

**IPSGA STUDENT SENATE  
2010-2011  
Bill-179  
Student Government Code of Ethics Act of 2011**

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Committee: Legislative Affairs  
Date Offered to Senate: 2-28-2011  
Senate Vote: Pending  
Vice President of Legislation: David Dressler  
Student Body President: Terel Lynn

**A BILL**

To Establish a Standardized Code of Ethics

BE IT ENACTED by the IPSGA Student Senate under the authority of the IPSGA Constitution in Article III, Section 5 Part iv.

**SECTION 1: SHORT TITLE**

This act shall be known and may be cited as the Student Government Code of Ethics.

**SECTION 2: INTENT AND DELCARATION OF POLICY**

1. It is essential to the proper conduct and operation of Student Government that its officials be independent and impartial. Student Government officers and employees hold their positions for the benefit of the Student Body. Such officers and employees are bound to observe in their official acts, the highest standards of ethics consistent with this code.
2. It is the intent of this act to protect the integrity of Student Government by prescribing restrictions against conflicts of interest and unethical practices.

**SECTION 3: DEFINITIONS**

1. "Benefit" means gain or advantage, or anything regarded by the person to be benefited as a gain or advantage, including the doing of an act beneficial to any person in whose welfare he or she is interested.
2. "Conflict" or "Conflict of Interest" means a situation in which regard for private interest tends to lead to a disregard of a public duty or interest.
3. "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duty.

4. “Student Government Officer or Employee” means any officer, agent, or employee of Student Government whether elected or appointed, including but not limited to, any executive, legislative, or judicial officer, any person participating as a special master, juror, or judge in performing governmental function and any officer of a Student Government funded organization that would fall under the jurisdiction of the Student Body Constitution.
5. “Harm” means.
  - a. Any verbal, written, or printed communication which directly or by inference is:
    - i. Defamatory to another person’s reputation, or
    - ii. Could reasonably cause the denial or termination of membership of another in any campus organization without due process of law,
    - iii. Or, any unlawful interference with the person and/or property of another person.

#### SECTION 4: STANDARDS OF CONDUCT

1. Conflict of Interest: No officers or employee of Student Government shall participate in any private business or professional activity to have any direct or indirect financial interest which would place that person in a position where there is a conflict between that private interest and the best interests of the Student Body.
2. Misuse of Student Government Property: No officer or employee shall miss use or allow the miss use of Student Government property, facilities, or personnel of any kind.
3. Unlawful Compensation or Regard for Official Behavior: No person shall corruptly give, offer, or promise to any Student Government officer or agree to accept, any financial or other benefit not authorized by Student Body Law, for the past, present, or future performance or non-performance of any act which the person believes to have been, or the officer, or employee represents as have been, within the official capacity of the officer or employee.
4. Intentional Wrongful Harm: No officer or employee of Student Government shall intentionally and wrongfully harm or threaten to intentionally and wrongfully harm any person by the performance or omission of any act.
5. Inducing to Act: No officer or employee of Student Government shall aid, advise, procure, or in any way induce another to act in violation of this act.

## SECTION 5: PENALTIES

A violation under this act may be cause for impeachment, suspension, or removal from office, suspension or dismissal from employment or public censure and reprimand by any individual or body having lawful authority to take such action.

## SECTION 6: PROCEDURES

1. Upon a written complaint of any student, the Student Senate shall appoint a Special Master, whom shall make a preliminary investigation into any alleged violation of this act.
2. Upon a showing of probable cause to believe that a violation of this chapter has been or is beginning to be committed, Senate shall convene to hear evidence and argument on said violation and all related violation. If the Senate does not find probable, a student or the special may still submit a motion to the Judicial Court.
3. The Senate may use subpoena power to obtain evidence and testimony under oath. The President of the Senate shall preside over the Senate hearing and sign all subpoenas.
4. Upon the conclusion of its investigation, the Senate shall present its findings and conclusions in a written opinion and recommend any further judicial proceedings if necessary. The opinion shall be submitted to all individuals accused of violations.
5. Investigations and opinions under this act shall remain confidential until any appeals have been exhausted. At such time, copies of the opinion shall be submitted to the Student Body President, the President of the Student Senate and the Student Activities Board, the Chief Justice of the Judicial Court, and the Student Government Coordinator.
6. Violation of the confidentiality of the committee's proceedings, perjury before the Senate and the Judicial Court, and the filling of complaints without reasonable basis and with malicious intent shall be violations of this act and subject to the penalties contained herein.
7. In all cases pertaining to slander or libel, the burden of proof shall rest with the party or parties whom bring the charges against the defendant. In cases that involve a public official(s), the burden of proof shall be when malice is clearly present, based on a preponderance of the evidence.

## SECTION 7: STUDENT SENATE OVERSIGHT

All Senate Committee and Court findings and conclusions must be based on substantial evidence and reasonable interpretation of law.

## SECTION 8: SEVERABILITY CLAUSE

If any provision of this Act, or the application thereof, to any person or circumstance is held invalid for any reason in any court of competent jurisdiction, such invalidity does not affect other

provisions or other applications of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

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Vice President of Legislation

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Date

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Student Body President

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Date