Government, excluding the President.
3. A voting representative from the Legislative Branch chosen by the Speaker of the Senate, excluding the Speaker of the Senate and the Speaker Pro Tempore of the Senate.
4. A voting representative from the Judicial Branch chosen by the Chief Justice of the Supreme Court, excluding the Chief Justice.

#### 1-2. TIPAC Funds

Money distributed by the committee includes start up costs for *at most* one academic year for trial programs by Student Government members.

#### 1-3. TIPAC Responsibilities and Procedures

The committee shall develop a process for the request of TIPAC funding, regulations for allocation, and procedures for monitoring the development of projects to which funds have been allotted.

##### *1-3.1. Responsibilities of the Treasurer, as Chair of TIPAC*

1. The Treasurer, on behalf of the committee, shall provide updates on the allocation of funds at least once a month to the heads of the respective branches, or upon the written request of any member of Student Government.
2. If, with a month remaining in any semester, the entire semesterly TIPAC allocation has not been spent, the treasurer may re-allocate the remaining funds among the Executive, Legislative, and Judicial branches with the consent of the Senate.

##### *1-3.2. TIPAC Procedures*

1. The committee shall require applicants to have explored alternative sources of funding from administrators, community organizations, and other funding bodies.
2. Quorum for the committee shall be the presence of all four members, which is required to evaluate all allocation requests and/or discuss official business.

3. Decisions to allocate funds or withdraw funding requires a unanimous vote of all three voting members of the committee.
4. The committee reserves the right to withdraw funding if it determines that a project is unsuccessful at any time prior to the end of the trial period.
5. Initiatives which are successful and that last longer than one year can be incorporated into the regular budget or adopted by a university department, organization, or separate entity, but may not receive additional TIPAC allocations.

#### 1-4. Power to Override Decisions of TIPAC

The committee's decision to allocate or retract funding can be overridden by a two-thirds vote of Senators present and voting when this action is presented as a Category B bill.

#### 1-5. Termination of TIPAC funding

1. The committee reserves the right to withdraw funding if it determines that a project is unsuccessful at any time prior to the end of the trial period.
2. Initiatives which are successful and that last longer than one year can be incorporated into the regular budget or adopted by a university department, organization, or separate entity, but may not receive additional TIPAC allocations.

## **Chapter X. Resignations**

### ***Title 1. Resignation Procedures***

#### *Section 1. Definition of Resignation*

Resignation shall be defined as a written statement signed by a Student Government officer indicating they no longer wish to retain their position in Student Government.

#### 1-1. Validity

A resignation shall be considered valid upon submission to the appropriate heads of such branches of government or their designees.

#### 1-2. Valid Resignations of Branch Heads

The resignation of the President and of the Chief Justice shall be considered valid upon submission to the Speaker. The resignation of the Speaker shall be valid upon submission to the President and the Chief Justice. The resignation of the President shall be valid upon submission to the Speaker and the Chief Justice.

#### *1-2.1. Vacancy*

A vacancy in an office is created whenever the resignation of the officer becomes effective.

#### 1-3. Transmittal

All resignations transmitted or submitted to the Speaker of the Senate or a designated officer of the Senate are to be presented at the Senate meeting immediately following such notice.

1-4. Graduation and Inauguration

Following the completion of a student government executive board election, the newly elected executive officers shall not be considered officers until their Inauguration. The start of the Inauguration shall effectively serve as the informal resignation of all student government members whose positions are filled by appointment, excluding senatorships. In the case of a student graduating within that academic term, Inauguration shall similarly serve as the informal resignation of their position so that it can be effectively filled. In the case of the Chief Justice, the Chief Justice shall present the oath of office to the incoming executive board and their successor. Their informal resignation shall occur at the conclusion of their successor's oath of office.