#### MERCYHURST UNIVERSITY STUDENT GOVERNMENT BYLAWS & STANDING RULES 1 Dated: 10/6/2008; Amended: March 30, 2009; Amended: March 05, 2010; Amended: February 15, 2015; 2 3 **Purpose** The Bylaws and Standing Rules of Mercyhurst Student Government (MSG) shall have the following purposes: 4 A. To specify the policies and operating procedures of MSG not otherwise enumerated in the MSG 5 6 Constitution. 7 B. To specify the powers, functions, duties, and responsibilities of all MSG executive board members. representatives and committee chairs not otherwise enumerated in the MSG Constitution. 8 C. To serve as the organizational manual for MSG. 9 10 Authority No part of these Bylaws and Standing Rules may supersede any part of the MSG Constitution. If any part of these 11 Bylaws and Standing Rules is found to be in conflict with the MSG Constitution, the pertinent Bylaws and 12 Standing Rules shall be suspended until such time as that part is amended in such a fashion that it is no longer in 13 conflict with the MSG Constitution. 14 Compliance 15 All members of MSG serving in any capacity whatsoever within MSG must comply with the Bylaws and Standing 16 Rules, unless such compliance is in direct conflict with the MSG Constitution, the rules and regulations of 17 18 Mercyhurst University, or any State or Federal law. Willful and/or deliberate disregard of these Bylaws and 19 Standing Rules shall be grounds for removal from office through impeachment, recall, or dismissal. 20 **Amendments** The MSG Bylaws and Standing Rules may be amended as provided in the Constitution. The MSG Vice President 21 shall be responsible for ensuring that the standards, format, and consistency of these Bylaws and Standing Rules 22 are maintained. 23 24 Article I. Budget Process and Allocations Guidelines for all budget allocating and other monetary issues will be in the MSG Finance Code. MSG Treasurer, 25 along with Budget and Finance Committee, will be in charge of making any changes to the MSG Finance Code, 26 approved by the MSG Body. 27 28 Article II. MSG Equipment Usage 29 Section 1. Information Technology All MSG Executive Board members and all MSG Representatives will be mandated to sign and obey by the rules 30 31 written in the *Technology User Agreement* at the start of their term in the Office. 32 A. Policy 33 1. Any device is to be used primarily to conduct and facilitate the business of Student Government 2. The devices can be used for personal reasons, so long as it does not break any law or University 34 Information Technology Policy, as stated in the University Student Handbook. 35 36 3. Any personal files stored on a Student Government computer or server must be deleted at the 37 end of each term, or transferred to a disk and removed from the system. 4. Personal printing and coping is kept to a reasonable manner. 38 5. At no time should an individual knowingly and willfully download, view, access, or operate any 39 program, website, etc. that is harmful to the system, or disrupts normal business. 40

6. Every Student Government officer is responsible for the computer, printers, and devices that they

7. At no time should an individual download, view, access, or operate any items that can be

use said devices without their expressed knowledge.

have been entrusted with, and at no time should allow, or create an opportunity, for someone to

considered pornographic, racially offensive, or morally offensive that has no educational purpose. **B. Penalties** 

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- Violations of this policy will result in the following administrative penalties:
  - 1. First Offense, a written warning detailing the offense is given.
  - 2. Second Offence, will result in removal of office, through resignation or impeachment.

### C. Definitions

- 1. <u>Device:</u> any tangible item that is owned, operated, or financed by Mercyhurst Student Government and is used to facilitate the business of Student Government. Which includes but is not limited to phones, computers, servers, printers, copies, fax machines, digital cameras, etc.
- 2. Personal: any item that has no relevance to the business of Student Government.
- 3. <u>Pornographic:</u> sexually explicit pictures, writing, or other material whose primary purpose is to cause sexual arousal.
- 4. <u>Morally offensive</u>: that which is in direct conflict with the teachings of the Catholic Church, or mission of the University

# **Section 2. MSG Golf Cart Procedures**

# A. Authorized Operators

Golf cart can only be operated by a person who has a valid drivers license AND;

- 1. Is a member of the Executive Board of MSG, including the advisors; or
- 2. Is given authorization by the Executive Board or an advisor, who is deemed to be responsible and have a justifiable need.

## B. Procedure Of Use

A log will be kept in a central location and any use of the golf cart must be entered in the log. Once documented, the key can be obtained from the President of Student Government.

# C. Prohibited Operation

Use of the golf cart in any of the items listed below will be considered a violation of the "Golf Cart Policy and Procedure" and may result in the revoking of golf cart driving privilege.

- 1. Driving the golf cart "off-campus." (Off-campus is defined as crossing 38<sup>th</sup> street to the North, Parade Street to the West, Wayne Street to the East or E. Grandview to the South.)
- 2. Excessive driving on grass, where sidewalks or paths are available.
- 3. Leaving the key in ignition, un-attended.
- 4. Reckless operation.
- 5. Failure to yield to pedestrians or motor vehicles.
- 6. Driving with more than five (5) passengers, including the driver.
- 7. Violation of any other municipal traffic law, or University Policy.
- 8. Any other action that can be associated with the use of the golf cart that is deemed to have a negative impact on Mercyhurst Student Government.

# D. Personal responsibility/ Liability

By obtaining the key and operating the golf cart, you signify and agree to the above stated "MSG Golf Cart Procedures" and assume personal responsibility and liability. Furthermore, you the "operator" (defined as any person who willfully obtains the key and operated the golf cart) shall defend, indemnify and hold MERCYHURST UNIVERSITY STUDENT GOVERNMENT, its officers, employees and agents harmless from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of golf cart operation.

# Section 3. Grill Sign Out Procedures

- **A.** The Grill may only be used by a Mercyhurst Student Government approved club or organization, and must be signed out by a Mercyhurst student or staff member.
- **B.** The Grill sign-out sheet (SAC Equipment Form) must be filled out and turned in to the Student Activities Chair or MSG President at least one week prior to the date that is requested for its use.
- **C.** Clubs and organizations that use the grill assume full responsibility for any damages incurred while the grill is in their care.
- **D.** Clubs and Organizations that use the grill assume responsibility for purchasing charcoal, lighter fluid, and any other necessary materials for their cookout.
- **E.** The grill main not be taken off the Mercyhurst Main Campus.
- F. The grill is to be returned CLEAN within three days of the cookout for which it was borrowed.

- **A.** The Great Room, and all the equipment inside it, shall be open to all Mercyhurst University students during the hours of operation of the Student Union. Students will be held accountable for any damage or theft in the Great Room, as with any other campus facility, according to Code of Conduct written in the Mercyhurst University Student Handbook.
  - **C.** The Great Room may only be reserved by a Mercyhurst Student Government Recognized Student Club or Organization (RSCO), and the reservation must be made by a Mercyhurst student or staff member.
  - **D.** The Game Room Reservation Form must be filled out and turned in to the Center for Student Involvement at least one week prior to the date that is required for its use.
  - **E.** Clubs and organizations that use the Great Room assume full responsibility for any damages incurred during the reserved time period.

## **Article III. MSG Transportation**

## Section 1. MSG Shuttle Service

The Mercyhurst Student Government will set the following policies and procedures for any circumstance or event related to the Mercyhurst Student Government Shuttle Bus.

#### A. Terms and Definitions

"Shuttle" will refer to Mercyhurst Student Government Shuttle bus that is owned by the Mercyhurst Student Government and operated in conjunction with the University. "On Campus" will be defined as any property owned or adjacent to Mercyhurst University in which Mercyhurst police and safety has jurisdiction. "Off Campus" will be defined as any area in which the shuttle operates off the property owned or adjacent to the University property, and is in the legal jurisdiction apart from Mercyhurst University police and safety.

#### B. Conduct

All behaviors on the shuttle will be subject to all of the rules, regulations, and repercussions set forth in the Mercyhurst University student handbook. Additional policies that will include the following and will apply to any student/ guest that uses the services provided by the shuttle:

- 1. Refusal of Service: It is at the discretion of the shuttle driver and/or shuttle security to refuse service to any person boarding the shuttle on campus for any reason, including but not limited to intoxication and/or inability to produce one's Mercyhurst University student ID (OneCard) card.
- 2. Criminal Activities Off-Campus: Due to the nature and circumstances of the shuttle operation off-campus, in the event of a criminal act committed on the shuttle off-campus, the local authority will be notified by the driver and the incident will be determined under the laws of the local jurisdiction and at the discretion of the responding authorities.
- 3. Use of On-Board Surveillance: The shuttle will be equipped with surveillance equipment that will be used in determining incidents that occur on the shuttle, and any relevant video will be turned over for review by the campus police and safety or local authorities depending on the incident.

# C. Procedure

The following procedure will be followed in the event of disruptive or disorderly conduct on the shuttle:

- If the event occurs on campus, the driver can call police and safety for conflict resolution.
- 2. If the event occurs off-campus, the driver has discretion to either call campus police and safety or request they meet at a location on campus when the shuttle returns in order to resolve the issue; or call the local authority and turn the incident over to their authority.

In the event of a breakdown of the shuttle, the driver will make a reasonable attempt to notify students who have signed in of the delay, or if total cancellation of service is unavoidable, inform them they will need to find alternate means of transportation, such as a taxi, and that the cost incurred will be reimbursed through MSG with proper receipts.

### D. Other Provisions

In the event that a person vomits on the bus, a \$50.00 (Fifty) fine will be assessed to the individual. The fine can be avoided if the person cleans up the area using the biohazard supplies on the shuttle, immediately following the incident. Failure to pay the fine will result in further disciplinary procedures.

## Section 2. Fan Busses

- A. There will be maximum of one fan bus per academic term, strictly for playoff games.
- **B.** The bus must be applied for through a form, and given to MSG President for approval. The form may be filled out by anyone affiliated with the Mercyhurst University.
- **C.** MSG will not pay more than \$1500 for the trip, if there is a remainder after the University's half is paid, it will be paid evenly by the riders prior to departure. All funds must be turned to the MSG Treasurer by 5:00 p.m. three days prior to departure date. Along with the funds needs to be a list with a minimum of forty (40) undergraduate full-time students enrolled in Mercyhurst, as well as two chaperones affiliated with Mercyhurst University.

### D. Other Provisions

In the event that no sports team reaches the playoffs or the game location is too far to travel
to, SAC can request to move the \$1500 from the fan bus line item to the general SAC
operating budget. This request can be made in the winter and spring term by the seventh
Monday of the respective term.

### Article IV. Student Union Sales

Any Organization or business selling in the Union, or at any other MSG sponsored event (i.e. Springfest) will be obligated to pay 15% to the Mercyhurst Student Government. Sellers will be notified prior to beginning of sales, preferably in writing, while non-profit organizations will not be charged.

## **Article V. Academic Requirements**

### Section 1. MSG Required GPA

The Mercyhurst Student Government (MSG) shall adopt the following procedures in the event of a Representative not meeting the cumulative Grade Point Average (GPA) requirements set forth in the MSG Constitution.

- **A.** Any Representative receiving a cumulative GPA of below 2.0 will be removed from the body upon a 2/3rds vote from the body.
- **B.** Any Representative receiving a cumulative GPA between a 2.0 and 2.5 will be placed on academic probation in which they will have the following term to raise their cumulative GPA to a 2.5.
- **C.** Representatives' qualifications for cumulative GPA in the event of an election take precedence over any probationary stipulations set forth in the standing rules of the MSG Constitution.

### **Article VI. Judicial Committee**

The function of the Judicial Committee is to determine a fair, reasonable, and necessary probation system on a case by case basis for any MSG officer/Executive Board member that may be placed on probation throughout the academic year. It is also the function of the Judicial Committee to be responsible for the removal from office of any MSG officer on probation if it is determined by this Committee that the officer in question fails to meet the requirements, terms or conditions of the probation. The requirements of the probation system created by the Judicial Committee are binding and final; therefore failure to meet these requirements will result in an immediate removal of office of the MSG officer in question without a vote by the MSG body.

# Section 1. Membership and Responsibilities

- **A.** The Judicial Committee will be comprised of five members of the representative body, the executive board president, and the advisor. In the case of a MSG President being placed on probation, an MSG Executive Board member elected by the body will replace the President's position on the Judicial Committee for all matters dealing with the MSG President's probation.
- **B.** The five members of the representative body on the Judicial Committee will be appointed by the Executive Board and approved by the body at the same time that the standing committees are formed.

- Each member of the Judicial Committee must accept their position with the understanding that this responsibility is in addition to their assigned standing committee.
  - **C.** All adjudicative decisions rendered by the Judicial Committee require a majority vote by the five voting members.
  - **D.** The five members of the representative body that are appointed by the Executive Board and approved by MSG body the will be the only voting members of the Judicial Committee.
  - **E.** The Judicial Committee will act as a dormant committee unless an MSG officer is placed on probation (See Executive Probation).
  - **F.** The Judicial Committee will have seven days to prepare the terms of a specific probation system after notification that a MSG officer has been placed on probation. The Judicial Committee will also be prepared to present the system to the MSG representative body at the first MSG meeting after the seven day period.
  - **G.** If the Judicial Committee finds that a MSG official fails to complete the requirements, terms or conditions of the probation they will report such findings to the body as justification for removal from office within 24 hours by e-mail notification.

# **Section 2. Executive Probation**

- **A.** A MSG officer can be subjected to probation by the remainder of the Executive Board or by the MSG Representative Body if he/she fails to complete his/her duties and responsibilities as an MSG officer or misuses his/her power of office.
  - 1. A MSG officer will be subjected to probation if the remaining four Executive Board members vote unanimously to place the officer in question on probation.
    - a. If a unanimous decision is not achieved, the issue must be raised to vote by the MSG Body. If the Body achieves a 2/3 vote toward the probation of the officer, the MSG officer at hand will be subjected to probation.
  - 2. A MSG officer will be subjected to probation if a Representative of MSG raises a motion to place the officer in question on probation, achieves a second for the motion, and the motion receives a 2/3 vote.
- **B.** If a MSG officer is placed on probation by any method stated in section A. of Executive Probation, the stipulations of the probation and a timeline of duties will be decided by the Judicial Committee.
- **C.** The Judicial Committee will meet weekly with the MSG Advisor.
- **D.** Failure to agree to and sign all documents pertaining to the Probation System created by the Judicial Committee will result in an immediate loss of the position of office of the MSG officer at hand.
- **E.** If the Judicial Committee finds that the officer on probation has failed to meet the requirements, terms or conditions of his/her probation, the result will be immediate removal from office of the MSG officer in question.

## Section 3. Removal from Office

- **A.** A MSG officer will be subjected to immediate removal of office for any of the following reasons:
  - 1. If a MSG officer is on probation and the Judicial Committee determines that the officer in question breaks the terms of his/her probation, he/she will be immediately removed from office.
  - If a motion is raised to impeach the MSG officer in question by a MSG representative, a second for the motion must be achieved, and the motion must receive a 2/3 vote for impeachment of the officer. This will result in the immediate removal of office of the MSG officer in question.
    - i. Let it be stated that, for all matters dealing with an officer of MSG, impeachment implies immediate removal from office.
- **B.** If an officer is removed from office, in any manner described in Section A. of "Removal from Office," that individual may not return for a position on the executive board of MSG for a period of one academic year following removal. The individual may return for a position as a representative with the approval of the executive board at the time of application.

# **Article VII MSG Gifts**

The outgoing MSG President and the Treasurer will be responsible for setting the budget to be spent on Senator Gifts. All members of MSG including Senators, Executive Board and Advisor(s) are eligible to receive gifts along with other members of the University community as deemed appropriate by the Executive Board. MSG gifts shall not exceed more than 100 dollars per person during the course of one academic year. The MSG President shall be responsible for choosing and ordering MSG gifts with the approval of the Executive Board and under the consultation of the Advisor(s).

- 262 Section 1. MSG Executive Board members' attendance at SAC Board meetings
- 263 All members of the MSG Executive Board (with the exception of the SAC Chair who attends all SAC meetings)
- shall attend at least thirty (30) SAC Board meetings per year in the amount of President- seven (7); Event
- Coordinator-six (6); PR Coordinator-five (5); Vice President-four (4); Treasurer-four (4). Executive Board
- 266 members shall decide what meeting each member will attend. The assigned Executive Board member will be
- 267 responsible for creating a short agenda to include the main points from the MSG Senate meeting as they relate to
- SAC and the group at large. This short agenda should be approved by the MSG Executive Board prior to
- 269 presenting.
- 270 **Section 2.** Spring Fest
- All the members of the incoming and outgoing MSG Executive Board shall work at the Spring Fest event, along with SAC Board members at their full capacity with duties assigned by the SAC Chair.

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# **Article IX MSG Executive Board**

Section 1. Transition Period

After the new MSG Executive Board members have been sworn in, outgoing members of the Executive Board shall attend the two (2) following meetings of the MSG Executive Board to assist with the transition period. If necessary, new Executive Board members may ask old Executive Board members to attend additional meetings until the end of that academic year.

280 Section 2. Parking

MSG Executive Board shall have the following Underground Parking privileges. Three parking spots shall be assigned to six Executive Board members in the following order: President, SAC Chair, Treasurer, Vice President, Event Coordinator, and PR Coordinator. In case where MSG Executive Board member does not want a parking spot, the next person in the order will receive this privilege.

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# Article X MSG/ SAC Board and the Ambassador Club Relationships

If an MSG Executive Board member participates in a MSG sponsored or co-sponsored event, he/she shall not receive any Ambassador Club events. If an MSG Executive Board member participates in the SAC sponsored event, he/she may receive the full amount of the Ambassador Club offered events upon approval by the Ambassador Club. For the Ambassador Club offered events, SAC Board members shall receive full amount for MSG exclusively sponsored event (e.g. Homecoming, Christmas Tree Lighting ceremony, etc.) or 50% of the total amount for the SAC or MSG/SAC co-sponsored events.

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### **Article XI MSG Board Benefits**

Section 1. Winnings and Prizes

MSG Executive Board members shall not be eligible for any MSG nor SAC raffle drawings, or for competing at the MSG or SAC related events.

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### **Article XII MSG Senate Meetings**

Any Senator who is more than 5 minutes late after the roll-call has started or leaves before the meeting has adjourned without prior notification submitted to the MSG Vice President, he/she shall receive one (1) additional service hour for that academic term. If the Senator notifies MSG Vice President at least two hour prior to the meeting and the MSG Vice President finds the late arrival or early departure excused, there shall be no consequences. It will be up to discretion of the President and the rest of the Executive Board to determine if the absence was excused when specific emergency occurs so that Senator would not able to submit notification two hours prior to the meeting.

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# Article XIII MSG & SAC Publicity & Advertising

Section 1. Types of MSG & SAC Publicity covered under this bylaw

- A. The electronic kiosk in front of the Zurn Sciences Building
- B. The Weekender electronic email newsletter
- **C.** Any other SAC & MSG publication or means of advertisement such as the Stallstreet Journal, newsletters, table tents, etc.

Section 2. Eligibility

- A. Other third parties may be eligible for use of the MSG & SAC publicity if and only if:
  - 1. They are a Recognized Student Club or Organization (RSCO) at the Mercyhurst University, Main Campus.
  - 2. They are an academic department or University office.
  - 3. The event is major campus wide event and is open to the entire campus community.
  - 4. The group or organization does not have more than three events requesting PR at the same time.
  - 5. The event is in line with the mission of the University as well as of the RSCO, as determined by the Campus Involvement Center and Student Activities.

# Section 3. Placement & Timing of Kiosk Requests

- **A.** Only major campus wide events will be listed. Things such as weekly meetings, inter-departmental functions, and other events not open to the entire campus will not be posted.
- **B.** Announcements are to be submitted through the online submission form which can be found on the MSG website under the "forms and documents" section. The web address is: http://msg.mercyhurst.edu/documents-forms/kiosk-readerboard-request-form/
- **C.** The SAC Chair will handle and manage all kiosk requests. In his/her absence, the MSG PR Coordinator will verify that the announcements are accurately displayed.
- **D.** Kiosk postings will only display events one week prior to the actual event date. This is to ensure that each group will have a fair chance to publicize their event.
  - 1. RSCO's, Offices, and Departments are encouraged to submit kiosk request forms two weeks prior to their event to ensure a one week turnaround to program the message and have it running a week prior to the event.

# Article XIV. MSG Conference, Retreat, and Off Campus Meetings Funding

### Section 1. MSG Retreats

- **A.** All MSG Senators and Executive Board members must attend at least one retreat or off campus meeting per term. The End of the Year Banquet is considered an off campus meeting.
- **B.** Mandatory conference attendance for the MSG Senators is at the discretion of the current MSG Executive Board.
  - The Executive Board also reserves the right to open up MSG sponsored conferences to outsiders as well.
- **C.** All expenses should come out of the "Off-Campus Meetings and Retreats" line item.
- **D.** The MSG President reserves the right to plan all aspects of the retreats, off- campus meetings, and conferences with MSG Executive Board approval.
- E. The MSG Treasurer, along with the MSG Budget and Finance Committee, must approve all expenditures.
- **F.** The MSG Executive Board cannot deem mandatory more than one retreat per term. The end of the Year Banquet and Conferences do not have to count as a retreat and are at the discretion of the Executive Board.

# Section 2. MSG/SAC Conferences

- **A.** For SAC conferences, all members of the SAC Board, including the SAC Chair, and one advisor are to have their expenses covered through the MSG budget under the "To SAC" line item.
- **B.** For MSG conferences, the Executive Board holds the right to determine the number of Senators that can go, propose a selection process for conference attendance and decide which conference(s) are eligible for consideration.

# Article XV. Proposals

In order to present a proposal to the Senate, it must be done by a MSG member, either a Senator or an

Executive Board member, during a general MSG Senate meeting. After having gone to the necessary and proper committees and returned with recommendations, all proposals must have the approval of the Executive Board and the MSG Senate before its presentation to the University's Administration. All proposals must have a simple majority vote from the MSG Senate, with the exception of proposals that pertain to finances or constitutional changes, which will require a 2/3 vote.

## **Article XVI. Senator Probation**

A. ESTABLISHES, "probation" as a potential disciplinary action for Senators who have not completed their constitutional duties at the end of the academic term;

B. AUTHORIZES, Student Government to place Senators on probation following a majority vote on both the Executive Board and Senate should they not complete their constitutional duties from the previous term;

- C. FURTHER AUTHORIZES, Student Government to remove Senators from probation following the completion of their constitutional requirements with a majority vote of the Executive Board and Senate;
- D. FURTHER AUTHORIZES, Student Government to forbid probated Senators and related body members from running for an elected or appointed position upon a majority vote, if they have not fulfilled Constitutional duties and responsibilities listed under Article 3, Section 5 of the MSG Constitutionl;
- E. DECLARES, that probated Senators are required to complete both their unfinished duties from the previous term, which includes office and event hours, and new duties from the current term and shall be made ineligible to receive pay until they complete these duties and are removed from probation by the Student Government;
- F. REQUIRES, Student Government to discuss the possibility of impeachment should a Senator on probation fail to attend any meeting or fail to complete any duty at the next meeting of its Executive Board and Senate;
- G. DESIGNATES, the Vice President as the main enforcer of this bylaw and monitor of probated Senators.