

Statutes to the Constitution of the University of Miami Student Government

Chapter I: The Senate

Title 1. Senate Apportionment

Section 1. Definition of Constituency

For the purposes of the Constitution or of these Statutes, the word constituency shall be defined as any undergraduate student currently enrolled full-time and who has paid their Student Activity Fee.

1-2. Basis of Constituency Populations

The basis of constituency populations, by school or class, shall be determined through the last issued Enrollment Report of the University Registrar, to be used until the next such report has been issued by the same. The basis of constituency populations, by residence, shall be determined through the records of the Department of Residence Halls on-campus, the Office of the Dean of Students for the Fraternity Row Residence Area, and by other records available in the Division of Student Affairs for off-campus residential districts. Apportionment of academic and residential constituencies shall be allocated one Senate seat per inclusive 1000 constituents. The constituency populations for respective organizational constituencies shall not be required.

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 shall have been approved by the Senate.

2-2. Academic Constituency Seat Apportionment

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

1. College of Arts and Sciences: five (5) seats
2. College of Engineering: one (1) seat
3. School of Architecture: one (1) seat
4. School of Business Administration: three (3) seats
5. School of Communication: two (2) seats
6. School of Education: one (1) seat
7. Frost School of Music: one (1) seat
8. School of Nursing and Health Studies: one (1) seat

2-3. Residential Constituency Seat Apportionment

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. Apartment Residence Area: one (1) seat

2. Eaton Residential College: one (1) seat
3. Hecht Residential College: one (1) seat
4. Mahoney Residential College: one (1) seat
5. Pearson Residential College: one (1) seat
6. Stanford Residential College: one (1) seat
7. Fraternity Row Residence Area: one (1) seat
8. Commuter District: six (6) seats
9. University Village: one (1) seat

2-3.2. Fraternity Row Residence Area Definition

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

2-3.3. University of Miami Main Campus Definition

The University of Miami main campus is defined as the geographic area within the area bounded by San Amaro Drive, Campo Sano Avenue, Avenue Pisano, Granada Boulevard, South Alhambra Circle, Nervia Street, Avenue Santona, U.S. Highway One, Red Road and Avenue Apricale. On-campus residential districts include those residential dwellings operated by the Department of Residence Halls.

2.3-4. Commuter Area Definition

The Commuter Area designation shall apply to all geographical areas not constrained by Section 2-3.2 and Section 2-3.3 and shall apply to all students not living in official, sanctioned University of Miami residences.

2-3.5 Invocation of New Commuter Area

No current regional Commuter Senator shall have their Senate seat jeopardized by the enactment of these statutes. All regional Commuter Senators shall have "Commuter Senator" as their official title and be responsible for the representation of all undergraduate commuter students at the University of Miami.

Section 3. Organizational Constituencies

Each organization listed below is subject to the provisions of Article II, Sections 2-3 and 2-3.1 of the Constitution.

1. Association of Commuter Students
2. Student-Athlete Advisory Committee
3. Council of International Students and Organizations
4. Federacion de Estudiantes Cubanos
5. National Panhellenic Council
6. SpectrUM
7. Honor Students' Association
8. Interfraternity Council
9. Panhellenic Council
10. Sports and Recreational Interest Clubs Federation
11. United Black Students
12. Latino Greek Council

3-2. Organizational Constituency Seat Review

Organizational Constituency Seats shall be reviewed no later than every three (3) years by the procedure prescribed as follows:

3-2.2. Declaration of Review

Upon initiation of the reapportionment process, all Organizational Constituency Seats as listed in Title I, Section 3 of this Chapter shall be declared open for review by the Speaker, who shall arrange appropriate publicity.

3-2.3. 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.

3-2.4. Recommendation of the Supreme Court

At the conclusion of the hearing(s) of review, the Supreme Court shall have four (4) class days to issue an advisory opinion to the Senate with its recommendation that each organization retain or be relieved of its seat in the Senate. The Speaker shall draft the appropriate statutory amendment for vote by the Senate based upon the recommendation of the Supreme Court.

3-3. Organizational Constituency Seat Creation

Any undergraduate student organization meeting the criteria set forth in Article II, Section 2.3 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.

3-3.2. Supreme Court Recommendation

At the conclusion of the hearing of review, the Supreme Court shall issue to the Senate within four (4) class days an advisory opinion with its recommendation that the organization(s) either be granted a seat in the Senate or be rejected. 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 two-thirds vote by the Senate is required to amend the list of organizations receiving seats in the Senate.

3-4. 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. 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 Chair of said meeting allows members to depart. Whenever any Senator has been absent from meetings of the Senate or of its Committees for a total of three (3) unexcused absences, or a total of five (5) absences during a semester, he or she shall automatically be removed from office and the

office declared by the Speaker to be filled pursuant to Article V, Section 8 of the Constitution and Section 3 of this Chapter. Any Senator so removed shall not be eligible to hold any office or position in Student Government for one (1) calendar year following the date of removal from office. After two (2) unexcused absences or three (3) total absences, the Senator shall be sent a warning notice. Barring emergencies, each Senator shall notify the Speaker or his or her designee in advance of any meeting of any expected absence, late arrival, early departure to or from a Senate or Committee meeting in writing when possible, and the reasons for said absence, arrival or departure. The Speaker or his or her designee may accept such legitimate reasons as valid and designate an absence as excused.

Section 2. 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.

2-2. Absentee Voting

Any Senator, except as restricted by Section 2-2.3 and 2-3 of this Chapter, may cast an absentee vote on Senate actions, provided that the absentee ballot shall be submitted in writing as soon as possible to the officers of the Senate prior to the vote; 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. Such shall be null and void should that Senator be present at the time the vote is taken on the action.

2-2.3. 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 Section 3 of this Chapter should that Senator not be present for the presentation of the designees or organizational representatives, respectively.

2-3. Legitimacy of Absentee Votes on an Amended Bill

In the case of a legislative action that has been amended on the floor of the Senate, the chair of the Senate shall decide whether absentee votes shall remain valid based on the germane nature of the action. If a Senator disagrees with the Chair's ruling, they can call for a vote of the Senate to determine whether the absentee votes should be allowed. A vote of two-thirds (2/3) in favor is required to overrule the Chair's ruling.

2-4. 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 3. Senate Vacancies

Pursuant to Article V, Section 8 of the Constitution, the following procedure is prescribed in the case of a vacancy in the Senate.

3-2. Creation of Senate Vacancies

Upon the creation of a vacancy in the Senate for any reason, the Speaker shall declare or announce the vacancy at the first Senate meeting immediately thereafter, and shall arrange appropriate publicity. In each case, upon the creation of a vacancy, any qualified person, pursuant to the Constitution, may thereafter submit an application to complete the unexpired term in the respective seat for a period of two (2) weeks

thereafter. Should there be no qualified applicants at the end of said period, the Speaker may extend the period at his or her discretion.

3-3. Academic Requirement

Each person applying to complete an unexpired term in the Senate shall have a minimum 2.3 cumulative grade-point average and must be enrolled as a full-time student. Graduating seniors completing their final semester may apply while taking only the credits necessary to complete graduation requirements, but in no event shall this amount be less than six (6) credits. By applying, each person authorizes the Election Commission or its duly authorized representatives to inspect the academic records and credentials of said candidate.

3-4. Applicant Screening, Interview and Recommendation

The Speaker shall transmit all valid applications containing two (2) or more candidates per vacancy to the Council of Chairs, hereafter referred to as Council, for screening and interviews. If the number of applicants is two (2) or more, the Council shall be required to interview all applicants in person. The Council shall rate the applicants by a predetermined scale, with the Council recommending to the Senate the highest-rated candidate for completion of the unexpired term. If the number of applicants is less than two (2), the Speaker shall interview and appoint a candidate for completion of the unexpired term.

3-5. Senate Action on Senate Vacancies

The Senate shall be responsible for giving its advice, consent and confirmation of the recommended applicant. 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 his or her absence the Speaker Pro Tempore, shall have the power to designate appointees to the Senate.

Section 4. 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.

4-2. Deadline for Requested Legislative Actions

All legislative actions for regular Senate meeting shall be submitted in writing to the Speaker or the Speaker's designee by the specified time before a regular Senate meeting as designated by the Speaker at the beginning of their term. This time shall allow the Officers of the Senate to appropriately enumerate and categorize the legislation as well as properly place it on the agenda.

4-2.2. Legislation for Special Meetings of the Senate

Should the need for a special meeting of the Senate arise, or if an emergency situation arises which may require immediate action by the Senate, legislation must be submitted in writing to the Speaker or the Speaker's designee at least five (5) hours before the meeting is called to order.

4-3. Senate Agenda

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

1. Call to Order, by the presiding officer
2. Roll Call

3. Open Forum, for the discussion of future or past business
4. Old Business, for further proceedings on matters previously considered by the Senate body
5. New Business, for new proceedings on matters not previously considered by the Senate as a body
6. Orders of the Speaker, which shall include any and all Committee, Cabinet and Supreme Court reports
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. Special Orders of the Speaker shall be in order if a guest speaker is a priority of a meeting. However, if this speaker is not priority, they may be placed under Orders of the Speaker.

4-3.2. Printed Agenda

The printed agenda for each meeting shall include a listing of all legislative actions, including the action number, category, title and subject. It shall be printed and available no later than five (5) hours before a regular Senate meeting.

4-4. Senate Legislation

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

4-4.2. Bill Definition and Structure

Actions which would require action by the Senate and not a statement of the Senate's feelings, wishes or intent shall be classified as a bill and should be written as follows:

1. Title - The title of the bill shall begin with "A Bill to..." and shall describe in that single sentence the nature of the bill.
2. The remainder of the bill will be divided into consecutively numbered Articles specifying the action to be taken. The reasoning behind the bill shall not be included in either the articles or the title of the bill, the articles and title being instead only a factual representation of what the bill is to do.

4-4.3. Resolution Definition and Structure

A resolution shall be any statement of the Senate's feelings, wishes or intent that does not require direct Senate action. The resolution should be written as follows:

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..."

4-4.4. 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 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.

4-4.5. 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; and resolutions
3. Category C. Actions of an internal or procedural nature; receipts of reports, information or recommendations, appointed by the Senate of Committees and Commissions
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
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

4-4.6. Effective Dates of Legislation

Category A actions are effective upon ratification in accordance with Article VIII of the Constitution. Category B actions are effective when approved in accordance with this Constitution. Category C and E actions are effective upon passage by the Senate in accordance with this Constitution. 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.

4-4.7. 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 and including the Speaker.

4-4.7.2. Attendance of Author and 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. However, the Senate, if they wish, need not grant floor rights to more than one author of the proposed legislation.

Section 5. Receipt of Senate-Approved Actions by the Office of the Student Government President

Every Category B and D action approved by the Senate shall be determined to have been formally received in the office of the Student Government President on the day following the meeting at which it is approved, provided that said meeting shall have adjourned after 4:30 p.m. on the day of the meeting. The action shall be considered as having been received on the day of such meeting if the meeting adjourned before 4:30 p.m. In both cases, the action can only be formally received when accompanied by the proper transmittal form(s).

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. The Senate, by special order, may modify the use of such list, or determine such other rules by the vote of a majority of those present and voting.

6-2. Processing Amendments to Submitted Actions

Whenever possible, the sponsor of a formally written, proposed amendment to any substantive action shall present at least (2) copies thereof to the officers of the Senate in advance of its introduction.

6-3. Author-Accepted Amendments

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

6-3.2. 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.

6-4. Special Order for Senate Consideration of Legislative Action

The Speaker, in consultation with the Council of Chairs, may determine a special order to require a vote on an action without an amendment. Approval of the action in this manner shall constitute final action, except where other procedural rules apply. Failure to approve by the required majority shall rescind the special order; normal consideration shall thereafter ensue.

6-5. 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 a designee have a class conflict with the regularly-scheduled Senate meeting time, the Senate can, by a majority vote, allow a written statement by the designee to take the place of that designee's presence at the meeting.

6-5.2. 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.

6-6. Elections of Senate Officers

The following procedures shall govern all elections of Senate Officers:

6-6.2. Presentation of Candidates

All candidates for any office of the Senate shall declare their candidacy by self-nomination. During the consideration of a candidate by the Senate, all candidates for the same position shall leave the meeting until the Chair calls the candidates in for questioning on an individual basis. At this time, the candidate shall deliver a short presentation to the Senate. After questioning, the candidate shall leave upon the request of the Chair for the duration of said process.

6-6.3. Consideration of Candidates

Only after all candidates have been presented to the Senate and made available for questioning shall discussion begin. Senators shall preface their comments in discussion by expressing their opinion. 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 Parliamentarian, or his or her designee, shall pass out the ballots and privately count

them when they have all been submitted. Candidates for the office of Speaker 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 5, Section 1-1 of the Constitution.

Section 7. Voting

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

7-2. 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. Votes on Category A actions, or actions to override vetoes by the Student Government President, shall be taken by roll call votes. Secret ballot votes on any matter related to impeachment or censure shall be taken upon the affirmative vote of two-thirds of Senators present and voting, except when a roll call vote shall be requested.

7-3. 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 rising hand vote before voting actually begins.

Section 8. 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 9. Punitive Action for Misconduct

Should, for any reason, the Speaker eject any Senator from a total of three (3) meetings of the Senate for misconduct, the Senator shall therewith be considered as having been expelled from the Senate and the seat of said Senator shall be declared vacant by the Speaker, to be filled as provided in Section 3 of this Chapter. No person expelled from the Senate for misconduct shall retain any Senate seat through any manner of appointment for a period of one (1) calendar year following expulsion.

Section 10. Temporary Presiding Officers

If neither the Speaker nor the Speaker Pro Tempore is available to preside in the chair and the Speaker has not so designated an individual Senator or the Parliamentarian, the Council of Chairs, in consultation with the Senate Secretary and Parliamentarian, shall designate a Senator to preside as Temporary Presiding Officer.

Section 11. Judicial Review of Procedures

The Student Government Supreme Court, in cases of appeal or review on the basis of procedures listed herein, in other Statutes or the Constitution, shall designate, if need be, the point from which erroneous Senate action is abrogated, and should be corrected; and the Senate, if it chooses to again consider the action involved, or should the Court order the Senate to reconsider the action involved, shall reinstate the consideration of the matter from that point.

Section 12. University Account Signatory Authority

The approval of the authorized signatory on any University account related to Student Government shall be necessary for any expenditure request; further, the Student Government Advisor or other authorized University account signatory may approve expenditures without the recommendation or signature(s) of authorized student signatory(ies), for any of the following reasons:

1. To handle financial emergencies.
2. To complete transactions and to fulfill contractual obligations in the absence of at least one (1) given student signatory of the account.
3. To implement University policy.
4. To serve the best interests of the University.

Such approvals are to be made only with the consent of the University Vice President for Student Affairs or his or her designee. Copies of such approvals and consents shall be transmitted to the Student Government President, Treasurer, Speaker of the Senate, Chief Justice of the Supreme Court and the Student Government Advisor as soon as practical thereafter.

12-2. University Account Signatory Designation

The University Vice President for Student Affairs shall designate the administration signatory for Student Government University accounts. Said designations and changes thereof shall be transmitted on a timely basis to Student Government. When a designated signatory shall delegate such authority during absence, such shall be transmitted to the student account signatory.

Section 13. Solicitation Procedures

All solicitation of students by Student Government is subject to University policy, and shall also require approval as provided in this Section. Upon representation of the concept, the Senate shall authorize an investigation of the solicitation proposal. The Senate may ask the Office of the Vice President for Student Affairs to request that a legal determination of the legitimacy of the solicitation be made by the University Legal Counsel. Further, the Senate shall require the approval of the Student Solicitations Committee as a precondition to ratification of the proposed solicitation. Only after successful accomplishment of the aforementioned shall a solicitation be acted upon by the Senate.

Title III. Resignation Procedures

Section 1. Definition of Resignation

Resignation shall be defined as a written statement signed by a Student Government officer indicating he or she no longer wishes to retain his/her position in Student Government.

1-1. Validity

A resignation shall be considered valid upon submittal to the appropriate heads of such branch of government or their designees.

1-2. Valid Resignations of Governmental Branch Heads

The resignations 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 Speaker Pro Tempore and the Parliamentarian.

1-2.2. Vacancy

A vacancy in an office is created whenever the resignation of the officer becomes effective.

1-2.3. 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.

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. In addition, each standing committee shall have no less than two (2) but no more than four (4) executive members appointed by the Student Government Vice President and one (1) Executive-AT-Large appointed by the Student Government President. The total number of executive appointees to standing committees shall not exceed twelve (12), excluding Executives-At-Large and each Executive-At-Large shall be designated to the standing committees in accordance with Chapter I, Title IV, Section 1-3 of these Statutes. These committees shall initiate projects and legislation. The Chairperson of the committee shall have full voting privileges. Each standing committee shall meet no less than once every fourteen (14) days during the spring and fall semesters, at a set time and location. 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 he or she is a member, unless excused for legitimate reason by the Chairperson or by the Speaker or his or her designee, and subject to the provisions of Chapter I, Title II, Section 1 of these Statutes. Every appointed member shall be required to attend any and all meetings of said committees of which that person is designated, unless excused for a legitimate reason by the Vice President.

1-2. Students on Committees

Students not holding an office in the Senate may hold membership in a standing committee through the following procedures:

1-2.1. Students Appointed by the Speaker

The Speaker is authorized to appoint non-voting members to standing committees to work on specific projects or programs or to assist on the initiation of certain legislation.

1-2.2. Students Appointed by the Vice President

The Vice President is authorized to appoint voting members for one (1) executive term to standing committees in accordance with Chapter I, Title IV, Section 1 of the Statutes to work on specific projects or programs or to assist in the initiation of certain legislation. An absence for said members shall be defined as the failure to attend a meeting, as determined by the committee chair. Whenever a said member has been absent from standing committee meetings for a total of two (2) unexcused absences, or a total of four (4) absences during a semester, the member shall lose the Vice President's appointment and be unable to hold office until the following executive term. After one (1) unexcused absence or three (3) total absences, the appointed member shall be issued a warning by the Vice President. Excused and unexcused absences shall be determined by the Vice President.

1-3. Committee Establishment

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

1-3.2. University Affairs

There shall be a committee on University Affairs which shall be composed of no less than six (6) Senators, including a Chairperson, in addition to the Executive-At-Large External and no less than two (2) but no more than four (4) executive members appointed by the Vice President in accordance with Chapter 1, Title IV, Section 1 of the Statutes. 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.
3. Related to both currently-operating and new student services.

1-3.3. Academic Affairs

There shall be a committee on Academic Affairs and services which shall be composed of no less than six (6) Senators, including a Chairperson, in addition to the Executive-At-Large External and no less than two (2) but no more than four (4) executive members appointed by the Vice President in accordance with Chapter 1, Title IV, Section 1 of the Statutes. 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.

1-3.4. Public Relations

There shall be a committee on Public Relations to publicize all activities of the Senate and shall be composed of no less than six (6) Senators, including a Chairperson, in addition to the Executive-At-Large Internal and no less than two (2) but no more than four (4) executive members appointed by the Vice President in accordance with Chapter 1, Title IV, Section 1 of the Statutes. 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.

1-3.5. Policy and Finance

There shall be a committee on Policy and Finance which shall be comprised of no less than six (6) senators, including a chairperson, in addition to the Executive-At-Large Internal and no less than two (2) but no more than four (4) executive members appointed by the Vice President in accordance with Chapter 1, Title IV, Section 1 of the Statutes. The Student Government Treasurer, or the Treasurer's appointed designate, shall be in attendance at all Policy and Finance Committee meetings. The Trial Advisor General, or an appointed Trial Advisor, shall be in attendance at all Policy and Finance Committee meetings. Neither the Treasurer, the Trial Advisor General, nor their representatives, shall have voting rights in said committee. The Committee shall be charged with:

1. Reviewing and revising appropriation requests, including those of co-sponsorship, made to Senate through consultation with the author of said request one week prior to submission to Senate.
2. Consulting with the Student Government Treasurer as to finances for appropriations and the formation of the Student Government budget.

3. Making recommendations to the Senate concerning the final version of the appropriations bill.
4. Safeguarding guidelines and stops set forth by Senate for appropriations and the constitutionality of bills.
5. Reviewing Student Government policy and making any necessary recommendations to the Senate for internal policy change.
6. Reviewing University policy for students and providing recommendations to the Senate for policy change, by the Speaker's request.

1-4. 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 Chairpersons

The Chairpersons of the standing committees and the Speaker Pro Tempore shall serve as the Council of Chairpersons, with the Speaker Pro Tempore serving as the Chairperson 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 Title II, Section 3-4 of this Chapter in 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 IV: The Executive Branch

Title I. Duties of the Executive Officers

Section 1. Duties of the President

The President has overriding authority over the entire Executive Branch, except as specifically provided in the Constitution. His or her 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 President and the Executive Officers, including the Vice President, Treasurer, Speaker of the Senate, Speaker Pro Tempore and Chief Justice.
3. The exercising of signatory authority and coordination of work activities for the Student Government Administrative Assistant.
4. Serving as the undergraduate student representative to the University of Miami Board of Trustees.
5. Serving as the undergraduate student representative to the following University and external committees:
 1. Rathskeller, Inc.
 2. Faculty Senate Student Affairs Committee
 3. Honor Council Selection and Appeals Committee
 4. Coral Gables Community Relations Committee
 5. 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, and the ability to create new positions as he or she deems necessary.

1-1.2. 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. Faculty Senate Representative
6. Parking Advisory Committee Representative
7. WVUM Advisory Board Representative

1-1.3. Appointments Internal to Student Government

1. Chief of Staffs Internal and External
2. Executive Secretary
3. Executives-At-Large Internal and External
4. Election Commissioners
5. Election Commission Chair
6. Supreme Court Justices
7. Supreme Court Chief Justice
8. Spirit Programming Board (Category 5) Chair(s)
9. 'Cane for a Day Chair
10. Trial Advisor General
11. Technology Commission Chair

1-1.4. Advisory Board Appointments

1. Library Advisory Board
2. Auxiliary Services Advisory Board
3. Facilities Advisory Board
4. Information Technology Advisory Board

Section 2. Regulations on Executive Appointments and Nominations

The Executive Officers as provided in this Section, shall jointly designate all appointments or nominations for appointments required or requested of Executive authority or the removal of such designation; however, the President has the power of designation as provided under Article III, Section 3 of the Constitution in the performance of his or her duties. Concurrence by at least two (2) of the three (3) 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.

2-2. 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 requirement 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 the designations by the date specified shall constitute nonfeasance.

2-3. Minor Appointments

Any positions not included in the definitions of Title 1, Section 1-1.3, Clauses 1 through 8 of this Article shall be designated as a minor appointment by the Senate.

2-4. Acting Appointments

No person may be designated on an acting or interim basis to those offices as defined in Title 1, Section 1-1.3 of this Article.

2-5. Removal of Nominations or Appointees to External Bodies

All nominations for appointments or appointments to bodies external to the Student Government may be recommended for removal for stated cause on the recommendation of the President and approval of the recommendation by the Senate to the appointing authority.

2-6. Reports by Agents to External Bodies

All persons appointed by or nominated by (and chosen by the appointing authority of Student Government) must periodically report to the Senate, the Executive Cabinet and their designated agents as provided by Statute.

Section 3. Duties of the Vice President

The duties of the Vice President shall include but not be limited to 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 Policy and Finance Committee.
4. Give budget reports to the Senate when requested.
5. Attend all Policy and Finance Committee meetings, or if unable to do so, appoint a designee to attend said meetings and act as liaison between the Treasurer and said committee, reporting to the Treasurer on a weekly basis.
6. Review all appropriation forms submitted for co-sponsorship and authorize or decline by Monday at 4:00pm on the week following their submission.

Section 5. Responsibilities of Executive Officers

All officers authorized by this chapter are to be designated and removed as members of the Executive Cabinet and are subject to all provisions of this chapter.

5-2. Additional Functions

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

5-3. Report Required of Officers

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

Title II. Spirit Programming Board

Section 1. Composition of the Spirit Programming Board

There shall be a Spirit Programming Board composed of two chairpersons, whose selection shall be determined by Statute, and a membership selected by the chairpersons. The President or his or her designee shall oversee the Spirit Programming Board's progress.

1-2. Voting Membership

Only the chairpersons and those committee members placed by the chairpersons shall be entitled to vote on official business of the Spirit Programming Board.

1-3. Chairperson Selection

The membership of the Spirit Programming Board shall select two (2) designees for chairperson for appointment by the President to a term of one (1) year each. The President may, at his or her discretion, send a maximum of two (2) additional designees of his or her own to the Senate. In the event that there are only two (2) designees for the two (2) positions of chairperson, the chairpersons shall be confirmed by the Senate by a two-thirds (2/3) majority. In any instance where there are more than two (2) designees sent to the Senate for consideration, the Senate shall vote by written ballot, with each Senator registering two (2) votes for chairperson. The designees with the two highest number of votes shall be ratified as chairpersons.

1-3.2. Tie Vote within the Senate

In the event of a tie, the Senate shall vote by written ballot, with each Senator registering as many votes as positions for chairperson are still unresolved, until two chairpersons have been duly ratified.

1-3.3. Date Required for Senate Vote

In any instance where selection of chairpersons shall require a Senate vote, said vote shall occur no later than the penultimate meeting of the spring semester.

1-4. Committees

The creation of standing committees on the Spirit Programming Board shall be determined by the Spirit Programming Board chairpersons.

1-5. Tie-Breaking Procedure on Official Business

If the Spirit Programming Board chairpersons are unable to reach agreement on the creation of one or more standing committees, the President shall intercede using reasonable discretion. If the Spirit Programming Board chairpersons are unable to reach agreement on the appointment of any committee chairperson, the President shall intercede using reasonable discretion. In conducting any other official business, if the Spirit Programming Board chairpersons are unable to reach agreement, a vote shall be held among the committee chairpersons. If agreement cannot be reached, the President shall intercede using reasonable discretion.

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 the inability shall be removed:

1. Speaker of the Senate
2. Speaker Pro Tempore
3. Chief Justice
4. Treasurer
5. Executive Secretary
6. Chief of Staff- Internal
7. Chief of Staff- External
8. Executive-At-Large Internal
9. Executive-At-Large External
10. Chairperson for University Affairs Committee
11. Chairperson for Academic Affairs Committee
12. Chairperson for Public Relations Committee
13. Chairperson Policy and Finance Committee

1-1. Recess Period Executive Function

The provisions of Title 1, Section 1 of this Chapter shall apply during and throughout recess periods.

Section 2. Multiple-Vacancy Presidential Succession

Whenever, for any reason, the Offices of President, Vice President, Treasurer and Speaker shall simultaneously be vacant, 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 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.

Chapter III: The Judicial Branch

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. At the discretion of the Chief Justice, an Assistant Chief Justice may be appointed.

Section 2. Selection

The Chief Justice shall be selected as defined by Article IV, Section 2-1.1 of the Constitution. The Associate Chief Justice and the Assistant Chief Justice shall be chosen from among the associate justices by the Chief Justice. The Clerk of the Court shall also be chosen by the Chief Justice. The Clerk of the Court may be any

full-time undergraduate student meeting the requirements set forth in Article V, Section 4 of the Constitution.

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. Interpreting the rules of Court procedure as detailed in these Statutes.
4. Serving as the spokesperson for the Court to groups outside of Student Government.
5. Attending Student Government Executive Officer meetings.
6. Receiving and reviewing requests for hearings and determining, with input from members of the Court, whether to hear a case or not. The final decision shall be made by a majority of the Justices on the Court within two (2) school days.
7. Maintaining and updating the latest version of the Student Government Constitution and Statutes.
8. 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.

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. Serving as liaison to the Student Government Senate and attending weekly Senate meetings.
4. Reporting the actions of the Senate to the Chief Justice and the Court.
5. Maintaining a file of legislation and minutes from the Senate.

3-3. Duties of the Assistant Chief Justice of the Court

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

1. Presiding over meetings in absence of the Chief Justice and Associate Chief Justice.
2. Serving as liaison to the Student Government Senate and attending weekly Senate meetings in the absence of the Associate Chief Justice.
3. Preparing the docket for hearings and distributing the docket and relevant materials to the members of the Court.
4. Securing a location for meetings and hearings.

3-4. 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. Informing the Justices of the time and place of meetings.
3. Typing the Court decisions and submitting those decisions to the Chief Justice for signature.
4. Maintaining the records of the Supreme Court.

Section 4. Content of Records

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

1. A notebook which shall contain a copy of the Student Government Constitution, Statutes and Amendments. This notebook is to be kept in the Court files and released for use in the Student Government Office.
2. A Court notebook containing copies of the current school year's minutes and decisions.
3. A notebook containing passed legislation and minutes from the Senate.
4. Court files shall be kept but not limited to minutes from all previous Court meetings and hearings; correspondence regarding Court operation; Memos regarding Court operation; Court decisions.

Section 5. Judicial Power

The powers vested in the Supreme Court shall include but not necessarily be limited to the following:

5-1. 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 Cabinet. 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 remand issues brought before it.

5-2. 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, Cabinet 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.

5-3. 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 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.

5-4. Additional Powers

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

Section 6. Voting

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

1. The question before the Court shall be read by the Chief Justice in such a manner that it can be answered with a "yes" or "no" vote.
2. The vote shall be recorded as a roll call vote.
3. A majority of the Justices on the Court shall decide all issues.

Section 7. 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.

Section 8. 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 Student Government Constitution.

Section 9. Conclusion

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

Chapter IV: The Election Codes

Section 1. Election Commission

1-1. Composition

There shall be an Election Commission composed of a Chairperson, Vice Chairperson and fifteen (15) members at-large. The President of Student Government with the consent of the Senate shall appoint election Commissioners and the Chairperson. The Elections Commission shall elect the Vice Chairperson. Election Commissioners shall serve one-year terms, with renewal of those terms at the discretion of the President and requiring a vote of the Senate. A quorum for this Commission shall consist of 1/3 of the filled positions and one Chairperson or Vice Chairperson in the event that the Chairperson is unavailable.

1-2. Authority

The Election Commission is authorized to act as an independent agency of Student Government. The Election Commission shall have original jurisdiction to pursue matters related to elections. The Supreme Court of Student Government shall have original judicial jurisdiction. All University policies and decisions shall supersede these Election Codes.

1-2.2. Powers of the Election Commission

The Election Commission is authorized to:

1. Administer and conduct the organization, coordination and operation of all Student Government elections and referenda.
2. Administratively enforce and prosecute violations of regulations, procedures and rules governing elections and referenda.
3. Promulgate and amend the Election Codes to administer the powers and authority vested by this chapter and the Student Government Constitution. Amendments to the Election Codes shall be transmitted in writing to the Senate and shall become effective ten (10) school days after their receipt, unless the Senate shall have rejected or tabled the proposed amendment by category C action within such time. Further, the Election Commission may recommend amendments to the Student Government Constitution or remaining portions of the Statutes that relate to election procedures.
4. Propose an Election Calendar to be submitted to the Senate at least forty (40) school days prior to an election for approval. The Election Calendar shall outline the dates, times and polling places for the election.

Said information and application procedures for candidacy shall be publicized by the Election Commission immediately upon approval of the Election Calendar by the Senate.

5. Make expenditures on the Election Commission Account.

6. Authorized to use affidavit statements submitted by Election Commissioners as sufficient evidence to hold trial.

1-3. Procedures

1. The Elections Commission shall create procedures and guidelines for the general operation of the Elections Commission. The most recent version of these guidelines shall be made public prior to the week of elections and can only be amended during the week of elections by a formal vote of three-fourths (3/4) of the Election Commission.

2. The Election Commission Chairperson shall supervise the operation of polling areas. The chairperson shall declare official polls opened and closed, shall keep the official time and ensure that the polls are open for a minimum of five (5) hours each election day. The Chairperson shall be responsible for the security of the ballot boxes or voting machines.

3. Voting shall be conducted in a manner to be determined by the Election Commission.

4. The Election Commission shall be responsible for validating the eligibility of all voters and candidates in an election.

5. The Election Commission shall compile and distribute an election packet to include those forms necessary for the proper filing of candidacy and all rules that pertain to the candidates **and voters**.

6. The Election Commission shall maintain a file of all submitted graphic campaign material.

7. All information submitted to the Election Commission by a candidate or campaign manager shall be available as public information at the discretion of the Election Commission.

8. For the purpose of establishing a total vote count for a particular office, voters for a disqualified candidate shall not be counted.

9. The Election Commission will also announce if there will be a run-off election.

10. The Elections Commission reserves the right to delay the public announcement of the election results if campaign material is not removed within twenty-four (24) hours of the closing of the polls.

11. All candidates properly registered shall be placed on the ballot with any ticket affiliation and incumbency status noted adjacent to their name.

12. The Elections Commission shall present all information as it is to appear on the ballot to the candidates and campaign managers at an election meeting for verification.

13. The Election Commission is authorized to remove graphic campaign material provided that the material is in a restricted area, distributed prior to the date set forth in the Election Calendar, has not been approved by the Election Commission, or damages property.

14. The Election Commission shall group candidate listings on the ballot according to their ticket affiliations whenever feasible.

Section 2. Voter Requirements

2-1. Identification

Voters must be enrolled as full-time undergraduate students and have paid the Student Activity Fee.

2-2. Responsibilities

Voters may only vote for those candidates seeking to represent their constituency. Voters will not be permitted to verbally or graphically campaign within official polling areas. A voter may be denied the right to vote until verbal campaigning ceases and/or graphic campaign material is removed.

2-3. Absentee Ballots

Voters must present proper cause to the satisfaction of the Election Commission to qualify for an absentee ballot. Students may not allow others to vote for them except for physically disabled persons who must obtain an absentee ballot. Absentee ballots may be obtained in the Student Activities Office.

Section 3. Candidacy

3-1. Requirements

All candidates must have a 2.3 cumulative grade-point average and be enrolled as full-time undergraduate students and have paid the Student Activity Fee at the time of application. Candidates must be a member of the constituency they wish to represent. By applying or candidacy, a candidate authorizes the Election Commission to have the candidate's academic records and credentials verified by authorized personnel. Candidates for President, Vice President and Treasurer must have a 2.7 cumulative grade-point average in addition to the aforementioned requirements.

3-2. Application Procedures

The following guidelines apply to all candidates filing for application:

3-2.2. Filing for Candidacy

In filing for candidacy, the candidate shall affirm, in writing, an understanding of the responsibilities of the office sought and the importance of abiding by the Election Codes. No candidate may declare candidacy for more than one (1) position.

3-2.3. Campaign Manager

A campaign manager is an official representative of a candidate or a ticket and may not be a candidate himself or herself in the said election. The campaign manager must abide by the Election Codes and the candidate or ticket that he or she represents is subject to the assessment of penalty points for violations committed by a campaign manager.

3-2.4. Ticket Affiliation

All candidates wishing to be affiliated with a ticket and have this information appear on the ballot must declare the ticket affiliation on their application and include the campaign manager's signature. A candidate may not affiliate with more than one ticket.

3-2.5. Withdrawal

Any candidacy withdrawn after the application deadline may not be reinstated. Said candidate may be eligible to run as a write-in candidate.

3-2.6. Mandatory Candidates Meeting

All candidates and/or campaign managers must attend any candidates meeting as outlined in the Election Calendar. If a candidate or campaign manager cannot attend the meeting or must be late, a valid written excuse must be submitted to the Election Commission Chairperson or to an Advisor by noon the day of said

meeting. The Supreme Court shall determine the merit of the excuse and assign a corresponding point infraction. Tardiness to a meeting will be treated as an unexcused absence.

3-3. Formation of a Ticket

A ticket 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 President, Vice President and/or Treasurer
4. Those candidates running for seats within a residential constituency

3-3.2. Sharing of Publicity and Finances

Any sharing of publicity or finances between candidates of one category and candidates of a different category constitutes affiliation with more than one ticket.

3-3.3. 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 Election Commission.

3-3.4. Campaign Managers

Each ticket may have only one campaign manager. A campaign manager may only serve one ticket.

3-3.5. Ticket Names

Ticket names will be assigned in the order received. A campaign manager shall hold all rights to the ticket name until he or she relinquishes the name to another campaign manager or no longer remains a University of Miami undergraduate student.

3-4. Write-In Candidates

Write-in candidates who graphically campaign, with the exclusion of e-mails, shall be disqualified.

Section 4. Finances

4-1. Expenditures

Expenditures for independent candidates, tickets and referenda shall be limited to a total retail expenditure per campaign of \$1,000 for the fall and spring elections.

4-1.2. 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 Election Commission shall determine its retail value.

4-1.3. Corporate Sponsorship

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

4-2. Financial Report Procedure

A Financial Report must be submitted by all independent candidates, tickets and referenda by 10:00 A.M. on the last day of voting. 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 Election Commission and included in the election packet. Submission of an incomplete or late Financial Report will result in automatic disqualification.

Section 5. Campaigning

5-1. 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:

5-1.2. Graphic Campaign Definition

Graphic campaigning shall include the distribution or exhibition of any written, electronic or printed material that contains any reference or is a clear reference to a candidate, ticket or referendum.

5-1.3. Approval

1. All graphic campaign material, not including e-mail, must be approved by the Election Commission before use in the campaign. The Election Commission is the sole authority in determining the approval/disapproval of graphic campaign material content. The submission of any graphic campaign material does not constitute approval by the Election Commission.
2. Graphic campaign material shall be considered unique and separate, regardless of outstanding similarities or duplication, including material submitted by the same ticket.
3. A candidate must submit two (2) copies of each graphic campaign material and a one-page letter for each campaign material explaining its explicit purpose and how it will be used. The Election Commission shall hold one (1) copy on file and the other copy shall be returned upon approval or disapproval. The copy that is returned to the candidate shall have the official Election Commission stamp if approved. Any unapproved variation from this design shall constitute a violation of the Election Codes.
4. All graphic campaign material that is mechanically duplicated must be printed or displayed with the Election Commission stamp to signify the approval of said piece of graphic campaign material.
5. For non-mechanically duplicated graphic campaign materials such as banners or board decks, or for materials of such small size or format that duplication with the stamp would render text illegible, the Elections Commission has sole discretion as to the need of a stamp on that graphic campaign material.

5-2. Campaign Policies

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

1. There shall be no graphic campaigning prior to the time established by the Election Calendar.
2. Only enrolled undergraduate students who have paid their Student Activity Fee shall be allowed to wear graphic campaign material, to orally solicit votes or to distribute or display graphic campaign material.
3. There shall be no graphic or verbal campaigning within the square area of the UC Rock bottom of stairs, food court door closest to the polling area, post office door, and the door to the Toppel Career Center. An exception shall be banners displayed in accordance with the Election Codes. For the purpose of this rule, persons wearing graphic campaign material shall not be considered to be graphically campaigning if they are proceeding or moving by the polling place in an inconspicuous manner or occupying the seated area in the UC Rock bottom and the UC Patio.
4. Amplification of any kind must be authorized by the Election Commission.

5. Verbal campaigning shall not impede nor constrict the normal flow of traffic, or be unreasonably disruptive.
6. In any instance within these Codes where the permission of a third party is required to allow campaigning, the permission must be in written form.
7. Graphic campaign material shall only be placed on personal property with consent of the owner. Personal property includes motor vehicles.
8. Designated posting areas are bulletin boards. Other designated posting area must be approved by the Election Commission prior to posting material.
9. Only one piece of graphic campaign material per candidate or ticket is permitted per designated posting area. Graphic campaign material may not cover more than one-fourth (1/4) of the posting area.
10. Graphic campaign material shall not be attached to any plant life and trees, except by string. Graphic campaign material shall not be inserted into the ground.
11. Banner displays will be permitted in the following areas only:
 - a. The University Center, with official reservation through University Center Reservations Extension 4352
 - b. The lobbies of the Residential Colleges, with permission from the Residence Coordinator
 - c. Other locations specified by the Election Commission and approved by the appropriate administrators
12. The covering of other posted material by campaigning material is prohibited, unless the other posted material is outdated. Authorized campaign material may only be removed by the Election Commission.
13. Graphic campaigning in the form of marking or chalking on University property is prohibited.
14. All graphic campaign material must be taken down within twenty-four (24) hours of the closing of the polls on the last day of the election, including run-off elections. In the event that all campaign material has not been taken down election results may be withheld at the discretion of the Election Commission Chair/Advisor.

5-2.2. University Center

1. The University Center shall be defined as the entire Whitten University Center building, the Rock, the Patio and the Breezeway, as well as their immediate vicinities and the pathways around them.
2. Banners placed at the University Center must follow proper procedures through University Center Reservations. A candidate is limited to a maximum of two (2) on campus, of which only one may be in the Breezeway.
3. All graphic campaigning in the University Center must be authorized by the Election Commission. The Election Commission reserves the right to allow each candidate or ticket one (1) graphic display in the University Center, excluding the wearing of campaign apparel.
4. There shall be no verbal or graphic campaigning in the Student Government Office and in any official Student Government meetings by candidates or tickets, with the exception of Student Government organizational referenda.
5. No student employee working in the University Center may wear or display graphic campaign material during the time they are at work.
6. No organization's office in the University Center 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.

5-2.3. Residential Colleges and Apartment Area

1. All campaigning in the Residential Colleges, Apartment Area and their immediate vicinities must be approved by the Residence Coordinator.
2. Candidates and their supporters shall not orally solicit votes in any student residence by campaigning door-to-door.
3. Distributing graphic campaign material under doors is prohibited in the Residential Colleges and Apartment Area.
4. One piece of graphic campaign material per ticket or candidate may be placed per designated posting area.
5. One banner per candidate or ticket may be placed in the lobby of each Residential College. No banners or graphic campaign item, may be placed on the exterior of the Residential College building.
6. A candidate may actively solicit votes only in a designated area. This area is at the discretion of the Resident Coordinator.
7. Graphic campaign material shall not be placed in student United States postal mailboxes unless mailed through the United States Postal Service.

5-2.4. Fraternity Row and Panhellenic Suites

All campaigning in the Fraternity Houses and Panhellenic Suites is to be approved by each respective Fraternity/Sorority president or their designee. Final approval must be given by Interfraternity Council, Panhellenic Council, Latino Greek, National Panhellenic Council, and Associate Dean of Students respectively where applicable. All questions and concerns regarding approved graphic campaign material in the Fraternity Houses and Panhellenic Building should be directed to the Interfraternity Council and Panhellenic Council, respectively.

5-3. Referendum Campaign Guidelines

1. All referendum campaigns must be registered with the Election Commission.
2. To qualify as an organizational referendum, an organizational authorship form must be filled out completely and include all appropriate signatures.
3. Only enrolled undergraduates who have paid their Student Activity Fee may participate in referendum campaigns, including the wearing or distribution of campaign materials.
4. A referendum shall abide by all rules governing candidates unless stated otherwise.
5. The Election Commission may, at their discretion, issue a Cease and Desist order for the entire campaign, subject to approval by the Supreme Court, if a referendum campaign fails to comply with the rules herein.
6. A majority of votes in favor of a referendum shall be required for the referendum to be adopted.

5-4. Run-Off Elections

1. A run-off election will be held in the event two candidates running for the same Senate seat receive the same highest number of votes or if no candidate running for an Executive office receives a majority of the votes cast.
2. The run-off election shall not be considered a new election. All point and spending limits and guidelines shall still be in effect. Points assessed and expenditures incurred shall carry over to the run-off.
3. All revisions to graphic campaign material must be approved by the Election Commission before said material may be redistributed.
4. Graphic campaigning shall resume at 12:01 a.m. on the day immediately following the announcement of a run-off election.

Section 6. Enforcement

6-1. Election Commission Procedures

1. Any University of Miami student may bring notice of any Election Code violation to the attention of the Election Commission up until one (1) hour after the polls close on the last voting day. The complaint must be in writing citing all relevant facts regarding the alleged violations.
2. The complaint shall be submitted to the Election Commission, which shall determine whether probable cause exists. If probable cause exists, a hearing shall be scheduled in which all sides involved in the complaint shall appear before the Trial Court.

6-2. Trial Court Procedures

1. 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 Chairperson of the Trial Court, and three (3) Associate Justices. The Chairperson shall participate in all hearings of the panel; quorum for trial court will consist of the chair person and two (2) associate justices.
2. All parties involved in hearings before the Trial Court shall be served notice of the time, location and nature of the Trial Court hearing.
3. Hearings shall commence at 9:00 PM and end no later than 12:00 AM.
4. All parties shall be sworn in prior to the start of the first hearing of the night.
5. At the hearing, the Election Commission shall present a case for prosecution and the respondent shall be allowed to present a case in response. The Trial Court shall determine responsibility and assess a penalty or dismiss the complaint. All decisions of the Trial Court are to be expressed and explained in writing and are public information.

6-3. Supreme Court Procedures

1. The Student Government Supreme Court shall have final appellate jurisdiction. The Supreme Court may hold a public, formal hearing for all appeals properly submitted. 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.
2. There shall be three grounds for appeal:
 - a. The procedures of or leading to decisions by the Election Commission or Trial Court violated the Election 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.
3. 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 point distribution.
4. 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.

6-4. Violations and Penalties

1. The Trial Court shall be empowered to penalize independent candidates, tickets and referenda for violations stated within these Election Codes.
2. Penalties, in the form of points, shall be based on the severity of the violation.
3. In assessing penalty points, the Trial Court shall not levy more points for a violation than the maximum stipulated by this section. For multiple offenses of the same violation, the Trial Court may, but is not required to, combine the penalties for all such offenses.
4. The accumulation of twenty (20) points shall disqualify any independent candidate, ticket or referendum. Any penalties assessed to a ticket, candidate or a campaign manager on a ticket, will be charged to the ticket.

6-5. Violation Point Values

Five-Point Violations

1. Violation of Section 5-2. (Clause 5)
2. Violation of Section 5-2. (Clause 10)
3. Violation of Section 5-2. (Clause 11)
4. Violation of Section 5-2. (Clause 12)
5. Violation of Section 5-2.2. (Clause 2)
6. Violation of Section 5-2.2. (Clause 4)
7. Violation of Section 5-2.3. (Clause 4)
8. Violation of Section 5-2.3. (Clause 5)
9. Violation of Section 5-2.3. (Clause 6)
10. Violation of Section 5-3. (Clause 3)

Ten-Point Violations

1. Violation of Section 5-3. (Clause 1)
2. Violation of Section 5-3. (Clause 2)
3. Violation of Section 5-3. (Clause 4)
4. Violation of Section 5-2. (Clause 13)
5. Violation of Section 5-2.3. (Clause 3)
6. Violation of Section 5-2.3. (Clause 1)
7. Violation of Section 5-2.3. (Clause 2)
8. Violation of Section 5-2.2. (Clause 3)
9. Violation of Section 5-1.3. (Clause 3)
10. Violation of Section 5-1.3. (Clause 4)
11. Violation of Section 5-2. (Clause 8)

Fifteen-Point Violations

1. Violation of Section 5-2. (Clause 9)
2. Violation of Section 5-2. (Clause 2)
3. Violation of Section 5-1.3. (Clause 1)

Twenty-Point Violations

1. Violation of Section 5-2. (Clause 1)
2. Violation of Section 5-2. (Clause 3)
3. Violation of Section 5-2. (Clause 4)
4. Violation of Section 5-2. (Clause 6)
5. Violation of Section 5-2. (Clause 7)
6. Violation of Section 5-2. (Clause 14)
7. Violation of Section 5-2.3. (Clause 7)
8. Violation of Section 5-2.2. (Clause 6)

Subject to Automatic Dismissal

1. Falsification of any document submitted to the Election Commission, Trial Court or Supreme Court
2. False testimony to the Elections Commission, Trial Court or Supreme Court
3. Falsification of ballots or similar forms of election fraud

4. Violation of section 3-4
5. Violation of section 4-2

Chapter V: Impeachment

Section 1. Select Commission on Impeachment

1-1. 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 VII, 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.

1-2. 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 on 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. 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.
3. To designate prosecutors on the Articles at trial.
4. To manage the administration of the prosecutor's office during trial proceedings.
5. To determine its own procedures whenever such are not otherwise specified in this Constitution or by Statute.

1-3. 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.

Section 2. High Court of Impeachment

2-1. 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 on the request of any Senator. At the time and place set for trial, all legislative and administrative business shall be suspended, except when the High Court shall recess, whereupon such business shall resume for the duration of the recess.

2-2. Rules of the High Court of Impeachment

1. If, after service of summons and Articles, a respondent or his or her representative or counsel shall fail to appear at the time and place certain, or shall fail to plea answer, a presumption of a plea of not guilty shall be entered on each Article presented.
2. Representatives or counsels of the prosecution and respondent shall be admitted to the floor of the High Court of Impeachment and heard in the proceeding.
3. All motions by parties, except when requested by any Senator or the Presiding Officer, shall be addressed to the Presiding Officer in writing.
4. 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 be one, and in closing arguments, two, unless otherwise ordered by the Senate.
5. 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.
6. Any questions to a witness from a Senator shall be delivered in writing to the Presiding Officer, who shall put them to the witness.
7. If a Senator or other member of the High Court shall be called as a witness, then he or she shall stand in place, and be examined there from.
8. A motion by any Senator shall be delivered to the Presiding Officer in writing, and put to the Senate for a vote.
9. Any preliminary or interlocutory questions shall be debated by Senators for a limited period.
10. On a vote on any motion or decision by the Senators, a roll call vote shall be taken without debate, except in closed session where limited debate shall be permitted.
11. Statements by those not subject to subpoena, or other forms of evidence, shall be admissible.
12. 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."
13. 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."
14. The student news media may observe the proceedings, but shall not be present in any closed session of the trial, nor report on such sessions, nor on evidence presented in such sessions, nor on evidence presented in such sessions, or presented in confidence.
15. Other persons 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.
16. All proceedings shall be tape-recorded and such records shall be kept until transcribed.
17. In final vote on any Article, the Presiding Officer shall put the question in this form: "Senator (name), how say you? Is respondent (name), (title) guilty on Article No. (number)?"
18. Upon completion of the Trial, each Senator shall have a reasonable period to file with the Secretary of the Senate such opinions as he or she may wish to deliver in writing on the matters and issues presented at the trial and on the final judgment of the High Court of Impeachment.
19. 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.