



ALBION COLLEGE STUDENT SENATE

Albion College Student Senate Bylaws 2007-2008 Revised Edition

TITLE I ***Code of Ethical Conduct and Practice***

A. Authorization and Purpose

By the Authority of Article VIII of the Albion College Student Senate Constitution, this Code of Ethical Conduct and Practice is hereby instituted to govern the behavior of the members of the Albion College Student Senate.

B. Attendance

Attendance at Senate meetings and official functions is mandatory. Continual unexcused absences shall constitute grounds for review and removal.

1. A total of three unexcused absences from any General Senate Meeting, Committee Meeting, or other official function shall constitute grounds for review by the Ethics Board, as proscribed in these Bylaws.
2. A total of six unexcused absences from any General Senate Meeting, Committee Meeting, or other official function, shall be grounds for immediate review and removal.
3. In general, an absence will only be excused for an extraordinary situation or illness where a Senator cannot attend the meeting.
4. The Secretary of the Senate will determine whether or not an absence is excused or unexcused. A Senator who will miss a General Senate Meeting, Committee Meeting, or other official function must notify the Secretary of the Senate or the appropriate Committee Chair two hours before the meeting begins.
5. If an absence is marked unexcused by the Secretary or by a Committee Chair, the Senator may appeal the decision to the Cabinet of the Albion College Student Senate. A majority of Cabinet members may appeal any attendance decision of the Secretary or the appropriate Committee Chair.

C. Performance of Duties

1. Shirking of duty as outlined in the Constitution, or failure to perform duties requested, within reason, by an Officer of the Senate shall constitute grounds for review.
2. Repeated shirking of duty, following review by the Ethics Board, shall constitute grounds for immediate removal.
3. Duties or Assignments that are excessively burdensome, illegal, unethical, immoral, or otherwise unreasonable, shall not be assigned to any Senator and performance of such assignments is not required. Assignment of any such duty shall constitute grounds for review by the Ethics Board.

D. Use of Senate Facilities, Equipment, and Information

1. Excessive or improper use of the Senate Office or other spaces designated for Senate use, Senate office equipment or supplies, or any other physical resource of the Senate for uses not specifically related to Senate business shall be considered grounds for review.
 - a. It is expected that Senators do not store personal belongings in the Senate Office, or leave garbage and food items behind. If a Senator creates a problem in the office and it is not resolved, their action will be considered excessive and improper use of the space. In addition, Senators may not have visitors in the office unless a Senator is present.
2. Unauthorized use of confidential Senate documents or files, or any information contained either physically or electronically therein for purposes not specifically related to Senate business shall be considered grounds for review. Senators may not review documents of committees on which they do not serve, unless given permission by that Committee.

E. Conduct During Student Senate Meetings

1. No Senator or Representative can speak to the Senate unless recognized by the Presiding Officer. When recognized to speak, the Senator or Representative must use a microphone.
2. Senators, Representatives, and observers may not talk at all during roll call, attendance and voting procedures.
 - a. If there is an Amendment being discussed, it must be stated clearly before Senators vote on it.
3. Senators must be in their seats by 9:10 PM unless the Secretary of Senate is notified with a reasonable excuse.
4. Permission to leave Senate meetings early must be granted by the Secretary of Senate or it will be considered an unexcused absence.
5. There will be no usage of cellular devices, or any other activities that are deemed distracting by the Presiding Officer, including, but not limited to, non-Senate laptop use. If the Parliamentarian and/or Sergeant of Arms deem(s) any behavior distracting, they can notify the Presiding Officer.
6. If a Senator and/or Representative does not obey any of the above provisions, the Presiding Officer will issue a warning. If the behavior continues, the Presiding Officer will remove the member from the meeting and he/she will be given an unexcused absence.

F. Conflict of Interest

1. A conflict of interest shall be considered to exist whenever a question shall be presented to the Senate or any of its committees and a Senator shall have some form of direct participation in the organization, program, or incident in question. Senators shall be encouraged to abstain from voting, soliciting influence, or intervention in the case of a conflict of interest.
2. In any question relating to the Greek system of Fraternities and Sororities on campus, neither all Greek nor all Independent Senators shall be considered to have a conflict of interest. In a question pertaining specifically to one Greek chapter, Senators that are members of said organization shall be considered to be in conflict.
3. Senators with a conflict of interest may present information or commentary on the question over which said conflict has arisen upon request by a Senator not in conflict.
4. Failure to observe these rules regarding conflict of interest shall constitute grounds for review.

G. Finance

1. Embezzlement of Senate and SAF funds shall be considered grounds for immediate removal and legal prosecution. No Senate funds shall be appropriated to any organization without the proper approval process of the full Senate. This includes emergency funding.
2. Intervention by any Senator or Officer, either in General Session, Committee Meetings, or by contact with other Senators, to secure funding or favorable treatment in the case of conflict of interest is inappropriate and shall be considered grounds for review.
3. Members of the Appropriations Committee will refrain from the formulation of budgetary expenditures relating to organizations or programs in which said member possesses a vested interest. Non-interested members shall formulate budgetary expenditures in such cases and may request information from any member with a conflict of interest. Members with a conflict shall refrain from voting or volunteering unrequested information or commentary.
4. The CFO, Appropriations Vice-Chair, Members of the Appropriations Committee, Treasurer and all Senators handling Senate funds shall maintain complete and accurate financial records. Failure to do so shall constitute grounds for review.

H. Reinstatement of Removed Senators

No person who has been removed from the Senate shall be permitted to serve on the Senate unless a period of one year has passed since their removal. The Senate may not appoint a previously removed Senator to serve an appointed term. Only the will of the student body, subject to previously prescribed confirmation may install such a Senator.

I. Legislation

1. Legislation may be initiated by any of the following:

- a) Purposes pursuant to the Constitution
- b) Purposes pursuant to the Bylaws
- c) Committees
 - i. Must be approved by majority of committee
 - ii. Must be presented to the full Senate for approval
 - iii. A copy must be sent to the President, Vice President, and Secretary before meeting of presentation for it to be considered for passage at said meeting.
- d) Members
 - i. President and Vice President may initiate legislation
 - ii. Any Senator or Representative may initiate legislation
 - iii. Must be presented to the full Senate for approval
 - iv. A copy must be sent to the President, Vice President, and Secretary before meeting of presentation for it to be considered for passage at said meeting.

2. Legislation shall be composed in a consist format to be considered by the full Senate for approval. A consist format shall be defined as a document containing whereas statements explaining background of the issue being discussed, and resolved statements that propose an action of the Albion College Student Senate on that issue. The Secretary shall ensure that the proper format is used, and will also number the legislation for the record. The legislation may or may not contain a title.

3. Legislation, unless otherwise defined, shall be approved by the majority of the full Senate body.

J. Student Senate Hours

1. Each Senator is required to complete at least two Senate hours per semester, totaling four hours per term.
2. A Senate Hour is defined as an hour of volunteering for a Student Senate activity or function outside of normal duties of a committee. A normal duty of a committee will be defined by the committee chairs. Senators that volunteer but are not on the committee requesting the help will be granted a Senate Hour(s). In order to be approved as a Senate Hour, the activity or function must be directly sponsored by Senate or co-sponsored by another organization with Senate. Exceptions to this definition can be approved by a majority of Cabinet at the request of individual Senators.
3. Upon completing one or more senate hours, Senators are to email the Ethics Board Chair what they did for their senate hour as well as the date and time they completed their hour.
4. The Ethics Board Chair will approve or deny the request for a Senate Hour. A Senator may appeal his/her decision by a majority decision of Cabinet.
5. If a Senator does not complete the required hours, the action described in Title 1, Section C of these by-laws will take effect.

K. Pet Projects

1. Pet Projects will be defined as a project, piece of equipment, or event that seeks to benefit a large portion of the student body and enrich the liberal arts experience.
2. Pet Projects must fall under the exclusion section of the SAF Guidelines with the exception of monetary limitations.
3. Money appropriated for Pet Projects will be determined by the Cabinet and will be listed in the Student Senate Budget each semester by the Treasurer.
4. In order for Senate to consider a Pet Project, a Senator must fill out a Pet Project Proposal Form. The Vice President is charged with providing this form to Senators and updating it when necessary. The Vice President will accept Pet Project requests and will make recommendations to the Senate body as to whether the Pet Project meets the criteria as established in Title VII, Section G, Subsection 1 of the Albion College Student Senate By-Laws.
5. All Pet Project requests will be presented to the full Senate body by the Vice President. A Pet Project request must be approved by a majority of Senators in attendance at the meeting when the request is presented. Pet Projects may be approved for less than the proposed project expenditure through an amendment to the Pet Project Proposal Form.
6. Each Senator will be permitted to allocate up to \$500 per semester to a Pet Project. The money appropriated in the Senate budget for Pet Projects will be allocated on a first come, first serve basis until the money has been used. Senators may co-sponsor Pet Projects to allow more money for any given project, which requires the same approval process.
7. The Treasurer of the Student Senate will allocate the money for any approved Pet Projects to the Source listed on the Pet Project Proposal Form.
8. Any spending proposals introduced to be added to the Senate Budget will become part of a new Budget if adopted by a two-thirds (2/3) majority. Said Budget will contain all the expenditures and surpluses of the previous budget, as well as the new additions. The previously adopted Budget will be considered repealed and the new Budget will take effect immediately.

L. How a Group Becomes An Organization

The student interested in the group becoming an organization must first contact and be approved by CPO. After the organization has been approved by CPO, representatives of the organization must attend 2 consecutive Student Senate meetings. At the first meeting, the organization's budget and constitution will be presented to senators and senators will be given the opportunity to ask questions about the organization. At the second senate meeting, senators will vote on whether or not the group becomes an organization. After the organization is approved by Student Senate, a final approval is needed from the Vice President of Student Affairs.

M. Recent Graduate Board of Trustee Position

1. Each spring, Student Senate reviews applications from seniors for the Recent Graduate Board of Trustee Position and narrows down the applicant pool to up to three finalists. These finalist recommendations are sent to the Board of Trustee Nominating Committee where one candidate is selected for the two-year position.
2. The Cabinet of Student Senate (see Student Senate Constitution, Article 4 for a composition of Cabinet) shall be the governing body of the selection process.
3. Members of Cabinet having a conflict of interest shall be removed from the selection process. A member having a conflict of interest shall include a person seeking the Recent Graduate position.
4. If the President has a conflict of interest, the Vice President of Senate shall preside over the selection process. If the Vice President is unable to preside, the normal succession process (as described in the Student Senate Constitution, Article 2, Section 1, Subsection A, Point 4, Subpoint 5) shall apply. Per other Senate procedures, the Presiding Officer shall not vote in the selection process.
5. A majority of Cabinet members (5 voting members and a presiding officer) must be available for the selection process to move forward. If a majority is unable to serve due to conflicts of interest and other extenuating factors, the Presiding Officer (determined by in the last subpoint) shall nominate (a) Senator(s) to serve in the selection process until there are five voting members. This (these) nomination(s) must be approved by a majority vote of full Senate.
6. Cabinet members and all Senators participating in the selection process shall agree to keep all personal information reviewed (including, but not limited to, grade point averages, judicial records, and all other application materials of candidates) confidential. If a breach of confidentiality is reported or discovered, the Presiding Officer will refer the matter to the Ethics Board.
7. The selection process of the candidates shall include interviews with all candidates, a review of all applications and essay responses, and a final vote where up to three candidates are recommended (ADD).
8. The candidates recommended by the Cabinet shall be announced to the full Senate at the next business meeting, and all candidates shall be notified by the Presiding Officer of the Cabinet's decision.

TITLE II ***Ethics Board***

A. Mandate

The Ethics Board, as charged by the Constitution, holds sole power to review all matters of Constitutional interpretation, report to the Senate, and conduct reviews of those members charged with removal under the Ethical Code of Conduct and any other regulations of the Senate.

B. Matters of Constitutionality

1. Scope

The Constitution grants the Ethics Board power to review any and all matters relating to the Albion College Student Senate Constitution and Bylaws. Due to the fact that all additional rules and procedures spring from these two foundational documents, the Ethics Board also reserves the right to review **ALL** matters concerning all use and practice of rules adopted by the Constitution, Bylaws, or other actions of the Senate.

2. Jurisdiction and Consideration

a. Of its own volition, the Ethics Board may consider nothing^[1]. However, any issue deemed to fall under Section 1 (Scope) of this section may be referred to the Ethics Board by any of the following entities:

- i. President of the Senate
- ii. Vice President of the Senate
- iii. Secretary of the Senate
- iv. Treasurer of the Senate
- v. The Chair of any Standing Committee
- vi. A petition signed by not less than four capable members, where each capable member is defined as two (2) Representatives or one (1) Senator.

b. Upon receipt of a formal, written referral, the Ethics Board must meet within **48** hours (as long as classes are in session) to conduct an initial review. At such a time, members of the Ethics Board may determine whether or not to consider an issue:

- i. Should the Board choose not to consider the matter, the Chair shall report this decision to the referring member and the full Senate.
- ii. If the Senate disagrees with the Ethics Board by a **3/5 vote** of all elected Senators, they may force the Board to reconsider a matter.
- iii. Should the Ethics Board consider a matter they will follow the guidelines contained in this Title.

c. The Ethics Board, when considering a matter of constitutionality, may determine its own needs, practices, and procedures, concurrent with specific needs of the case at hand. The Ethics Board with direction of the chair shall be responsible for organizing and allowing the following steps:

- i. Contacting any and all effected parties
- ii. Insuring that the Senate is well informed of the investigatory progress throughout the course of the inquiry.

iii. Gathering information from every potential source via both written communication and testimony offered in public Ethics Board hearings.

iv. Deliberating fairly, ethically, and honestly.

v. Rendering an opinion agreed to by at least a majority of members, and such dissenting opinions as are warranted.

vi. If necessary, rendering legislation to provide remedy for any injuries committed, leading to the necessity of Ethics Board's involvement.

3. Powers and Restrictions

During the course of an Ethics Board investigation, the Board shall take certain actions to facilitate its inquiry and shall also be bound by necessary restrictions to guarantee fairness:

- a. The Ethics Board may temporarily suspend legislation for a period not to include more than two (2) regular meetings of the full Senate, unless a majority of the Senate votes to disagree with such an injunction.
- b. The Ethics Board must separate any inquiry into matters of constitutionality and those concerned with reviewing allegedly errant members. At no time may a decision rendered on the Constitution concurrently render review and/or removal of a member, unless openly issued according to procedures outlined for such review.
- c. At no time shall members of the Ethics Board be restricted from voting in full Senate for reasons of conflict of interest simply by virtue of their membership on the Board. As with any other committee, Senators reserve their right to vote in all matters concerning legislation and procedures for the Ethics Board, unless some other matter prevents them in conflict of interest: themselves up for review or their student organization in question.

C. Matters of Review and Removal

1. Scope

Pursuant to Article 3, Section 1 (B&C) of the Constitution, Senators and Representatives may be brought before the Senate for deliberation and removal vote upon various qualifications, one of which entails the recommendation of the Ethics Board, for reasons of violating the Constitution, Bylaws, or other rules and regulations set forth statutorily by the Senate.

2. Case Differentiation

a. Cases of Immediate Review

Pursuant to the Constitution and Bylaws, certain circumstances constitute grounds for immediate review by the Ethics Board. These cases may brought to the Board's attention by any member of the Senate and include: absence policy violations, embezzlement, and academic or social probation (applies only to Senators):

- i. In a case of immediate review, the Ethics Board must immediately recommend the removal of any member they find guilty upon a preponderance of the evidence of embezzlement, excessive absences, or Senator of probation.

- b. Cases of General Review

Should a member also be guilty of some other violation, such as shirking of duties or violating other parts of the Constitution, Bylaws, or rules and procedures of the Senate, their case may be referred to the Board by any officer, committee chair, or the advice of two Senators.

3. Procedures

Formal charges may be filed to the Chair or Vice-Chair of the Ethics Board by the following members of the Senate:

- i. President of the Senate
- ii. Vice President of the Senate
- iii. Secretary of the Senate
- iv. Treasurer of the Senate
- v. The Chair of any Standing Committee
- vi. A petition signed by not less than four capable members, where each capable member is defined as two (2) representatives or one (1) Senator.

Upon receipt of these formal charges, the Chair of the Ethics Board (or Vice-Chair if acting in a pro-tempore capacity) shall call a preliminary hearing within 48 hours (while classes are in session). All relevant parties must be notified within 24 hours of such hearing. The preliminary hearing will be used solely to gather additional information. Subsequent to this hearing, the Ethics Board must hold additional necessary hearings regarding the matter and conducting the review. Upon completion of the review, the Ethics Board will meet to deliberate over necessary action. All meetings prior to deliberation must be open to any and all members of the Albion College community. The Ethics Board may vote to close their deliberative meeting, so long as the accused and one accusatory member are both permitted to remain present, each with the privilege of one student, faculty, or staff advisor. The final decision must be rendered immediately following deliberation and no less than two weeks from receipt of original charges. The result will be immediately forwarded to the President and Secretary of the Senate. Only a majority vote of the Ethics Board is needed to recommend removal to the full Senate.

Throughout the entire process, any accused member shall be guaranteed the following rights:

- i. To be present at any and all meetings of the Ethics Board, including the right to a student, faculty, or staff advisor.
- ii. To receive written copies of all evidence submitted by any party to the Ethics Board.
- iii. To address the Ethics Board for such time as they may reasonably need.
- iv. To refuse to testify or comment throughout the process

TITLE III ***Commissions***

- A. Authority

This title is established concurrent with the powers granted the President of the Senate by the Albion College Student Senate Constitution and by Roberts Rules of Order, Newly Revised, via the Constitution.

B. Purpose

From time to time may become necessary to investigate an internal Senate matter or external campus issue or to keep track of a long range, continuing campus concern. The creation of a special committee is not always the most expedient or viable way of addressing these situations. Therefore, in such a case the President, Vice President, or 2/3 of the Executive Board may create a Presidential, Vice Presidential or Executive Commission as an extension of their respective office to investigate the matter and submit a report to him or her.

C. Powers

The Presidential Commission serves only as an extension of the Office of the President, Office of the Vice President, or Executive Board and thereby only wields such power as the creator delegates to it, and the creator may disband the group at any time for any reason. No commission may take action or speak on behalf of the Student Senate for any reason, nor may any commission construe its mandate, presence, or powers in any way as to impede or conflict with the Constitutional mission of the Ethics Board.

D. Creation & Dissolution

At any time the President, Vice President, or Executive Board may announce the formation of a commission to the Senate. Such announcements must come in the form of a formal memorandum of executive order outlining the commission's reason for institution, goals, composition, explicit task, and estimated time of existence. A 2/3 vote of the Senate may, at any time, rescind any Commission's creation.

E. Duties

A commission must fulfill tasks outlined in its order of creation. Commissions shall hold regular meetings and send regular reports to their creating entity, who shall relay the information to the Senate via his or her report. Upon completion of the outlined task, the commission shall cease to exist.

F. Composition

A Commission, serving at the leisure of the President, Vice President, or Executive Board, may contain such members as the commissioners and individuals they desire to appoint. This may include members of the Senate, students, administrators, and/or faculty. The chair shall always be the President or another member of Senate.

Title IV *Student Activity Fee*

A. Authorization

By the Authority of Article VI, Section Six, Subsection One of the Constitution of the Albion College Student Senate, the Appropriations Committee is charged with distribution of the Student Activity Fee.

B. Agreement

The Student Senate has an understanding with the Administration and Student Body with regards to the purpose of the Student Activity Fee. The understanding is that there will be guidelines set forth on the distribution of the fee. These guidelines will be outlined in the Student Activity Fee Guidelines.

C. Guidelines

The Appropriations Committee is the sole entity of Student Senate charged with the distribution and guardianship of the Student Activity Fee.

The Appropriations Committee is the steward of the Student Activity Fee Guidelines. These guidelines will be reviewed and updated every other fiscal year.

D. Amending the Student Activity Fee Guidelines

The process for amending the Student Activity Guidelines is as follows in order:

1. All amendments must be in legislative form to be considered for ratification.
2. Appropriations Committee must approve all amendment legislation by a majority vote.
 - a. Amendments must be in proper form and in compliance of the Constitution and Bylaws.
 - b. All approved amendments from Appropriations must be forwarded to Executive Board and Ethics Board.
 - i. Ethics Board may render the proposed amendment null any time before ratification if it's determined to be in violation of the Constitution, Bylaws, or improper form.
3. The proposed amendment then comes before the Senate for consideration and is subject to a two-thirds vote for ratification.

TITLE V

Financial Standards

A. Scope and Purpose

The financial standards hereby stated govern all financial records where Senate, or members thereof, acts as a custodian for such records. This includes the financial records of the Senate itself, as kept by the Treasurer; the financial records of the Student Activity Fee, as kept by the Chief Financial Officer (CFO).

B. Rules of Financial Record Keeping

1. The fiscal year will end on the last day of Spring semester final exams, with a new fiscal year beginning the following day.
2. The CFO will be in charge of all proper record keeping for the SAF, and the Treasurer of the Senate will be in charge of all proper record keeping for the Senate.
3. Retain all checks that are received cleared and paid from the financial institution.
4. All records must be retained, consistent with United States law, for seven years. This includes:
 - a. All written and computerized financial statements
 - b. The General Journal and General Ledger
 - c. All cancelled checks
 - d. All check stubs
 - e. All bank statements
 - f. All receipts or other authorizations
 - g. Any other documentation used in keeping financial records.
5. Records will be archived for the preceding fiscal year at the end of the current fiscal year.

C. Public Record

1. Public record, in this instance, will be defined as, “those records to which the students, alumni, faculty, staff, and administration of Albion College will have unrestricted access.”
2. All financial records will be considered public record.
3. Minutes of any official meeting of the Appropriations committee will be considered public record, and all such meetings will be open to the public, with an option to closed meetings.
4. The CFO at the request and expense of any party will supply copies of any or all financial documentation. Such documents will be produced within 5 academic days of any request.

D. Internal Audits

1. An internal audit of any financial record will be performed at the request of the custodian of the record, President, Vice-President, majority of the Executive Board, majority of the Senate, or majority of Ethics Board if pertinent to a current investigation.
2. The audit will be conducted by two individuals, selected by the Ethics Committee, who show proficient skills in the area of accounting.
3. All findings will be immediately issued in writing to the Ethics Board and directly reported in the nearest open-session of Full Senate following the conclusion of the internal audit.
4. The Ethics Board may, per confirmation by a majority vote of the Senate, order an external audit be performed if the financial records contain major discrepancies and/or inconsistencies.

E. External Audits

1. The Office of Student Affairs, or any of its subsidiary bodies may, at any time, conduct an external audit of any or all of Senate’s financial records.

- a. Upon the making of such a request, the CFO will provide copies of the records at the expense of the party responsible for conducting the audit.
 - b. The CFO is not required to offer any further services or assistance to the party conducting the audit.
2. The Ethics Board, after reviewing the findings of an internal audit, may make a recommendation, by majority vote, to full Senate that an external audit be performed.
3. The Executive Board or the Senate may, with a two-thirds vote, also initiate an external audit of any or all financial records at any time.
4. In the above two cases, the President will appoint a member of Senate to oversee the audit.
 - a. This person will be responsible for seeking out the appropriate party to conduct the audit, and if need be, at the expense of Student Senate.
 - b. This person will then report the findings of the audit back to the referring body and full Senate.
 - c. The custodian of the record must cooperate with the party performing the audit and furnish all necessary financial records accordingly.

F. Conduct of Financial Record Custodians

1. Failure to adequately perform or cooperate with any internal or external audit will be grounds for review by Ethics Board.
2. Failure to adhere to the Rules of Financial Record Keeping, as described above will be grounds for review by Ethics Board.
3. All financial anomalies must be reported to the Executive Board immediately upon the discovery of such an anomaly.
4. No CFO, or any member of the Committee on Appropriations, will be considered to have a conflict of interest when any body of Senate deliberates on, or decides to implement, any provision contained within this title.