

THE CONSTITUTION AND BY-LAWS  
OF THE  
STUDENT GOVERNMENT ASSOCIATION

THE UNIVERSITY OF MASSACHUSETTS AMHERST



Twenty-Third Edition

**Constitution**

Approved by the Undergraduate Student Senate March 30, 1994

Approved by the SGA membership April 26, 1994

Ratified by the University Board of Trustees

June 8, 1994 as Trustee Document T94\$-060

**By-Laws**

Approved by the Undergraduate Senate March 30, 1994

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## **PREFACE**

It is a greater honor than I could put in words to serve as the 2011-2012 Speaker of the Senate for the Student Government Association. Whether you are an SGA officer or just a reader of our Constitution and By-laws, I look forward to working with you in order to make this school a better place for all peoples.

Now entering my third year in the Student Government Association, I can tell you quite honestly that my time here has meant more to me than any I have had previous to it. Working on issues important to the student body has helped me see and better appreciate the concerns of others and the difficult decisions that must be made by those with the power to make change. By speaking and working with my colleagues I have made some of the best friends I could possibly ask for and I know that they will last me a lifetime. I hope that your experience in or with the Student Government Association this year will be as wonderful as mine has been in the past.

To my new Senators, I look to you to continuously challenge myself, the Cabinet, and the University Administration to be better. Yet also challenge yourselves to be better – learn new ways to better serve your constituents, new projects to work on and new opportunities for advancement of communication to the public. Senators, you are the life blood of this organization. You set the tone and give the Senate its importance and with such a responsibility the University is looking to you to come up with new and dynamic ideas that can change UMass forevermore.

As Student Government Officers you will be leading among leaders and that is never an easy task. There will be challenging days ahead but know that for every challenge that you will face with this organization that we are in this together and that you will always have my support. I have absolute confidence that by working together, speaking openly instead of in closed circles, and listening to each other and our constituents, we will be able to make this Senate one of the greatest.

Now, let's make this year a year to remember.

Jarred P. Rose  
Speaker of the Senate  
Student Government Association  
University of Massachusetts – Amherst

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**The Constitution of the Student Government Association of the  
University of Massachusetts Amherst**

## **PREAMBLE**

We, the undergraduate students of the University of Massachusetts at Amherst, in order to establish a democratic system for undergraduate University governance, and in order to promote the general welfare of all University undergraduate students, do hereby ordain and establish this Constitution of the Student Government Association at the University of Massachusetts at Amherst.

## **ARTICLE I**

### **Name**

**Section 1** The name of this organization shall be the Student Government Association of the University of Massachusetts at Amherst, herein denoted SGA.

## **ARTICLE II**

### **Membership**

**Section 1** All undergraduate students of the University of Massachusetts at Amherst, herein denoted the University, meeting the qualifications for SGA membership prescribed by the General By-laws of the SGA, as approved by the Vice Chancellor for Student Affairs, shall be entitled to be members of the SGA, and shall have an equal voice and vote therein with that of their fellow members.

## **ARTICLE III**

### **Authority**

**Section 1** This Constitution shall supersede any other previously existing system of campus-wide governance for the University undergraduate population.

**Section 2** The SGA shall derive its authority from the undergraduate students of the University, in general election, and The Board of Trustees, as provided for in Section 3, Chapter 75, of the General Laws of the Commonwealth of Massachusetts.

**Section 3** The SGA, as a governance body, shall be governed by the Board of Trustees' Statement on University Governance. [Trustee Document T73-098, as amended]

**Section 4** All By-laws, Acts, procedures and all other actions of the SGA, shall be consistent with this Constitution and Trustee Document T73-098, as amended.

## **ARTICLE IV**

### **Composition of the Government**

**Section 1** The SGA shall be composed of the Legislative, Executive and Judicial branches of government. All elected and appointed officers of the SGA shall be members of the SGA, as defined by the General By-laws of the SGA, and no SGA member shall hold elected or appointed office in more than one branch of the government, except as provided for by this Constitution or the General By-laws of the SGA.

**Section 2** The University Student Trustee as defined by the General Laws of the Commonwealth of Massachusetts, shall be an ex-officio officer of the SGA.

## **ARTICLE V**

## The Legislative

**Section 1** Charge - The legislative authority of the SGA, as defined in Article V, Section 4 of this Constitution, shall be vested in the University Undergraduate Senate, herein denoted the Senate, and other lesser legislative bodies recognized by this Constitution or the General By-laws of the SGA.

**Section 2** Composition - The Senate membership shall be composed of representatives apportioned by the Senate to Electoral Districts, as defined by the General By-laws of the SGA.

**Section 3** Election - Senators shall be elected in a manner prescribed by the General By-laws of the SGA and shall serve for a term prescribed therein.

**Section 4** Powers - The Senate shall have the power to:

**A.** Review and make recommendations regarding the Student Activities Fee. A recommended increase in the Student Activities Fee of over 7.5% shall require a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and an affirmative vote of the SGA membership through an Action Referendum.

**B.** Determine and provide for its rules and procedures, elect its officers, and fix the time and place of its meetings, provided that there be a regular meeting with fixed time and place at least once every week of the University academic calendar.

**C.** Require the attendance of its members by rule.

**D.** Expel a member of the Senate. The act of Expulsion shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

**E.** Enact, amend or repeal the General By-laws of the SGA, unless otherwise provided for by the General By-laws of the SGA. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting, and the approval of the Vice Chancellor for Student Affairs.

**F.** Ratify SGA Elections within thirty (30) calendar days of the election. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

**G.** Initiate a referendum as defined by Article VIII of this Constitution. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

**H.** Decide tie General or Special Elections at its first meeting following the election. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

**I.** Recommend the Student Activities Trust Fund Budget Request. Such an Act shall require a majority vote of its membership in attendance at a scheduled meeting, and shall be reviewed by

the Vice Chancellor for Student Affairs, the Campus Budget Officers, the Chancellor, and the University President, before submission to the Board of Trustees for approval.

**J.** Recommend the Student Activities Trust Fund Operating Budget by enactment of the Annual SGA S-1 Budget Act. Such an Act shall require a majority vote of its membership in attendance at a scheduled meeting, and shall be submitted to the Vice Chancellor for Student Affairs for approval. Disbursements there from shall be in accordance with duly established University financial and operational policies and campus procedures.

**K.** Override a presidential veto. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

**L.** Approve Executive Cabinet and Student Judiciary appointments. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

**M.** Require reports from the President and Executive Cabinet on any matter relevant to the functioning of the SGA.

**N.** Impeach an elected officer of the SGA. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

**O.** Provide for the succession to those elected offices of the SGA not otherwise provided for by this Constitution.

**P.** Provide for the transition of the SGA to this Constitution.

**Q.** Promote the general welfare and interests of the undergraduate student body by making recommendations on policies and procedures consistent with Trustee Document T73-098, as amended, provided that, when an action is intended as a formal recommendation from the SGA, as a governance body, it shall be submitted in accordance with the procedures prescribed in said document.

**Section 5** Prohibitions - The Senate shall not:

**A.** Take an action abridging any of the powers delegated it by this Constitution.

**B.** Deny the rights and privileges of Senate membership to any duly elected Senator, except as provided for by this Constitution or the General By-laws of the SGA.

**C.** Recommend the appropriation of monies for a period of more than one (1) fiscal year.

**D.** Recommend the increase or decrease in wage of an elected officer of the SGA, effective to the incumbent at the time of the increase or decrease.

**E.** Infringe the secrecy of the ballot in SGA General Elections.

**F.** Meet in "executive session", as defined by the General Laws of the Commonwealth of Massachusetts.

**Section 6**      Procedures

**A.** No bill, unless otherwise provided for by this Constitution or the General By-laws of the SGA, shall become an Act of the SGA unless it shall have been introduced to the Senate, read and passed, by a majority vote of its membership in attendance at a scheduled meeting.

**B.** No bill, unless otherwise provided for by this Constitution or the General By-laws of the SGA, shall become an Act of the SGA without the signature of the SGA President, provided that withholding of her/his signature shall constitute veto, and that the President of the SGA shall notify the Speaker of the Senate within seven (7) calendar days, giving explicit reasons for the veto.

**C.** If a bill shall not have been vetoed within seven (7) calendar days following its passage, it shall become an Act of the SGA.

**D.** A vetoed bill may be enacted notwithstanding the veto of the SGA President, if it shall have been read in full a second time, and passed upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

**E.** The quorum for the conduct of business at a Senate meeting, or a meeting of a Senate Committee, shall be fifty percent (50%) of the total voting membership plus one (1), unless otherwise provided for by this Constitution or the General By-laws of the SGA.

**Section 7**      The Speaker & Associate Speaker of the Senate

**A.** The Senate shall provide for the election of, from its voting membership, a Speaker of the Senate, herein denoted the Speaker, who shall serve as the chief presiding officer of the Senate.

**B.** The Senate shall provide for the election of, from its voting membership, an Associate Speaker of the Senate, herein denoted the Associate Speaker, who shall serve as the chief clerk and parliamentarian of the Senate.

**C.** If a vacancy shall occur in the office of Speaker, the Associate Speaker shall become Speaker for the duration of the unfinished term.

**ARTICLE VI**  
The Executive

**Section 1**      Charge - The executive authority of the SGA shall be vested in an SGA President, herein denoted the President, and other lesser executive officers recognized by this Constitution or the General By-laws of the SGA.

**Section 2** Election - The President shall be popularly elected by a majority or plurality of the SGA membership voting, on or before March 25 of each calendar year and shall serve for a term of one (1) calendar year, here defined as April 1 to March 31, and said election shall be held in a manner prescribed by the General By-laws of the SGA.

**Section 3** The President shall, upon taking office, be administered the following affirmation by the SGA Chief Justice before the Senate membership:

**A.** "I do affirm to faithfully execute the office of SGA President and support the Constitution and General By-laws of the Student Government Association."

**Section 4** Vacancies - If a vacancy shall occur in the office of President, the Speaker shall become President for the duration of the unfinished term.

**Section 4** Vacancies – if a vacancy shall occur in the office of the President, the Vice President shall become President for the duration of the unfinished term. In such cases where the Vice President is unable or unwilling to assume the Presidency, the Speaker of the Senate shall become President. (Effective March 2012)

**Section 5** Power-The President shall have the power to:

7. Act as the chief executive of the SGA.

**B.** Take care that all the provisions of this Constitution, the General By-laws of the SGA, and Acts of the SGA are faithfully executed.

**C.** Appoint, upon a majority vote of the Senate membership in attendance at a scheduled meeting, the Executive Cabinet.

**D.** Appoint, upon the recommendation of the Coordinating Council, and upon a majority vote of the Senate membership in attendance at a scheduled meeting, the seven (7) Justices of the Student Judiciary.

**E.** Appoint all lesser executive officers and external SGA committees as defined by the General By-laws of the SGA.

**F.** In a manner prescribed by the General By-laws of the SGA, call the Senate into Session.

**G.** Be an ex-officio member of the Senate, as defined by the General By-laws of the SGA, and shall, in an address upon taking office, and at the first scheduled Senate meeting of a new Session, put forward her/his legislative agenda for consideration by the Senate.

**H.** Veto any bill except Resolutions, the Annual SGA S-1 Budget Act, and Articles of Impeachment.

I. Initiate a referendum as defined in Article VIII of this Constitution and the General By-laws of the SGA.

## **ARTICLE VII**

### The Judicial

**Section 1** Charge – The judicial authority of the SGA shall be vested in a Student Judiciary.

**Section 2** Jurisdiction – The Student Judiciary shall have original jurisdiction over any controversy arising under this Constitution, the General By-laws of the SGA, or any Act of the SGA.

**Section 3** Composition – The Student Judiciary shall be composed of seven Justices appointed and confirmed in a manner prescribed by Article VI, Section 5 Sub-section D of this Constitution, and who shall serve for the calendar period of their SGA membership.

**Section 4** Power – The Student Judiciary may hold, by declaratory judgment, any act by any agent of the Executive or Legislative Branches of the SGA, or of any agency directly associated with the SGA, or of any candidate for SGA office, to be unconstitutional, or in violation of any By-law or Act of the SGA, and therefore, invalid, provided said action is not a governance item approved by the Board of Trustees.

**Section 5** Procedure – Any person(s), with the exception of members of the Student Judiciary, may file with the Student Judiciary a Petition for a Ruling on the constitutionality and/or validity of any act by any agent of the Executive or Legislative Branches of the SGA, or of any agency directly associated with the SGA, or of any candidate for SGA office, within ninety (90) days of said action, and the Student Judiciary shall issue a ruling on same, provided said action is not a governance item approved by the Board of Trustees .

**Section 6** Quorum – The Quorum for the conduct of business for the Student Judiciary shall be five (5) Justices; one (1) of whom shall be the Chief Justice or Associate Chief Justice.

**Section 7** Chief Justice & Associate Chief Justice

7. The Student Judiciary shall provide for the election of, from its voting membership, a Chief Justice of the Student Judiciary, herein denoted the Chief Justice, who shall serve as the chief presiding officer of the Student Judiciary.

**B.** The Student Judiciary shall provide for the election of, from its voting membership, an Associate Chief Justice of the Student Judiciary, herein denoted the Associate Chief Justice, who shall serve as the chief clerk of the Student Judiciary.

C. If a vacancy shall occur in the office of Chief Justice, the Associate Chief Justice shall become Chief Justice for the duration of the unfinished term.

## **ARTICLE VIII** Referenda

**Section 1** There shall be two primary types of referenda:

7. Action – An Action Referendum, if approved, shall become an Act of the SGA, shall not be subject to presidential veto, and when such an action is intended as a formal recommendation from the SGA, as a governance body, it shall be submitted in accordance with the procedures prescribed in Trustee Document T73-098, as amended.

**B. Advisory** – An Advisory Referendum shall only be a measure of public sentiment.

**Section 2** All referenda shall be clearly labeled and understood by the SGA membership to be either an Action or Advisory Referendum.

**Section 3** Action or Advisory Referenda shall be initiated by any one of the following:

7. The University Student Trustee

**B. The Senate**

**C. The SGA President**

**D. The signatures, on a petition, of not less than five percent (5%) of the SGA membership.**

**Section 4** Advisory Referenda shall be initiated by the Chancellor or the Vice Chancellor for Student Affairs.

## **ARTICLE IX** Amendment

**Section 1** This Constitution shall be amended through either of the processes prescribed in Article IX, Sections 2-3 of this Constitution, with the approval of the Board of Trustees.

**Section 2** An amendment to this Constitution shall be passed upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and a majority vote of the SGA membership voting on the amendment through an Action Referendum.

**Section 3** An amendment to this Constitution shall be passed upon a two-thirds (2/3) vote of the SGA membership voting on the amendment through an Action Referendum.

**Section 4** If the amendment process prescribed in Article IX, Section 2, of this Constitution shall have been invoked, then, following an amendment's passage in the Senate, the amendment shall appear as an Action Referendum before the SGA membership, no more than thirty (30) calendar days from the calendar date of the amendment's passage in the Senate.

**Section 5** No person shall formally introduce an amendment to this Constitution, who shall not have first consulted the Chief Justice and the Directing Attorney of Student Legal Services Office, or her/his designee.

## **ARTICLE X**

### **Ratification**

**Section 1** This Constitution shall be ratified upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, a majority vote of the voting SGA membership on an Action Referendum, and the approval of the Board of Trustees

**TITLE I**  
**Administrative**

**Chapter 1**  
SGA Membership

**Section 1** Any person, subject to, and having paid the Student Activities Fee, shall be a member of the SGA for the period of calendar time to which her/his paid Student Activities Fee is applicable.

**Chapter 2**  
Ex-officio membership

**Section 1** Any person, defined by the Constitution of the SGA or the By-laws of the SGA as an ex-officio member of any body or agency of the SGA, shall be entitled to address that body in accordance with the rules and by-laws of the body concerned during the conduct of said body's or agency's business, without the prior consent of said body or agency, but shall be prohibited from making any motion, casting any vote, counting toward quorum, or exercising any authority, not otherwise provided for by the Constitution of the SGA or the By-laws of the SGA.

**Chapter 3**  
Cross Branch Service

**Section 1** SGA members may hold elected or appointed office in more than one (1) branch of the government provided that no more than one (1) of said offices is at or above the rank of Executive Cabinet member, Senator, Student Judiciary member, or Area Government Officer.

**Chapter 4**  
Equal Opportunity Policy

**Section 1** No person, having qualified for SGA membership in the manner prescribed by Title 1, Chapter 1, Section 1, of the By-laws of the SGA, shall be denied the rights and privileges of SGA membership, on the basis of age, marital status, physical ability, class, national origin, political affiliation, race, religion, sex, sexual orientation, or any other category or group of individuals protected by either federal, state, or local anti-discrimination statutes and by-laws.

**Chapter 5**  
SGA Code of Conduct

**Section 1** No officer or agent of the SGA shall participate in any private business or professional activity, or have any direct or indirect financial interest which would place said officer or agent in a position where there is a conflict between that private interest and the best interests of the SGA.

**Section 2** No officer or agent of the SGA shall use or allow the use of any SGA property, facilities, or personnel of any kind for any activity not officially sanctioned by the Constitution of the SGA, the By-laws of the SGA or an Act of the SGA.

**Section 3** No person shall corruptly give, offer, or promise to any SGA officer or agent, any pecuniary or other benefit not authorized by the Constitution of the SGA, the By-laws of the SGA, or by Act of the SGA, for the past, present, or future performance or non-performance of an act which the person believes to have been, or the officer or agent represents as having been, within the official capacity of the officer or agent.

**Section 4** No officer or agent of the SGA shall intentionally and wrongfully harm or threaten to intentionally and wrongfully harm any person by the performance or nonperformance of an act.

**Section 5** No officer or agent of the SGA shall aid, advise, procure or in any other way directly induce another to act in violation of the Constitution of the SGA, the By-laws of the SGA, or an Act of the SGA.

## **Chapter 6** Open Meetings

**Section 1** All meetings of the Senate, Senate Committees, Sub-committees or Commissions, the Coordinating Council, Student Judiciary Hearings, the recognized bodies of the Area Governments and Agencies of the SGA, shall be open to the public at all times, and no action of any of the above named entities shall be considered binding, except when made at such a public meeting.

**Section 2** The public shall be afforded reasonable prior notice of such meetings. Twenty-four (24) hours notice shall be presumed to be reasonable.

**Section 3** Deliberative Sessions of the Student Judiciary, and meetings of the Elections Commission when they shall be assembled to count the ballots of an Election, shall be exempt from this chapter of the By-laws of the SGA.

## **Chapter 7** Public Records

**Section 1** All official SGA records, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA shall be open for inspection, with reasonable supervision, by any person.

**Section 2** An SGA officer or agent having custody of any official SGA records shall permit them to be inspected and examined, upon receiving a formal request, at reasonable times, during reasonable working hours, and shall furnish certified copies thereof upon request. A formal request for information shall be defined as any request sent in writing, whether on paper or electronically, that is dated and also filed with the Associate Speaker of the Senate. The request shall be considered a SGA public record, and must be kept on file by the Associate Speaker.

**Section 3** If the number of certified copies requested exceeds two (2), the SGA may assess a fee which shall not exceed the cost of duplication.

**Section 4** The Constitution of the SGA, the By-laws of the SGA, and the Acts of the SGA shall be regularly compiled and updated by the Chief and copies of same shall be in the possession of the President, the Speaker, the Chief Justice, the Directing Attorney of Student Legal Services Office and the Campus Activities office.

**Section 5** If the request for information is not fulfilled within seven (7) calendar days of the request being made, the petitioner may file a request for investigation by the Rules and Ethics Sub-Committee in a joint effort with the SGA Attorney General

**Section 4** If the Rules and Ethics Sub-Committee finds the office holder to be in error, the Committee will present its findings to the Senate. The Rules and Ethics Sub-Committee shall then proceed as guided in Title II, Chapter 31, Section 3, Subsection A.

## **Chapter 8** The Coordinating Council

**Section 1** There shall be a Coordinating Council, which shall be charged with facilitating communication among the three branches of government.

**Section 2** The Coordinating Council shall exercise no authority not otherwise provided for by the Constitution of the SGA or the By-laws of the SGA.

**Section 3** The Coordinating Council shall be composed of the membership prescribed herein:

1. The President
2. The Speaker
3. The Chief Justice
4. The Vice President (Effective March 2012)
5. The Area Governors
6. The Executive Cabinet
7. The Chair or her/his designee of each of the Standing Committees of the Senate.
8. Six (6) Senators appointed, upon a majority vote of the Senate membership in attendance at a scheduled meeting, by the Speaker.
9. The Student Coordinator of the Center for Educational Policy Advocacy, herein denoted CEPA.

**Section 4** The Coordinating Council shall be co-chaired by the Speaker and the President, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA.

**Section 5** The President, the Speaker, the Chief Justice and the Executive Cabinet, shall serve on the Coordinating Council for their term of office. The Senators serving on the Council shall serve for one (1) Senate Session.

**Section 6** The Coordinating Council shall meet at least once a month.

## **Chapter 9**

### The University Student Trustee

**Section 1** The University Student Trustee shall be elected in a manner prescribed by the General Laws of the Commonwealth of Massachusetts and Title VIII of the By-laws of the SGA, and shall serve for the term of one (1) calendar year, here defined as July 1 to June 30.

**Section 2** If a vacancy shall occur in the office of University Student Trustee, the Elections Commission shall call a Special Election to fill the vacancy.

**Section 3** The University Student Trustee shall not be subject to impeachment or recall as prescribed by the Constitution of the SGA and the By-laws of the SGA, and shall not receive a pecuniary benefit for her/his service.

## **Chapter 10**

### Amendment to the By-laws of the SGA

**Section 1** The By-laws of the SGA, unless otherwise provided for by the By-laws of the SGA, shall be amended upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and the approval of the Vice Chancellor for Student Affairs.

**Section 2** To propose an amendment to the By-Laws of the SGA the motion must first be heard by the Administrative Affairs Committee. Upon receiving a positive recommendation by the Administrative Affairs Committee the sponsor of the motion must consult with the Directing Attorney of the Student Legal Services Office (or his/her designee). Upon consulting with the aforementioned, the motion can then be submitted to the Speaker's Office to be placed on the Senate's agenda.

**Section 3** The exception to Section 2 of this chapter is all amendments to be made to Title VI, which would need a recommendation from the Ways & Means Committee, rather than the Administrative Affairs Committee.

## **Chapter 11**

### Definition of Calendar Days

**Section 1** Calendar Days, unless otherwise provided for in the Constitution or By-Laws, shall be defined as all days throughout the academic calendar with the following exemptions:

- I. Wednesday through Sunday of the Thanksgiving Recess
- II. The first Saturday through the Second Sunday of the Spring Recess
- III. All other days resulting in the closing of the campus

## **Chapter 12**

### Student Legal Services Office Legal Memos

**Section 1** There shall be three (3) ways to obtain a legal memo from the Student Legal Services Office

- A. The Judicial Method – the Judiciary shall have the power to ask for a legal memo through the procedure set down in Title IV
- B. The Legislative Method– Upon a majority vote of the Administrative Affairs Committee, a majority vote of the Senate, or at the request of the Speaker
- C. The Executive Method – Upon the request of the President or the Attorney General

## **Chapter 13**

### Website

**Section 1** The SGA shall maintain a permanent website updated weekly

**Section 2** The content of the website shall include, but is not limited to

- 1. Times and dates of all senate meetings, judicial hearings, and all other SGA sponsored events.
- 2. The minutes of the previous meeting, including all passed and unpassed motions.
- 3. All motions to be considered at the next senate meeting, at least 24 hours in advance of said senate meeting.
- 4. Names and email addresses of all Senators, the Speaker and Associate Speaker, and all SGA executive officers and cabinet members. Senators shall also have the area they represent listed
- 5. An electronic copy of the SGA Constitution and By-laws, the Wellman Document, all judicial documents, as well as all acts of the SGA.
- 6. An open copy of the current year's budget appropriations, as well as the budgets of preceding years.
- 7. Information on dates and times of ongoing budget considerations for the following fiscal year.
- 8. Links to, and information pertaining to all agencies financially supported by the SGA, and links to the external websites of all Registered Student Organizations

9. All relevant information pertaining to regular and special elections, including but not limited to:

a. Downloadable Nomination forms

b. Full text of all petitions and referenda

c. Names of all candidates for all elected positions, with the option for each to include a 200 word explanation of their platform

10. A separate page in which the public can submit comments to the SGA

11. UVC video recordings of senate meetings, as available

**TITLE II**  
**Legislative**

## **Chapter 1** Apportionment

**Section 1** Senate seats shall be apportioned by the Senate among several constituencies, defined here as Electoral District.

## **Chapter 2** Electoral Districts

**Section 1** Electoral districts shall be as prescribed herein:

1. The Residential Hall On-Campus Residential System, as defined by the University.
2. The Non-Residential Hall On-Campus Residential System, as defined by the University.
3. The Off-Campus Commuter Area, here defined as the Electoral District exclusive of the preceding subsections.

**Section 2** Senate seats shall be apportioned so that there are 50 Senators, to be divided proportionally among the Senate electoral districts. The number of Senators elected in each electoral district shall be calculated by the Elections Commission preceding each Senate election.

**Section 3** Senators shall be elected by the constituents of their respective Electoral District, and no Senator shall represent more than one (1) Electoral District.

**Section 4** Senators shall be residents of the Electoral District from which they shall have been elected.

**Section 5** If a Senator shall have dislocated from her/his Electoral District s/he shall surrender her/his Senate seat.

**Section 4** If a vacancy shall occur in the office of Senator at-large, the vacancy shall be filled in a manner prescribed by the Charter of the respective Area Government.

## **Chapter 3** Term of Senate Office and Vacancies

**Section 1** The Senate shall be elected or appointed on or before September 30, of each calendar year, and shall serve for the term of one (1) Session of the Senate, as defined by the Chapter entitled Senate Session in this Title of the By-laws of the SGA.

**Section 2** If a vacancy shall occur in the office of Senator, except those vacancies already provided for by Title II, Chapters entitled “Term of Senate Office and Vacancies”

and “Senate Attendance” respectively of the By-laws of the SGA, the vacancy shall be filled for the duration of the unfinished term, upon a majority vote of the Administrative Affairs Committee in attendance at a scheduled meeting, and upon a two thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

**Section 3** In the case of filling a vacancy in the Senate, an SGA member, meeting the qualifications for Senate membership, shall be administered the following oath of office by the Speaker or acting Speaker:

1. “I do affirm to faithfully execute the office of SGA Senator and support the Constitution and By-Laws of the Student Government Association.”

#### **Chapter 4** Senate Attendance

**Section 1** Senators shall attend all meetings of the Senate and the Senate Committee to which they are assigned. All absences and the nature thereof, shall be recorded in the minutes of the meeting.

**Section 2** The Associate Speaker of the Senate shall take a roll call at the beginning of all meetings of the Senate. An unexcused absence from the roll call shall constitute one (1) absence from the Senate.

**Section 3** In the event of a roll call vote during a formal Senate session, a one-half (1/2) absence shall be attributed to any Senator not present if a full absence has not already been applied.

**Section 4** The Chair of each Senate Committee shall take attendance at the beginning of each meeting of the Committee. An unexcused absence from a Committee meeting shall constitute one-half (1/2) absence from the Senate.

**Section 5** Upon a Senators’ accumulation of two (2) unexcused absences from the Senate, the Speaker shall notify said Senator that accumulation of unexcused absences totaling three (3), shall result in resignation by non-attendance.

**Section 6** Upon accumulation of three (3) unexcused absences from the Senate, the Speaker shall consider the Senator to have resigned her/his Senate seat by nonattendance, and shall declare the seat vacant.

**Section 7** If a Senator shall appeal the decision of the Speaker after having resigned by non-attendance, the Senator may be reinstated and have up to one (1) absence stricken from the record, upon a majority vote of the Senate membership in attendance at a scheduled meeting.

**Section 8** At the beginning of each Period of the Senate, as defined by Title II, Chapter 10, of the By-laws of the SGA, the Associate Speaker shall record zero (0) absences for each Senator.

**Section 9** Absences from a meeting of the Senate may be excused by the Speaker. Absences from a meeting of a Senate Committee may be excused by the Committee Chair. Absences from either, may be excused for any one (1) of the reasons prescribed herein:

7. Personal illness
2. Family illness
  7. An hour exam is scheduled for the day immediately following the Senate meeting.
  7. Required class meeting or other scholastic duty.
  7. Religious observances

**Section 10** Any Senator who has resigned by nonattendance shall not be appointed back in the Senate by the Senate during the current Senate Session.

## **Chapter 5**

### Constituent Communication

**Section 1** Each Senator shall attend a “Back to the People” community meeting that shall be held at a publicly accessible location within their respective electoral districts. The dates and times for such meetings are to be decided by each respective area’s senators and their particular area governments.

**Section 2** Commuter area governments and senators shall meet at a publicly accessible location to be determined by said area’s senators and area government. To incorporate the sizeable commuter population, there shall be either one meeting or several concurrent meetings occurring at different locations involving different senators.

**Section 3** “Back to the People” community meetings shall incorporate all the Senators from a respective electoral district and all of the officers from said district’s Area Government.

**Section 4** “Back to the People” community meetings shall take place at a frequency of at least twice a semester (in the months of October, November, December, February, March, and April) and no more than once biweekly for a minimum period of one hour. The meetings shall be regularly scheduled.

**Section 5** Senators and Area Governments shall be responsible for the announcement of such meetings at least a week prior to the community meeting within their Electoral District

**Section 6** Each Area’s Senators shall be responsible for properly advertising each “Back to the People” meeting (through standard flyers, internet groups and any other appropriate means) in conjunction with the proper Area Governments.

7. Area Governments, House Councils, RD’s and RA’s will have a voluntary advisory role for meeting times and means of advertising for “Back to the People” meetings to be held in their respective residential areas.

**Section 7** Each “Back to the People” shall have a pertinent topic to be presented by both the Area Government and the Senators to their constituents. Said topic shall be decided by the aforementioned parties. Senators and Area Government officers will be required to specify the current projects of their respective governances.

**Section 8** Materials necessary for the announcement of such meetings (i.e. photocopies, posters, markers, etc.) shall be made available by the SGA.

**Section 9** The SGA will appropriate a semester budget to each electoral district for “Back to the People” community meetings. Said budget will be determined after the first round of Back to the People community meetings by the Ways and Means Committee. The funds are to be used for the purposes of advertising and providing refreshments.

**Section 10** Failure to attend a “Back to the People” community meeting for each Senator’s respective Electoral District will constitute a full absence for purposes of Senate attendance.

**Section 11** The Speaker and/or the Associate Speaker shall be responsible for taking attendance for “Back to the People”.

**Section 12** Absences from a “Back to the People” community meeting may be excused by the Speaker. Absences may be excused for any one of the reasons prescribed herein:

- A. Personal Illness
- B. Family Illness
- C. An hour exam is scheduled for the day immediately following the Senate meeting
- D. Required class meeting or other scholastic duty
- E. Religious observances
- F. Conflicting SGA Senate Committee meeting commitment
- G. Previously scheduled work commitment

## **Chapter 6**

### Expulsion of a Senator

**Section 1** Only the Senate shall be empowered to expel a Senator, regardless of whether the Senator was appointed or elected.

**Section 2** The Speaker, the Associate Speaker, a Senator, or the names on a petition of fifty (50) SGA members of the Senator’s constituency, may request the expulsion of an

Electoral District by fling written charges with the Speaker and the Chair of the Rules and Ethics Sub-Committee of the Administrative Affairs Committee.

**Section 3** Upon the receipt of written charges, and within thirty (30) calendar days, the Rules and Ethics Sub-Committee shall investigate the charges in a manner prescribed by a majority vote of its membership in attendance at a scheduled meeting.

**Section 4** Within fourteen (14) calendar days of its investigation, the Rules and Ethics Sub-Committee shall, upon a majority vote of its membership in attendance at a scheduled meeting bring Expulsion proceedings before the Senate.

**Section 5** If the Rules and Ethics Sub-Committee shall have voted to bring Expulsion proceedings before the Senate, the Chair shall submit to the subject Senator written notice of the charges no less than seventy-two (72) hours prior to the Senate meeting at which the expulsion proceedings shall be considered.

**Section 6** If the Rules and Ethics Sub-Committee shall not have acted on the charges within fourteen (14) calendar days of their investigation, the matter may be brought before the Senate upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

**Section 7** If the Rules and Ethics Sub-Committee shall have voted not to bring expulsion hearings before the Senate, the Chair shall make a report to the Senate detailing the written charges and an explanation of the reasons as to why an expulsion hearing was not necessary. The Senate may then, upon a three fourths (3/4) vote, elect to bring expulsion proceedings before the next regularly scheduled Senate meeting.

**Section 8** If expulsion proceedings shall have been brought before the Senate, the charges shall be announced, the Rules and Ethics Sub-Committee report on the matter shall be entered into the minutes, and the subject Senator shall be afforded an opportunity to address the Senate for twenty (20) minutes, which shall not be infringed by any person.

**Section 9** If, upon a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting, the Senate shall have voted to expel the subject Senator, then, upon the announcement of the vote by the Speaker, the Expulsion shall be complete.

**Section 10** The subject Senator may, up until the time that Expulsion proceedings are brought before the Senate, resign and formal charges shall be dropped.

## **Chapter 7**

### **The Senate Session**

**Section 1** All meetings of the Senate shall be conducted in a Session of the Senate, divided into the Regular Period and the Special Period as prescribed herein:

1. The Regular Period – The Regular Period of the Senate shall be defined as that calendar period extending from the first meeting of the Senate in fall semester to the final meeting

of the Senate in spring semester. “Semester” shall be defined by the official academic calendar of the University.

2. The Special Period – The Special Period of the Senate shall be defined as that calendar period extending from the final meeting of the Senate in the Regular Period, to the first meeting of the Senate in the subsequent Regular Period.

## **Chapter 8** The Regular Period

**Section 1** The first meeting of the Senate Regular Period shall commence a Senate Session.

**Section 2** Within fourteen (14) calendar days of ratification of the Fall General Election, the President shall convene the first meeting of the Regular Period.

**Section 3** If, within fourteen (14) calendar days of ratification of the Fall General Election, the President shall have failed to convene the first meeting of the Regular Period of the Senate, the Coordinating Council shall convene said meeting, and the Coordinating Council Chair shall preside at said meeting.

## **Chapter 9** The Special Period

**Section 1** Upon adjournment of the last meeting of a Regular Period of the Senate, the legislative authority of the Senate and its Standing or Select Committees, subject to the limitations defined herein, shall be delegated to the Coordinating Council for the term of the Special Period.

**Section 2** For the term of the Special Period, the Coordinating Council shall retain the composition prescribed by the Title 1 Chapter entitled “The Coordinating Council” of the By-Laws of the SGA, provided that during that term of the Special Period, the SGA President, Executive Cabinet, Chief Justice, Area Governors and the Student Coordinator of CEPA, shall serve as ex-officio members.

**Section 3** For the term of the Special Period, the Speaker shall serve as the Chair of the Coordinating Council.

**Section 4** In the event the Speaker is unable to serve for the term of the Special Period, the Associate Speaker shall serve, for the term of the Special Period, as the chair of the Coordinating Council.

**Section 5** In the event a Coordinating Council member, other than the Speaker or the Associate Speaker, is unable to serve for the term of the Special Period, the Speaker shall, upon a majority vote of the Senate membership in attendance at a scheduled meeting in the Regular Period, appoint a Senator to fill the seat. Such an appointment shall meet the qualifications

prescribed for said seat by the Title 1 Chapter entitled “The Coordinating Council” of the By-laws of the SGA.

**Section 6** Coordinating Council seats vacated during the term of the Special Period shall remain vacant for the term of the Special Period.

**Section 7** For the term of the Special Period, the Coordinating Council shall be empowered to:

1. Determine and provide for its rules and procedures, and fix the time and place of its meetings.
2. Enact Acts of the SGA and Resolutions as defined by the By-laws of the SGA, and subject to the prohibitions prescribed herein.
3. Ratify the Fall General Elections in a manner prescribed by the By-laws of the SGA. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.
4. Approve the expenditure of monies for Finance Reserves allocations. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.
5. Override a presidential veto. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.
6. Approve Executive Cabinet Appointments. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.
7. Require reports from the President and Executive Cabinet on any matter relevant to the functioning of the SGA.

**Section 8** For the term of a Special Period, the Coordinating Council shall not be empowered to:

1. Enact Articles of Impeachment, amend or repeal the Constitution of the SGA, the By-laws of the SGA, the Annual SGA S-1 Budget Act, Acts of the SGA or Resolutions of the Senate passed in a Regular Period.
2. Conduct business in the absence of a quorum, here defined as fifty percent (50%) of the voting membership plus one (1)
3. Exercise any power not enumerated for the Coordinating Council by this Chapter of the By-laws of the SGA.

**Section 9** Upon adjournment of the last meeting of the Coordinating Council in a Special Period, the legislative authority of the Coordinating Council shall be surrendered to the Senate.

## **Chapter 10**

### Installation of the Senate

**Section 1** If Section 3 of the Title II Chapter entitled “The Regular Period” of the By-laws of the SGA, shall not have been invoked, the President shall convene the first meeting of the Senate Session, and shall preside in the manner prescribed herein:

1. The President shall call the meeting to order.
2. The President shall take a roll call to determine if quorum is present.
3. The President shall present to the Senate-Elect, the final report of the Elections Commission on the Fall General Elections, as ratified by the Coordinating Council.
4. The President shall yield the chair to the Chief Justice, or in the absence of the Chief Justice, the Associate Chief Justice, who shall administer the following affirmation to the Senate-Elect:

“I do affirm to faithfully execute the office of SGA Senator and support the Constitution and By-laws of the Student Government Association “

5. Following the installation of the Senate, the Chief Justice shall yield the chair to the Speaker, or, in the absence of the Speaker, the Chancellor of Elections.

## **Chapter 11**

### Election of the Speaker & Associate Speaker

**Section 1** Chancellor of Elections, or in his/her absence, an Elections Commissioner shall conduct the election of the Speaker and Associate Speaker of the Senate at the last meeting of the Senate’s Regular Session in the manner prescribed herein:

1. The Chancellor of Elections shall announce that nominations for Speaker of the Senate are open.
2. The Chancellor of Elections shall record the nominations in the minutes in the order in which they shall have been made and seconded.
3. The Chancellor of Elections shall entertain and record nominations for Speaker until a motion shall have been made, seconded, and approved by unanimous consent, to close said nominations.
4. Following the closing of nominations for Speaker, the Chancellor of Elections shall read, from the minutes, the nominations made and seconded for Speaker and shall ask each nominee if the nomination is accepted. If the nominee shall have responded in the negative, the Chancellor of Elections shall strike the nomination from the minutes.

5. The Chancellor of Elections shall then announce that nominations for Associate Speaker of the Senate are open.
6. The Chancellor of Elections shall record the nominations in the minutes in the order in which they shall have been made and seconded.
7. The Chancellor of Elections shall entertain and record nominations for Associate Speaker until a motion shall have been made, seconded and approved by unanimous consent to close said nominations.
8. Following the closing of nominations for Associate Speaker, the Chancellor of Elections shall read, from the minutes, the nominations made and seconded for Associate Speaker and shall ask each nominee if the nomination is accepted. If the nominee shall have responded in the negative, the Chancellor of Elections shall strike the nomination from the minutes.
9. The Chancellor of Elections shall then provide that each nominee, in the order in which their nomination shall have been recorded in the minutes, shall have the opportunity to address the Senate for no more than five (5) minutes, and entertain questions for no more than five (5) minutes.
10. When each nominee shall have been provided the opportunity to address the Senate and entertain questions, the Chancellor of Elections shall read again, from the minutes, all nominations for both offices in the order in which the nominations shall have been recorded in the minutes.
11. The Chancellor of Elections shall then distribute to each Senator one (1) ballot, which shall be a plain, otherwise unmarked.
12. The Chancellor of Elections shall then direct each Senator to cast, from the list of nominations recorded for each office in the minutes, one (1) vote for Speaker of the Senate above the fold of the ballot, and one (1) vote for Associate Speaker of the Senate below the fold of the Ballot.
13. Following this direction, and the elapse of five (5) minutes, the Chancellor of Elections shall retrieve the ballots in the manner in which they were distributed, and take them to a separate room to be counted by the Elections Commission.
14. The Chancellor of Elections shall then call a recess of the Senate pending the completion of the ballot count.
15. Following the completion of the ballot count, the Chancellor of Elections shall call the meeting back to order, report to the Senate the complete numerical tabulation of the results, and declare those persons having received the majority of the votes for each office, to be elected to that office.

16. The Chancellor of Elections shall then yield the chair to the Speaker of the Senate and proceed to destroy the ballots following the expiration of twenty-four (24) hours.

**Section 2** No nomination shall be recorded in the minutes which shall not have received a second.

**Section 3** No Senator shall make more than one (1) nomination for each office.

**Section 4** If, after the ballots shall have been counted by the Elections Commission, no nominee for the office of either Speaker or Associate Speaker shall have received a majority of the votes cast, the nominee receiving the lowest total for that office shall be eliminated, and the ballots for that office shall be re-cast. The ballots shall continue to be re-cast in this manner until one (1) nominee for each office shall have received a majority.

**Section 5** The Speaker elected in the Session immediately preceding, shall be eligible to be nominated for either Speaker or Associate Speaker.

**Section 6** The Associate Speaker elected in the Session immediately preceding, shall be eligible to be nominated for either Speaker or Associate Speaker.

**Section 7** A Senator may, within twenty-four (24) hours of the election, request a recount.

**Section 8** No business shall be conducted by the Senate prior to the election of the Speaker and Associate Speaker.

## **Chapter 12**

### **The Speaker of the Senate**

**Section 1** The Speaker shall be elected in the manner prescribed by the Title II Chapter entitled "Election of the Speaker & Associate Speaker" of the By-laws of the SGA and shall serve for the term of one (1) Session of the Senate.

**Section 2** Upon election to the Speakership, the Speaker shall surrender her/his Senate seat.

**Section 3** The Speaker, as the chief presiding officer of the Senate, as defined by the Constitution of the SGA, shall:

1. In the event of a tie, cast a vote in the Senate.
2. Appoint, upon a majority vote of the Senate membership in attendance at a scheduled meeting, all Standing and Select Committees of the Senate.
3. Chair all meetings of the Senate, and shall be an ex-officio member of all Standing and Select Committees of the Senate.

3. Act as the chief spokesperson of the Senate.
4. Call, for extraordinary reasons, emergency meetings of the Senate provided that forty-eight (48) hours prior notice of the date, time and location of the emergency meeting shall have been granted the Senate.
5. Adjust the location of a Senate meeting under any one of the conditions prescribed herein:
  - A. The location becomes unavailable.
  - B. Five (5) Senators request, in writing, and thirty-two (32) hours prior to a meeting, that s/he adjust the location of the meeting.
  - C. S/he is convinced that an emergency exists which requires the adjustment.
  - D. There is an error in the agenda regarding the location.
7. Take care that Senate business is conducted in a manner prescribed by, and consistent with, the Constitution of the SGA, the By-laws of the SGA, and the Acts of the SGA.
8. Hold signature responsibility, herein denoted SR, as defined by the University.
9. Swear-in Senators nominated by the Administrative Affairs Committee and approved by the Senate.
10. Be responsible for maintaining accurate records for the “Back to the People” community meeting.

### **Chapter 13**

#### The Associate Speaker of the Senate

**Section 1** The Associate Speaker shall be elected in the manner prescribed by the Title II Chapter entitled “Election of the Speaker & Associate Speaker” of the By-laws of the SGA, and shall serve for the term of one (1) Session of the Senate.

**Section 2** Upon election or appointment to the Associate Speakership, the Associate Speaker shall surrender her/his Senate seat.

**Section 3** The Associate Speaker, as the chief clerk and parliamentarian of the Senate, as defined by the Constitution of the SGA, shall:

6. Vote only in the event of a tie while acting as Speaker
2. Record the minutes of all Senate meetings.

- A. The minutes shall be required to include:
  - 1. Exact vote counts during roll-call votes
  - 2. Notes during all announcements and reports
  - 3. All vacancies regarding Senate Seats
  - 4. All reports or presentations made during Senate that can be disseminated
  
- B. Additionally, the Associate Speaker shall submit one (1) copy of the minutes of all Senate meetings through e-mail to each of the following:
  - 1. The President
  - 2. The Chief of Staff (replaced with Vice President effective March 2012)
  - 3. The Chief Justice
  - 4. The Student Activities Office
  - 5. The Vice Chancellor for Student Affairs
  - 6. The Collegian
  - 7. WMUA
  - 8. UVC
  - 9. The Directing Attorney, Student Legal Services Office
  - 10. All SGA Governors
  - 11. All SGA Senators
  
- 3. Be responsible for maintaining accurate attendance records, the correspondence of the Senate, and the permanent records of the Senate.
- 4. Act as the parliamentarian of the Senate; the chief advisor to the Speaker on the rules and procedures of the Senate.
- 5. Chair the Senate in the absence of the Speaker or if the chair shall have been yielded.
- 6. Maintain at least two (2) current and updated copies of the SGA constitution and By-Laws (no more than 1 year old) in the W.E.B. DuBois Library.

7. Collect all special orders, motions, and other information required to make an agenda as prescribed by the Title II Chapter entitled “Order of Senate Agenda”.
8. The Associate Speaker shall be responsible for creating the agenda and ensuring its availability at least twenty-four (24) hours prior to the scheduled regular meeting.
9. Shall assist or share in the responsibility of maintaining accurate attendance records for the “Back to the People” community meetings.

**Section 4** If a vacancy shall occur in the office of Associate Speaker, the Speaker, upon a majority vote of the Senate membership in attendance at a meeting, shall appoint the Associate Speaker for the duration of the unfinished term.

## **Chapter 14**

### Rules of Senate Procedure

**Section 1** All meetings of the Senate and its Standing or Select Committees, as well as all formal bodies or agencies of the SGA, shall be held in a manner prescribed by Title II, Chapters 17-27 of the By-laws of the SGA, herein denoted the Rules of the Senate, and the Senate shall recognize only said rules in the conduct of its meetings.

**Section 2** “Majority” shall be defined as fifty percent (50%) of the membership in attendance voting “aye” or “nay” plus one-half (1/2).

**Section 3** No ex-officio member or member of the Senate shall speak without having been recognized by the Speaker, unless otherwise provided for by the Rules of the Senate.

**Section 4** No person shall speak at a meeting of the Senate who shall not be an ex-officio member or member of the Senate unless Section 5, Subsection 10 of the Title II Chapter entitled “Subsidiary Motions” of the By-Laws has been invoked, or otherwise specified by the Constitution and the By-Laws of the Student Government Association.

**Section 5** No ex-officio member shall participate in debate unless yielded the floor by a member of the Senate.

1. On motions sponsored by the President, the President will act in capacity of a member of the Senate during debate.

**Section 6** No ex-officio member or member of the Senate, upon recognition during debate, shall speak for more than eight (8) minutes.

1. A member of the Senate while debating a main motion, may yield the remainder of their time to questions in accordance to parliamentary procedure.

**Section 7** No person shall use the Rules of the Senate to obstruct the conduct of the Senate’s business.

**Section 8** The Speaker of the Senate shall have the power to control the length of time given to announcements and reports.

### **Chapter 15** Role of the Speaker

**Section 1** All persons shall address all Motions, Points, and comments to the Speaker of the Senate.

**Section 2** The Speaker shall be empowered during the conduct of the Senate's business in a scheduled meeting to:

1. Judge the validity and order of all motions and points.
2. Rule dilatory, all motions and points which, in her/his judgment are introduced to obstruct the conduct of the Senate's business.
3. Call the Senate into recess for a non-renewable period of time which shall not exceed sixty (60) minutes.
4. Expel, with stated cause, any person from the Senate chambers for the duration of a Senate meeting.
5. In the absence of the Associate Speaker, yield the chair to any Senator.

**Section 3** The Speaker shall yield the chair when s/he shall desire to make an Announcement of a partisan nature or to participate in debate.

**Section 4** When the Speaker shall have yielded the chair, the chair shall remain yielded for the duration the Announcement or the debate and vote on a Main Motion.

**Section 5** The Speaker shall determine if quorum for a Senate meeting is present any time said quorum is questioned.

### **Chapter 16** Categories of Senate Legislation

**Section 1** All business of the Senate shall be categorized in a manner prescribed herein:

1. *Acts of the SGA* – An Act which compels an action, or a change in established policy or procedure, or a formal recommendation of the SGA, as defined by Trustee Document T73-098, as amended.
2. *Resolutions* – An expression of the sentiment of the Senate on an issue which does not compel an action, change established policy or procedure, and is not a formal recommendation of the SGA, as defined by Trustee Document T73-098, as amended.

3. *Articles of Impeachment*

**Chapter 17**  
Order of Senate Agenda

**Section 1** All business of the Senate shall be organized on a formal agenda in the manner prescribed herein:

1. Call to order
2. Announcements
3. Roll Call
4. Approval of the Minutes
5. Officer Reports:
  - A. The University Student Trustee
  - B. The President
  - C. The Speaker
  - D. The Chief Justice (If requested)
  - E. Area Governors
  - F. The Cabinet (If requested)
  - G. Faculty Senate Representative
6. Senate Committee Reports
7. SGA Advisor
8. Special Orders
9. Unfinished Business – Main Motions
10. New Business – Main Motions

**Chapter 18**  
Motions

**Section 1** All motions before the Senate shall be categorized in the manner prescribed herein:

1. Main Motions
2. Special Orders
3. Subsidiary Motions

## **Chapter 19** Main Motions

**Section 1** All Main Motions of the Senate shall be introduced to the Senate through the office of the Speaker, by either the President, a Senator, or a majority vote of a Standing or Select Committee's membership in attendance at a scheduled Committee meeting, and shall be time stamped.

**Section 2** All Main Motions introduced to the Senate through the Office of the Speaker, shall be appropriately ordered at the direction of the Associate Speaker.

**Section 3** All Main Motions introduced to the Senate through the office of the Speaker by the President, with the exception of presidential appointments, shall be co-sponsored by a Senator.

**Section 4** All Main Motions introduced by a majority vote of a Standing or Select Committee's membership in attendance at a scheduled meeting, shall be placed on the agenda of the next scheduled Senate meeting.

**Section 5** All Main Motions shall be submitted to the office of the Speaker forty-eight (48) hours prior to the scheduled Senate meeting at which it shall appear on the agenda. Upon submission, if the particular bill involves an Agency or RSO, those organizations have the right to be given a copy of the motion. They shall have to be informed of the Senate time and location and the right to speak on the topic to Senate, through a majority vote. If individual RSO's or Agency's were not informed within 24 hours of the meeting, and have not waved their right to speak, the motion shall be ruled dilatory by the speaker for the immediate meeting. This motion shall automatically be placed upon the next week's agenda after the RSO and Agency have been informed.

**Section 6** All cabinet appointments to be made by the President must first receive confirmation from the Administrative Affairs Committee by a majority vote of its membership in attendance at a regularly scheduled meeting before they can be put forth for a confirmation vote by the general Senate membership.

## **Chapter 20** Special Orders

**Section 1** Motions to fill vacant Senate seats, Presidential appointments, the Annual SGA S-1 Budget Act, Motions for Expulsion, and Articles of Impeachment, shall appear as Special Orders on the Agenda.

**Section 2** A vetoed bill of the Senate shall appear as a Special Order on the agenda of the scheduled Senate meeting immediately following the veto.

## **Chapter 21** Subsidiary Motions

**Section 1** Subsidiary Motions shall be in order only after Special Orders, unless otherwise provided for by the Rules of the Senate.

**Section 2** No Senator shall make a Subsidiary Motion, with the exception of the Motion to Overrule the Decision of the Speaker, or the Motion to Change the Voting Method, who shall not have been recognized by the Speaker.

**Section 3** All Subsidiary Motions shall require a second and no Subsidiary Motion not having received a second shall be considered.

**Section 4** Any Senator making a Subsidiary Motion shall be entitled to make a brief presentation of the factual description of the Motion and may, during the presentation, yield to any individual recognized to address the Senate as per the SGA Constitution and By-Laws.

**Section 5** The Subsidiary Motions prescribed herein shall be recognized:

1. *Adjourn* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
2. The Motion to Adjourn shall be in order only between the consideration of Main Motions.
3. *Amend* – Debatable, majority vote of Senate membership in attendance at a meeting required.
4. The Motion to Amend a Main Motion shall be in order only after the factual presentation of a Main Motion.
5. The consideration of an Amendment to a Main Motion shall be conducted in the manner prescribed herein:

A. The Speaker shall read the Amendment.

B. The sponsor of the Amendment shall present a factual description of the Amendment and may, during the presentation of the factual description, yield to any ex-officio member or member of the Senate, or, any person recognized by the Senate in the manner prescribed by Title II, Chapter 24, Section 5, Subsection 10, of the By-Laws of the SGA.

C. The sponsor of the Amendment may, during the presentation of the factual description of the Amendment, and provided the Amendment is not sponsored by a Senate Standing or Select Committee or Sub-Committee, withdraw the Amendment.

D. The Speaker shall entertain a second.

E. The Speaker shall ask the Senate if there exists a need for debate.

F. If no member of the Senate indicates a need for debate, the Amendment shall be called.

G. If a member of the Senate indicates the need for debate, the Speaker shall declare debate open.

- The Speaker shall recognize a member of the Senate in opposition to the Amendment for the purpose of debate.

- The Speaker shall recognize a member of the Senate in support of the Amendment for the purpose of debate.

H. The Speaker may recognize the Subsidiary Motion to Call the Amendment.

I. The Speaker shall not recognize the Subsidiary Motion to Call the Amendment until a member of the Senate in opposition, and a member of the Senate in support of the Amendment, shall have both been recognized.

J. Debate shall continue, one member of the Senate in opposition and one in support, until a Subsidiary Motion shall have been made which shall have ended debate.

K. When debate shall have ended and the Amendment shall have been voted upon, the Senate shall return to debate on the Main Motion or the Main Motion as amended.

6. *Amend an Amendment* – Debatable, majority vote of Senate membership in attendance at a meeting required.

A. The Subsidiary Motion to Amend an Amendment to a Main Motion shall be in order only during the consideration of an Amendment to a Main Motion.

- B. A motion to amend the Amendment of an Amendment to a Main Motion shall not be in order.
- C. The consideration of an Amendment to the Amendment to a Main Motion shall be conducted in the manner prescribed herein:
- D. The Speaker shall read the Amendment to the Amendment.
- E. The sponsor of the Amendment to the Amendment shall present a factual description of the Amendment to the Amendment and may, during the presentation of the factual description, yield to any ex-officio member or member of the Senate or, any person recognized by the Senate in the manner prescribed by Title II, Chapter 24, Section 5, Sub-section 10, of the By-laws of the SGA.
- F. The sponsor of the Amendment to the Amendment may, during the presentation of the factual description of the Amendment to the Amendment, and provided the Amendment to the Amendment is not sponsored by a Senate Standing or Select Committee or Sub-Committee, withdraw the Amendment to the Amendment.
- G. The Speaker shall entertain a second.
- H. The Speaker shall ask the Senate if there exists a need for debate.
- I. If no member of the Senate indicates a need for debate, the Amendment to the Amendment shall be called.
- J. If a member of the Senate indicates the need for debate, the Speaker shall declare debate open.
- The Speaker shall recognize a member of the Senate in opposition to the Amendment to the Amendment for the purpose of debate.
  - The Speaker shall recognize a member of the Senate in support of the Amendment to the Amendment for the purpose of debate.
- K. The Speaker may recognize the Subsidiary Motion to Call the Amendment.
- L. The Speaker shall not recognize the Subsidiary Motion to Call the Amendment, until a member of the Senate in opposition, and a member of the Senate in support of the Amendment to the Amendment, shall have both been recognized.
- M. Debate shall continue, one member of the Senate in opposition and one in support, until a Subsidiary Motion shall have been made which shall have ended debate.

- N. When debate shall have ended, and the Amendment to the Amendment shall have been voted upon, the Senate shall return to debate on the Amendment or the Amendment as amended.
7. *Call the Amendment* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
  8. *Call the Main Motion* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
  9. *Call the Reconsideration* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
  10. *Change the Voting Procedure* – Non-debatable, no vote required.
    - A. The Subsidiary Motion to Change the Voting Procedure shall be in order at any time during the conduct of a Senate Meeting.
  11. *Overrule the decision of the Speaker* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
    - A. The Subsidiary Motion to Overrule the decision of the Speaker shall be in order at any time during the conduct of a Senate Meeting.
  12. *Recess* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
    - A. The Senator making the Subsidiary Motion to Recess shall specify the period of time for which the Senate is to be recessed.
10. *Recognize a Non-Member of the Senate* – Non-debatable, majority vote of Senate membership in attendance at a meeting required.
    - A. The Subsidiary Motion to Recognize a Non-Member of the Senate shall be in order at any time during the conduct of a Senate meeting.
    - B. A recognized non-member of the Senate may address the Senate for the duration of the Announcement, Report or Debate on the Main Motion during which s/he was recognized.
  11. *Reconsider* – Debatable, two-thirds (2/3) vote of Senate membership in attendance at a meeting required.
    - A. The Motion to Reconsider shall be in order only if the Main Motion or Special Order to be reconsidered shall have been made defeated at the meeting in which the Motion to Reconsider shall have been made.

- B. The Motion to Reconsider shall be in order only between Main Motions.
- C. The Motion to Reconsider shall be entertained in the manner prescribed herein:
- D. The Speaker shall entertain a second.
- E. The Speaker shall ask the Senate if there exists a need for debate
- F. If no member of the Senate indicates a need for debate, the Reconsideration shall be called.
- G. If a member of the Senate indicates the need for debate, the Speaker shall declare debate open.
- H. The Speaker shall recognize a member of the Senate in opposition to the Reconsideration for the purpose of debate.
- I. The Speaker shall recognize a member of the Senate in support of the Reconsideration for the purpose of debate.
- J. The Speaker may recognize the Subsidiary Motion to Call the Reconsideration.
- K. The Speaker shall not recognize the Subsidiary Motion to Call the Reconsideration, until a member of the Senate in opposition, and a member of the Senate in support of the Reconsideration, shall have both been recognized.
- L. Debate shall continue, one member of the Senate in opposition and one in support, until a Subsidiary Motion shall have been made which shall have ended debate.
- M. When debate shall have ended and the Reconsideration shall have been voted upon, the Senate shall either proceed to the Reconsideration as a Main Motion, or return to debate on the Main Motion under consideration when the Motion to Reconsider shall have been made.

12. *Suspend the Rules to Consider A Main Motion Not Previously, on the Agenda or To Rearrange the Order of the Agenda-* Non-debatable, two-thirds (2/3) vote of Senate membership in attendance at a meeting required.

- A. The Subsidiary Motion to Suspend the Rules shall be in order only between the consideration of Main Motions.
- B. The Motion to Suspend the Rules shall be entertained in the manner prescribed herein:
- I. If the Subsidiary Motion is to Suspend the Rules to Consider a Main Motion not Previously on the Agenda:

- II. The Speaker shall read the Main Motion.
  - III. The Speaker shall entertain a second.
  - IV. The Speaker shall call the vote on whether to Suspend the Rules.
  - V. If the vote to suspend the rules shall have passed, the motion in question shall be placed last on the agenda
- C. If the Subsidiary Motion is to Suspend the Rules to Rearrange the Order of the Agenda:
- I. The Speaker shall read the proposed rearranged agenda.
  - II. The Speaker shall entertain a second.
  - III. The Speaker shall call the vote on whether to Suspend the Rules.
  - VI. When the Motion to Suspend the Rules shall have been voted upon, the Senate shall either proceed to the Agenda as amended or onto the Agenda as rearranged.
13. *Table* – debatable, majority vote of Senate membership in attendance at a meeting required.
- A. The Motion to Table is a motion to table a Main Motion and any pending Amendments.
  - B. Tabled Main Motions shall be re-introduced to the Senate through the Office of the Speaker in the Manner prescribed by Title II, Chapter 22 of the By-laws of the SGA.
  - C. The Senator making the Motion to Table a Main Motion shall specify:
    - I. To whom it is being tabled:
      - a. Committee
      - b. A future scheduled meeting of the Senate
    - II. For how long it is being tabled:
      - a. Indefinitely
      - b. Definitely

**Chapter 22**  
Parliamentary Points

**Section 1** No ex-officio member or member of the Senate shall make a Parliamentary Point, with the exception of the Point of Order, and the Point of Personal Privilege, who shall not have been recognized by the Speaker.

**Section 2** Parliamentary Points shall be recognized at any point in the conduct of a Senate meeting.

**Section 3** The Parliamentary Points prescribed herein shall be recognized:

A. *Point of Order*

I. The Point of Order shall be the Parliamentary point used to protest a violation of the rules or procedures of the Senate, such as a lack of quorum; and to bring said violation to the attention of the Speaker.

B. *Point of Information*

I. The Point of Information shall be a question of fact, which shall at no time be intended as a form of debate.

II. An ex-officio member or member of the Senate shall be allowed one (1) follow-up to a Point of Information.

C. *Point of Parliamentary Inquiry*

I. The Point of Parliamentary Inquiry shall be a request to clarify the Rules of the Senate.

D. *Point of Personal Privilege*

I. A Point of Personal Privilege shall be the parliamentary point invoked to bring to the attention of the Senate, a physical or verbal impediment to the conduct of a Senate's meeting.

### **Chapter 23**

#### The Consideration of Main Motions and Special Orders

**Section 1** For the purpose of this Chapter of the By-laws of the SGA, "Main Motion" shall be defined as "Main Motion or Special Order".

**Section 2** The Senate shall consider only one (1) Main Motion at a time.

**Section 3** The consideration of a Main Motion shall be conducted in the manner prescribed herein:

A. The Speaker shall read the Main Motion.

B. The sponsor of the Main Motion shall present a factual description of the Main Motion and may, during the presentation of the factual description, yield to any ex-officio member or member of the Senate or, any person recognized by the Senate in the manner prescribed by Title II, Chapter 25, Section 5, Sub-section 10, of the Rules of the Senate

I. The sponsor of the Main Motion may, during the presentation of the factual description of the Main Motion, and provided the Main Motion is not sponsored by a Senate Standing or Select Committee or Sub-Committee, withdraw the Main Motion.

II. The sponsor of the Main Motion may, at the end of the factual description of the Main Motion yield the floor to questions of fact in accordance to Parliamentary procedure.

C. If the Main Motion shall not be a presidential appointment or a vetoed Act, and shall have been introduced by the President and a Senator, or, an individual Senator, the Speaker shall entertain a second for the Main Motion.

D. If the Main Motion introduced by the President or, the President and a Senator or, an individual Senator, shall not have received a second it shall not be considered.

E. The Speaker shall ask the Senate if there exists a need for debate.

F. If no member of the Senate indicates a need for debate, the Main Motion shall be called.

G. If a member of the Senate indicates the need for debate, the Speaker shall declare debate open.

H. The Speaker shall recognize a member of the Senate in opposition to the Main Motion for the purpose of debate.

I. Upon completion of debate by the member in opposition, the Speaker shall seek and recognize, if available, a member of the Senate in support of the Main Motion for the purpose of debate.

J. The Speaker may recognize the Subsidiary Motions to Call the Main Motion.

I. The Speaker shall not recognize the Subsidiary Motion to Call the Main Motion, until a member of the Senate in opposition, and a member of the Senate in support of the Main Motion, shall have both been recognized.

- K. Debate shall continue, one member of the Senate in opposition and one in support, until a Subsidiary Motion shall have been made which shall have ended debate.

## **Chapter 24**

### Voting

**Section 1** The methods of Senate voting prescribed herein shall be recognized:

- A. Call of the Ayes, and Nays, and Abstentions – Voice Vote
- B. Division of the Assembly – Hand Count
- C. Roll Call – Individual vote

**Section 2** The Call of the Ayes, Nays, and Abstentions shall be the primary method of voting in the Senate.

**Section 3** If a Senator or the Speaker shall be in doubt of a vote, s/he may call the Division of the Assembly on a motion by making the Subsidiary Motion to change the voting procedure, provided that the Subsidiary Motion is made prior to the Speaker lowering the gavel on the motion.

**Section 4** When the Speaker shall have lowered the gavel on a Special Order, Main Motion, or Subsidiary Motion, the decision of the body shall stand, and may only be reconsidered in a manner prescribed by the Rules of the Senate.

## **Chapter 25**

### Senate Committees

**Section 1** All Committees of the Senate shall be designated Standing Committee or Select Committee, as defined herein and which shall meet during the Regular Period of the Senate:

- 7. Standing Committee – A permanent Committee of the Senate, established by the By-laws of the SGA, charged with carrying out a specific charge or area of responsibility.
- 7. Select Committee – A Select Committee is a temporary Committee of the Senate, established by a majority vote of the Senate membership in attendance at a scheduled meeting, charged with carrying out a specific task which is not appropriately assigned to a Standing Committee, in existence for one academic year or until the committee goals are met
- 7. The Chairperson of a Select Committee is required to give a committee report detailing progress made towards reaching the Committee's outlined goals before a Select Committee can be reactivated.

7. Select Committees shall only be reactivated each Senate Session by a majority vote of the Senate membership in attendance at a scheduled meeting.

**Section 2** Members of all Standing Committees shall serve for the term of one (1) Regular Period of the Senate.

**Section 3** Only Senators shall serve as members of Standing or Select Committees of the Senate.

**Section 4** Upon the appointment of the Chair and a majority vote of the Committee in attendance at a scheduled meeting, any person may serve as an ex-officio member of a Senate Standing or Select Committee.

**Section 5** Senators shall serve on at least one (1) Committee of the Senate and no Senator shall be required to serve on more than one (1) Committee of the Senate.

**Section 6** The Speaker, upon a majority vote of the Senate membership in attendance at a scheduled meeting, shall appoint Senators to the Standing and Select Committees of the Senate.

**Section 7** All Standing Committees of the Senate shall be appointed within twenty (20) calendar days of the first meeting of a Senate Session.

**Section 8** A Senator may appeal her/his Committee appointment to the Senate membership in attendance at a scheduled meeting.

**Section 9** The conduct of Standing or Select Committee meetings shall be subject to the Rules of the Senate as defined by Title II, Chapters 17-27.

**Section 10** If there are less than 5 (five) Senators assigned to a Standing Committee it will be considered inactive and may not convene.

## **Chapter 26**

### Election of Committee Chairs

**Section 1** A Standing or Select Committee of the Senate shall elect, from its membership, and by a majority vote of its membership in attendance at a scheduled meeting, a Chair, who shall act as the chief presiding officer of the Committee.

**Section 2** The Administrative Affairs Committee shall be the first Committee of the Senate appointed and the first to elect its Chair. The Speaker or Associate Speaker shall chair the Administrative Affairs Committee for the meeting at which the Chair is elected and the election shall be held in a manner prescribed by this Chapter. Paragraphs 1-13 of the By-laws of the SGA, inserting "Speaker" for "member of the Administrative Affairs Committee".

**Section 3** A member of the Administrative Affairs Committee shall chair all other Committee meetings at which a Chair is elected, and shall conduct the election in the manner prescribed herein:

7. The member of the Administrative Affairs Committee shall call the meeting to order.
7. The member of the Administrative Affairs Committee shall take attendance to determine if quorum is present.
7. The member of the Administrative Affairs Committee shall announce that nominations for Chair are open.
7. The member of the Administrative Affairs Committee shall record the nominations in the minutes in the order in which they shall have been made and seconded.
7. The member of the Administrative Affairs Committee shall entertain nominations for Chair until a motion is made, seconded and approved by unanimous consent, to close said nominations.
6. Following the closing of nominations, the member of the Administrative Affairs Committee shall read, from the minutes, the nominations made and seconded, and shall ask each nominee if the nomination is accepted. If the nominee shall have responded in the negative, the member of the Administrative Affairs Committee shall strike the nomination from the minutes.
7. The member of the Administrative Affairs Committee shall then provide that each nominee have the opportunity to address the Committee for no more than three (3) minutes, and entertain questions for no more than three (3) minutes.
8. When each nominee shall have been provided the opportunity to address the Committee and entertain questions, the member of the Administrative Affairs Committee shall read again, from the minutes, the nominations.
9. The member of the Administrative Affairs Committee shall then distribute to each Committee member one (1) ballot, which shall be a plain, otherwise unmarked
10. The member of the Administrative Affairs Committee shall then direct each Committee member to cast from the list of nominations recorded in the minutes one (1) vote for Chair.
11. Following this direction and the lapse of five minutes, the member of the Administrative Affairs Committee shall retrieve the ballots in the manner in which they were distributed in the presence of the Committee, count the ballots.
12. Following the completion of the ballot count, the member of the Administrative Affairs Committee shall report to the Committee the complete numerical tabulation of the results,

and declare that Senator having received the majority of the votes cast, to be elected Chair.

13. The member of the Administrative Affairs Committee shall then yield the chair to the newly-elected Chair, and proceed to destroy the ballots at the expiration of twenty-four hours (24).

14. If a vacancy shall occur in the office of Standing or Select Committee Chair, an election shall be held to fill the vacancy in a manner prescribed by Title II, Chapter 29, of the By-laws of the SGA.

**Section 4** If there shall be only one nominee for Chair, the member of the Administrative Affairs Committee may ask that the nominee be elected by acclamation.

**Section 5** No nomination for a Committee Chair shall be recorded in the minutes which shall not have received a second.

**Section 6** No Committee member shall make more than one (1) nomination for Chair.

**Section 7** If, after the ballots shall have been counted by the member of the Administrative Affairs Committee, no nominee for the office of Chair shall have received a majority of the votes cast, the nominee receiving the lowest total shall be eliminated and the ballots re-cast. The ballots shall continue to be re-cast in this manner until one (1) nominee shall have received a majority.

**Section 8** A Committee member, within twenty-four (24) hours of the election may request a re-count.

**Section 9** No business shall be conducted by a Standing or Select Committee of the Senate, prior to the election of the Chair.

## **Chapter 27** Committee Chairs

**Section 1** The Chair shall be the chief presiding officer of the Standing or Select Committee.

**Section 2** In the event the Chair is unable to attend a meeting of the Committee, s/he shall appoint a member of the Committee to chair the meeting.

**Section 3** The Chair shall, upon a majority vote of the Committee membership in attendance at a scheduled Committee meeting, appoint the Chairs of the Committee's Sub-Committee(s).

**Section 4** All Chairs, or their designee, shall be required to record the minutes of each Committee meeting. The recording shall be in written form and one copy shall be distributed to each Committee member within seven (7) calendar days of the meeting. In addition, one (1) copy

shall be submitted to the Associate Speaker and one (1) copy to the The Chief of Staff (replaced with Vice President effective March 2012) .

**Section 5** The minutes of each meeting shall include the information prescribed herein:

1. The name and title of the chair
2. Committee members present
3. Committee members absent
4. All motions and votes taken

**Section 6** If a vacancy shall occur in the office of Standing or Select Committee Chair, an election shall be held to fill the vacancy in a manner prescribed by the Title II Chapter entitled “Election of Committee Chairs” of the By-laws of the SGA.

**Section 7** Committee membership shall be empowered to remove their Chairperson from the position of Chair. Such an act will require a 2/3 majority vote of committee membership in attendance at a regularly scheduled meeting.

1. A vote to remove a Chairperson from their position of chair must be conducted by either the Speaker (or their designee) or the Chair of the Administrative Affairs Committee (or their designee).
2. At the next regularly scheduled Senate meeting following the removal of a Chair, the Senate may override the decision by a 2/3 vote. If the Senate shall choose to remove the Chair from his/her office, said Chair shall retain their Senate seat. If the Senate shall choose to not remove the Chair from his/her office, the Chair shall be returned to the committee’s Chairship.

## **Chapter 28**

### Standing Committees

**Section 1** There shall be five (5) Standing Committees of the Senate as prescribed herein.

**Section 2** The Ways and Means Committee – The Ways and Means Committee shall:

1. Sponsor an enactment which will constitute the official recommendation of the SATF fee level for the successive fiscal year upon Senate approval
2. Review and recommend to the Senate, legislation relating to Title VI of the By-laws of the SGA.
3. Formulate the Proposed Annual SGA S-1 Budget Act.
4. Assist the Secretary of Finance in the effective implementation Acts of the SGA within the Committee’s jurisdiction.

**Section 3**      Administrative Affairs Committee- The Administrative Affairs Committee shall:

1. Maintain and review the Constitution of the SGA, and entertain all motions for amendment thereof.
2. Review and recommend to the Senate, legislation relating to Title I, II, III, IV, V, VII, and VIII of the By-laws of the SGA
3. Review all SGA personnel matters including the appointments to fill Senate and Cabinet vacancies unless otherwise provided by the Constitution or By-laws of the SGA, and recommend to the Senate appropriate legislation pursuant thereto.
4. Conduct the elections for Senate Committee Chairs.
5. Assist the Chief of Staff (replaced with Vice President effective March 2012) and the Secretary of the Registry in the effective implementation of Acts of the SGA within the Committee's jurisdiction.

A. The Rules and Ethics Sub-Committee – The Rules and Ethics Sub-Committee of the Administrative Affairs Committee shall:

1. Facilitate the processes of the Senate and assist the Speaker in planning and organizing meetings of the Senate.
2. Entertain all motions of Impeachment and Expulsion.
3. Assist the Attorney General in the effective implementation of Acts of the SGA within the Sub-Committee's jurisdiction.
4. Be empowered to investigate any office holder who does not fulfill their responsibilities as defined in the Title I Chapter entitled "Public Records" of the General By-Laws. If the office holder is found to be in error the Rules and Ethics Sub-Committee shall:
  - a. If the officer is a Senator, be empowered, upon 2/3 of its membership voting at scheduled meeting, to strip the Senator of the ability to vote at their next attended committee meeting.
  - b. If the officer is not a Senator, the Chair of the Sub-Committee shall introduce a motion to the Senate to have the officer officially sanctioned.
6. Review and recommend to the Senate appointments to fill vacant senate seats falling under the jurisdiction of the Senate

7. In the event that an Agency wishes to amend its charter, the Committee shall review the amendment and make a recommendation to the Senate

**Section 4** The Finance Committee – The Finance Committee shall:

1. Research and recommend to the Senate legislation which shall provide financial information and other such services to Registered Student Organizations.
2. Entertain all motions to appropriate monies from the Finance Reserves.
3. Research and recommend to the Senate, legislation which shall establish systems of Registered Student Organization revenue generation.
4. Assist the Secretary of Finance in the effective implementation Acts of the SGA within the Committee’s jurisdiction.

**Section 5** The Student and Academic Affairs Committee- The Student and Academic Committee shall:

1. Develop a primary, year-long campaign using the guidelines and procedures outlined below, in Title II, Chapter 32, Sections 1-3.
2. Review and recommend to the Senate legislation regarding any University Policy.
  - A. Review and recommend to the Senate legislation regarding any University academic policy
  - B. Review and recommend to the Senate legislation, regarding the administrative policies of all agencies and divisions of the University not specifically related to academics.
3. Act as the Senate’s liaison to the University Administration.
4. Assist the Secretary of University Policy & External Affairs and the Secretary of Public Relations and Recruitment in the effective implementation of Acts of the SGA within the Committee's jurisdiction.”

**Section 6** The State and Federal Organizing Committee – The State and Federal Organizing Committee shall:

1. Review and report to the Senate on Federal, State, and local legislation that affects the interests of students at the University, and in issues of public higher education in Massachusetts.

2. Organize publicity campaigns and employ media outlets to inform students and the campus community of the SGA's activities relating to federal, state, and local campaigns and legislation.
3. Collaborate with state-wide and federal student organizations and coalitions on campaigns that advocate for fully-funded, affordable, accessible, well staffed, and democratic system of public higher education, and mobilize students to lobby for these state and federal campaigns and legislation.
4. Act as the Senate's liaison to the Town of Amherst and the communities surrounding the campus, including Franklin Country and the Greater Springfield area.
5. Assist the Secretary of University Policy and External Affairs in the effective implementation of Acts of the SGA within the committee's jurisdiction.

## **Chapter 29**

### **Impeachment and Recall**

**Section 1** An SGA member may request the impeachment of the President, the Vice President (effective March 2012), the Speaker, the Associate Speaker, a Student Judiciary member, or an Elections Commission member, by filing written charges with the Rules and Ethics Sub-Committee of the Administrative Affairs Committee.

**Section 2** Upon the receipt of written charges, and within thirty (30) calendar days, the Rules and Ethics Sub-Committee shall investigate the charges in a manner prescribed by a majority vote of its membership in attendance at a scheduled meeting.

**Section 3** Within fourteen (14) calendar days of its investigation, the Rules and Ethics Sub-Committee shall vote on whether Impeachment proceedings shall be brought before the Senate.

**Section 4** If the Rules and Ethics Sub-Committee shall have voted to bring Impeachment proceedings before the Senate, the Chair shall submit to the subject SGA Officer written notice of the charges no less than seventy-two (72) hours prior to the Senate meeting at which the Impeachment proceedings shall be considered.

**Section 5** If the Rules and Ethics Sub-Committee shall not have acted on the charges within fourteen calendar days of their investigation, the matter may be brought before the Senate upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

**Section 6** If Impeachment proceedings shall have been brought before the Senate, the charges shall be announced, the Rules and Ethics Sub-Committee report on the matter shall be entered into the minutes, and the subject SGA Officer shall be afforded an opportunity to address the Senate for twenty (20) minutes which shall not be infringed by any person.

**Section 7** If, upon a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting, the Senate shall have voted to impeach the subject SGA Officer, then, upon the

announcement of the vote by the chair, the Impeachment shall be complete, and the Senate shall submit to the Student Judiciary, unless otherwise provided for by the By-laws of the SGA, a Petition for a Ruling as to whether the subject SGA officer shall be recalled.

**Section 8** The subject SGA Officer may, up until the time that Impeachment proceedings shall have been brought before the Senate, resign and formal charges shall be dropped.

**Section 9** The Chief Justice shall chair Senate meetings at which Articles of Impeachment shall be considered.

**Section 10** If a member of the Student Judiciary shall be the subject of Articles of Impeachment, the Attorney General shall chair the meeting of the Senate at which said Articles of Impeachment shall be considered.

**Section 11** If a member of the Student Judiciary shall have been impeached, the Senate may, upon a three-fourths (3/4) vote of its membership in attendance at a scheduled meeting, recall said Student Judiciary member.

### **Chapter 30**

#### **Senate Budget Hearing**

**Section 1** The following sections shall only be in effect at the annual SGA Budget meeting.

**Section 2** The SGA Budget Act shall be the first motion on the agenda of the meeting(s) that it will be heard and shall supersede all motions previously or currently on the agenda. The SGA Budget Act may not be tabled.

**Section 3** The Budget shall be considered until any and all organizations that have applied for funding and have also filed an Appeal of Appropriations, shall have been given the opportunity to present before the Senate.

**Section 4** No organization shall be allowed to present to the Senate unless they have submitted to the Speaker of the Senate, twenty-four (24) hours in advance of the budget meeting, an Appeal of Appropriations and have requested a hearing with the Ways and Means Committee.

**Section 5** An Appeal of Appropriations shall include the following:

1. The name(s) of the persons appealing the Ways and Means budget recommendation.
2. The organization they are representing.
3. The office they hold within the organization.
4. The reason for appeal.
5. Whether they have had a hearing with the Ways and Means Committee and the result of that hearing.

**Section 6** The Appeal of Appropriation shall specifically state that it is an appeal to the Senate and not the Ways and Means Committee and the organization may not appeal to the Senate unless it has previously requested a hearing with the Ways and Means Committee.

**Section 7** The Speaker of the Senate shall give to all organizations that have applied for funding , and at least six (6) days prior to the budget meeting, the Ways and Means recommendation and a copy of an Appeal of appropriation with the deadline.

**Section 8** Appeals of Appropriation shall also be made available at the Student Government and Student Activities Center offices at least 6 (six) days prior to the budget meeting.

**Section 9** If the budget shall fail upon its initial vote it shall be broken into organizations. Upon receiving a negative vote on the organization, the organization's account will be broken down by line item.

**Section 10** Any organization shall be allowed to present on their budget if the initial Ways and Means recommendation shall have failed before the Senate, provided that they may not address the Senate for a duration of time exceeding ten (10) minutes.

**Section 11** Subsidiary motions to amend, amend an amendment, call the amendment, recess (no greater than 15 minutes) and recognize a non-member shall be in order if the original Ways and Means budget shall have been failed.

## **Chapter 31**

### Training for Senators

**Section 1** Each Senator shall attend a comprehensive SGA training, which shall be coordinated by the Student Legal Services Office and, if possible, the Center for Student Development. The Speaker and President shall help in the training' planning and facilitation. This training shall occur within two weekends following the SGA elections in the fall

**Section 2** This training will be mandatory for the Speaker, Associate Speaker, all Senators, the SGA President, and the Area Governors. The Executive Cabinet, the Student Judiciary, the Student Trustee, the Speaker and the President shall make a presentation at the training as to what their roles, responsibilities and goals are. The Presidents of the House Councils will also be invited and encouraged to come but they are not required to do so. Each full day of the training that a Senator misses will count as an half absence. Excused absences will be granted as outlined in the Title II Chapter entitled "Senate Attendance". If any office holder, besides a Senator, does not attend the training, the SGA President shall be expected to sanction/reprimand them in a manner he/she sees fit.

**Section 3** The Speaker or President shall be empowered to ask for the resignation of any SGA member who does not attend training, without being excused. Furthermore, not attending training shall be grounds for a petition of Expulsion/Impeachment to be sent to the Rules and Ethics Sub-Committee of the Administrative Affairs Committee.

**Section 4** It shall be at the discretion of the Speaker and President as to how long and over how many days the training will take place. It will also be at the discretion of the Speaker and President to require the attendance of the Student Trustee, the Executive Cabinet, and the Student Judiciary for a limited amount of the training. Incumbent Senators will be required to attend the training but will be expected to assist the Speaker and President in facilitating the training.

**Section 5** In special circumstances, the Speaker or the President may excuse an attendance due to any academic or extracurricular activities. Any other excuses must involve serious family emergencies and/or serious illness.

**Section 6** This training shall be open to all SGA Members.

**Section 7** The Chancellor of Elections shall inform all the Senate candidates and all above named members of the SGA, before the election takes place, that they must attend this required training.

**Section 8** The training shall include, but not be limited to, the topics of Senate procedure, the Judicial branch, the Executive branch and its procedure, the history of the SGA, extensive training on the Constitution, By-Laws, and Wellman Document, Robert's Rules of Order, the Senate committees and how they work with the other branches, working with other UMASS authorities, and community organizing.

**TITLE III**  
**Executive**

## Chapter 1 Authority

**Section 1** In addition to the power vested in the President under Article VI of the Constitution of the SGA, the President shall be vested with the additional powers prescribed herein:

7. To authorize or establish whatever formal title, offices, departments, external Committees, divisions of labor, chains of command, or any other necessary structural bureaucracy, with the exception of the Executive Cabinet, s/he may, in her/his discretion, deem appropriate for the efficient operation of the Executive Branch. The President shall not create any Executive Cabinet positions without first sponsoring an amendment to the General By-laws to create the position.
7. To appoint or employ administrative/clerical aides to assist the University Student Trustee, the President, the Speaker, the Student Judiciary, or the Executive Cabinet, provided an act of the Senate has appropriated funds for said purpose.
7. To dismiss or remove from office, any member of the Executive Cabinet or the Executive Branch, whose dismissal or removal from office is not otherwise provided for by the Constitution or the By-laws of the SGA. The President is further empowered to delegate this power to members of the Cabinet.

**Section 2** The President shall create no formal title, offices, departments, external Committees, divisions of labor, chains of command, or any other structural bureaucracy which is superior in rank to the Executive Cabinet.

## Chapter 2 Community Meetings

**Section 1** The President, or at his/her discretion, one of the Executive Cabinet members, shall be responsible for attending at least one of the “Back to the People” meetings, as defined in the Title II Chapter entitled “Constituent Communication”, from each other the Residential Areas at least once a semester.

## Chapter 3 (Entire Chapter Effective March 2012)

### The Vice President of the SGA

**Section 1** The Vice President shall:

1. Be the head of the Executive Branch when the President is not in attendance.
2. Be empowered to act for the President as her/his official representative in all capacities with the exception of signing or vetoing legislation, so long as the President has given

prior consent to his/her actions. The Vice President shall also be empowered to delegate this responsibility to any member of the Executive Cabinet

3. At such times as the President deems necessary, the Vice President may become Acting President and be empowered to exercise all the powers of the Presidency, including, but not limited to, hiring and firing staff and signing and vetoing legislation. The President shall inform the Senate of this transfer of power either electronically or in person.
4. Coordinate all Presidential appointments
5. Act as the President's liaison to the Area Governments
6. Act to effectively execute Title V of the By-laws of the SGA and fulfill all powers and responsibilities granted to him/her therein
7. Serve as the chief adviser to and receive instruction and direction from the President
8. If a vacancy shall occur in the office of the Vice President, the President shall appoint a replacement in the manner provided in Title III, Chapter 5

### **Chapter 3**

#### The Executive Cabinet

**Section 1** The President shall appoint, and the Senate shall confirm, in a manner prescribed by the Constitution of the SGA, and the By-laws of the SGA, the Executive Cabinet, herein denoted the Cabinet.

**Section 2** The Cabinet shall be directly responsible and accountable to the President, in whose name the Cabinet shall act.

**Section 3** Should a cabinet member fail to provide a written or verbal report for six weeks he or she shall have resigned by non-action.

**Section 4** For the Secretary of Finance, Secretary of Registry, and the Attorney General a section provides a list of responsibilities that are required of those cabinet members. These responsibilities provide clarity to their listed job description. Should a cabinet member fail to fulfill his or her required responsibilities as delineated in this section he or she shall have resigned by non-action.

**Section 5** If a cabinet member has resigned by non-action, the President and Speaker shall remove him from all public listings of positions and freeze his pay.

**Section 6** The President has the ability to reappoint a cabinet member who has resigned by non-action through the Senate as detailed in the Title III Chapter entitled "Cabinet Vacancies".

### **Chapter 4**

#### Composition of the Cabinet

**Section 1** The Cabinet shall be composed of individuals qualified to fulfill the positions prescribed herein:

1. The Secretary of Finance
2. The Secretary of the Registry
3. The Attorney General
4. The Chief of Staff
5. The Secretary of University Policy and External Affairs
6. The Secretary of Diversity Issues
7. The Secretary of Web Management
8. The Secretary of Public Relations and Recruitment
9. The Secretary of Sustainability
10. The Secretary of Veterans Affairs

## **Chapter 5** Cabinet Appointment

**Section 1** The President shall, within thirty (30) calendar days of taking office, submit to the Senate one (1) named representative for each of the Cabinet post appointments.

**Section 2** If the President shall have failed to submit to the Senate one (1) named representative for each appointments to the Cabinet within thirty (30) calendar days of taking office, the Senate shall be empowered to appoint and confirm the Executive Cabinet upon a majority vote of its membership in attendance at a scheduled meeting, provided the President shall not have acted by the convention of said meeting. If such an appointment and confirmation is made by the Senate, the President cannot remove the Executive Cabinet member unless through a Senate motion.

**Section 3** If the Senate shall not have acted to confirm or deny a Cabinet appointment of the President within thirty (30) calendar days of receipt of said appointment, the Senate shall surrender its confirmation right.

**Section 4** If the Senate shall have voted to deny a Cabinet appointment, the President shall submit a second named representative to the Senate within ten (10) calendar days.

**Section 4** If the Secretary of Finance does not appoint an SGA Auditor or SGA Treasurer within 30 days of taking office, the President shall have the power to appoint these positions directly. If after another 30 days the President or the Secretary of Finance does not appoint these positions, the power shall transfer to the Senate in the process stated in Title III, Chapter 5 Sections 1-4.

## **Chapter 6**

### Term and Installation of Cabinet Members

**Section 1** Cabinet members shall serve for the period of calendar time from her/his confirmation to April 1.

**Section 2** The Cabinet shall, upon taking office, be administered the following affirmation by the SGA Chief Justice before the Senate membership:

1. "I do affirm to faithfully execute the office of Executive Cabinet Member and support the Constitution and By-laws of the Student Government Association"

## **Chapter 7**

### Cabinet Vacancies

**Section 1** If a vacancy shall occur in a Cabinet post, the President shall, within thirty (30) calendar days of said vacancy, submit to the Senate, one (1) named representative for the Cabinet post vacated.

**Section 2** If the President shall have failed to submit to the Senate one (1) named representative for the Cabinet post vacated within thirty (30) calendar days of the vacancy, the Senate shall be empowered to appoint and confirm one named representative to the vacated Cabinet post, upon a majority vote of its voting membership in attendance at a scheduled meeting, provided the President shall not have acted by the convention of said meeting.

**Section 3** If the Senate shall not have acted to confirm a Cabinet appointment of the President within fifteen (15) calendar days of receipt of said appointment, the Senate shall surrender its confirmation right.

**Section 4** If the Senate shall have voted to deny a Cabinet appointment, the President shall submit a second named representative to the Senate within ten (10) calendar days.

**Section 5** If the vacancy shall have occurred on or after March 1, the President shall submit to the Senate one (1) named representative for the Cabinet post vacated at her/his discretion, and the Senate shall act accordingly.

**Section 6** If a vacancy shall appear in a cabinet post or the President as chosen not to fill a position, the President shall inform the Senate of said vacancy.

## **Chapter 8**

### Responsibilities of the Cabinet

**Section 1** The Cabinet Members shall hold the responsibilities defined herein:

1. S/he shall be directly responsible for the effective implementation and execution of Acts of the SGA relevant to her/his administrative area.
2. S/he shall be responsible for representing the President's sentiments on matters relevant to her/his administrative area.
3. S/he shall be directly responsible for the execution of all tasks prescribed for her/his administrative area by the Constitution of the SGA, the By-laws of the SGA, Acts of the SGA, or the President.
4. S/he shall be responsible for submitting to the President and Senate, a written or verbal report on the activities and functions of her/his administrative area no less than once every calendar month. In addition, any Senator may request a written or verbal report at any time.
5. S/he shall serve as an ex-officio member of the Senate

## **Chapter 9**

### The Secretary of Finance

#### **Section 1**      The Secretary of Finance shall:

1. The Secretary of Finance is responsible for ensuring compliance of RSO groups with the financial policies of the SGA. S/he is responsible for the keeping of accurate financial records and is responsible for ensuring that all RSO accounts are in order. S/he shall ensure that all agencies, area governments, and student businesses are financially solvent. The Secretary of Finance will represent the SGA president and advocate student empowerment at all times.
2. The Secretary of Finance shall be responsible for appointing and giving direction to the SGA auditor who shall assist the Secretary of Finance in systematically auditing accounts
3. The Secretary of Finance shall be accountable to the SGA president, and shall receive his/her direction from him/her.
4. The Secretary of Finance shall also schedule weekly meetings with the Business Manager of Student Activities Center, and with his/her consultations develop policy that addresses RSO financial issues. The Secretary of Finance shall also schedule weekly meetings with the Business Manager of The Center for Student Development (CSD) to review RSO discrepancies and to develop policy that addresses RSO financial issues.
5. The Secretary of Finance shall serve as a mechanism for RSO financial support; s/he is responsible for long-term and short-term analysis of the SATF. S/he shall maintain records, and be abreast of issues including but not limited to: Administrative

Overhead recharge policy, Copyright deficit/charges for Registered Student Organizations, Tix Unlimited responsibilities and procedures, and SATF allocation.

6. Tasks of the Secretary of Finance including but not limited to:

- A. Managing Budgets of
    - I. Senate Operations
    - II. SGA Revenue Gifts account
    - III. SGA Stabilization account
  - B. Advising Ways & Means, and Financial Chair on financial issues its surface during the course of his/her term.
  - C. Oversight of S-1 Budget spending to
    - I. Signing off on fee account transfers
    - II. Reviewing unusual expenditures for appropriateness
    - III. Setting in conjunction with Student Activities Center, year-end spending guidelines for Registered Student Organizations, and Area Governments.
  - D. Managing SGA fund-raising efforts
  - E. Evaluating expenses of the Student Activities Trust Fund
    - I. The Secretary of Finance will have the authority to appoint an auditor.
      - a. The auditor shall assist the Secretary of Finance in systematically auditing accounts.
    - II. The Secretary of Finance will have the authority to freeze student group accounts on the SATF
      - a. The Secretary of Finance must keep abreast of groups spending and be aware if any RSO has a deficit in either of their accounts. This information is available from the Business department of Student Activities Center.
      - b. The Secretary of Finance will advise be RSO 15 days prior to suspension, s/he will also advise Student Activities Center at least 15 days prior.
      - c. Group suspension must be put in writing, and the Secretary of Finance will be responsible for maintaining a record of all suspensions and notices.
6. Secretary of Finance shall hold Signature Responsibility as defined by the University system.
7. The monthly report shall include a summary expenditure of the SGA Operations account (fee and revenue)

8. The Secretary of Finance will have the authority to appoint an SGA Treasurer. The SGA Treasurer shall initiate and develop fund-raising efforts for the SGA Operations account. All such revenues are to aid in the execution of business for the SGA. The SGA Treasurer shall also assist in the oversight of spending and running balances on all SGA accounts, which shall include:

- A. The SGA Operations account (fee and revenue)
- B. The campaign fund
- C. Finance Reserves
- D. Capitalization and equipment fund
- E. Senate operations
- F. Short-term stabilization funds
- G. SGA Readership Program
- H. New Group Reserve
- I. SGA Spring Event Reserve
- J. Programming Board
- K. OAA Reserves

## **Chapter 10**

### The Secretary of the Registry

**Section 1**     The Secretary of the Registry shall:

1. Act to effectively implement Title VII of the By-laws of the SGA.
2. Be empowered to suspend the Charter of an RSO or agency which is in violation of the Constitution of the SGA, the By-laws of the SGA, or an Act of the SGA.
3. Act as the President's liaison to Registered Student Organizations and the Student Activities Center.
4. Provide the Secretary of Web Management a regularly updated list of events sponsored by RSOs and Agencies to be listed online.
5. Coordinate with the RSOs and Agencies to work effectively together.
6. Be directly responsible for the official Registered Student Organization records of the SGA including, but not limited to, the Charters of Registered Student Organizations.

7. Make all charters of RSOs publically available through the SGA website and upon request.
8. Be an ex-officio member of The Student and Academic Affairs Committee and the Administrative Affairs Committee and shall assist the said committees with research and development of legislation.
9. Maintain the official University roster of SGA members.
10. The monthly report shall include RSO and Agency events.

## **Chapter 11**

### The Attorney General

#### **Section 1**      The Attorney General shall:

1. Act to effectively implement Title III of the By-laws of the SGA.
2. Act, in conjunction and consultation with the Directing Attorney of Student Legal Services Office, as the chief legal counsel to the SGA. The Attorney General shall be responsible for meeting with the Directing Attorney of Student Legal Services on a monthly basis, at least.
3. Act as the President's liaison to the Student Judiciary, the Dean of Students Office, and the University Judicial System.
4. File charges with the Dean of Student's office for violations of the Code of Student Conduct relevant to the Constitution of the SGA, the By-laws of the SGA or Acts of the SGA.
5. Be directly responsible for the official judicial records of the SGA including, but not limited to, the Constitution of the SGA, the By-laws of the SGA, Acts of the SGA, and Student Judiciary Majority Rulings.
6. Supervise and coordinate the Judicial Advisors Program, as defined by the University.
7. Be an ex-officio member of the Senate Administrative Affairs Committee, and shall assist said committee in the research and development of legislation.

8. Be an ex-officio member of the Senate Administrative Affairs Committee Rules and Ethics Sub-Committee, and shall assist said sub-committee in the research and development of legislation.
9. Act as a member of the Student Legal Services Office Advisory Committee.
10. Be directly responsible for the official records and correspondence of the SGA not otherwise provided for by the bylaws of the SGA.
11. The Attorney General is required to have met with Student Legal Services once every 30 days, or he/she shall have resigned by non-action.

**Section 2** The Attorney General may elect to represent any person(s) before the Student Judiciary.

**Chapter 12**  
**- Entire Chapter Removed effective March 2012**  
 The Chief of Staff

**Section 1** The Chief of Staff shall:

1. Be the head of the Cabinet and the Executive branch when the President is not in attendance.
2. Be empowered to act for the President as her/his official representative in all capacities, with the exception of signing or vetoing legislation, so long as the President has given prior consent to his/her actions. The Chief of Staff shall also be empowered to delegate responsibility to any member of the Executive branch.
3. Assist the Speaker of the Senate's transition into the office of the President, should the President not be able to fulfill his/her term, as provided for in the Constitution.
4. Act as the President's liaison before agencies outside of the University.
5. Be directly responsible for the daily operations of the offices of the SGA.
6. Coordinate and supervise SGA administrative/clerical support and staff.
7. Coordinate presidential appointments, with the exception of Cabinet and Student Judiciary appointments.
8. Act as the President's liaison to the Area Governments.
9. Act to effectively execute Title V of the By-Laws of the SGA.

## **Chapter 13**

### The Secretary of University Policy and External Affairs

**Section 1** The Secretary of University Policy and External Affairs shall:

1. Act as the President's liaison to the Faculty Senate.
2. Be an ex-officio member of the Senate Student and Academic Affairs Committee, and shall assist said committee in the research and development of legislation.
3. Continuously develop recommendations to the Senate, President, and UMASS Administration on University Policy
4. Act as the President's liaison to the town of Amherst.
5. Act as the President's liaison to the Commonwealth of Massachusetts.
6. Act as the President's liaison to the Government of the United States.
7. Act primarily as the President's bureaucratic liaison to the agencies of the Executive Branch prescribed herein:
  - A. The Center for Student Business
  - B. Commuter Services and Housing Resource Center
  - C. Center for Educational Policy and Advocacy
  - D. Union Video Center
  - E. WMUA
  - F. University Productions and Concerts
  - G. Distinguished Visitors Program
  - H. Student Bridges

## **Chapter 14**

### The Secretary of Diversity Issues

**Section 1** The Secretary of Diversity Issues shall:

1. S/he shall be directly responsible for advocating on behalf of a diverse student representative governance body. Diverse student representative, for the purposes of this position, shall be defined as working with the following groups:
  - a) The ALANA Caucus, OPSAS, and other groups representing students of typically underrepresented students.
  - b) The UMASS Greek Community including all the sororities and fraternities, the Interfraternal Greek Council, the Multicultural Greek Council, Pan-Hellanic Council and the National Pan-Hellanic Council
  - c) The RSOs and other organizations widely used by the UMASS community, of a religious nature.

- d) The students identified as disabled by Disabilities Services and be the liaison to that office.
2. S/he shall be responsible for convening a campus-wide Diversity Roundtable that shall meet no less than one (1) time per academic month to discuss campus wide diversity issues.
3. S/he shall be responsible for advocating and supporting all appropriate Acts and Resolutions of the Student Government Association relative to diversity.
4. Work with the Chief of Staff (replaced with Vice President effective March 2012) , the Speaker, and Associate Speaker to promote Fall Senate elections to diverse campus populations.
5. S/he shall be responsible for obtaining and distributing information regarding outlets of diversity on campus upon request.

### **Chapter 15**

#### The Secretary of Web Management

**Section 1** The Secretary of Web Management shall:

1. Be responsible for updating weekly the official SGA website, as defined in Title 1, chapter 12, of the SGA by-laws.
2. Send out monthly “This Month at Umass” email to all SGA members, announcing event and other relevant information pertaining to Registered Student Organizations, using information that is provided to him/her by RSO members and officers.
3. Train the incoming Secretary of web management to carry out the requisite duties of the position.

### **Chapter 16**

#### The Secretary of Public Relations and Recruitment

**Section 1** The Secretary of Public Relations and Recruitment shall:

1. Act as the President's liaison to the campus media and coordinate the SGA's distribution of information on campus. Furthermore, he/she must deliver bi-weekly press releases about SGA activities to campus news media organizations.
2. Send out a monthly SGA newsletter to the Dean of Students to be forwarded to all SGA members, which highlights significant events and activities in the SGA.
3. Help the Chancellor of Elections market SGA Elections while maintaining viewpoint neutrality in regards to all individual campaigns when acting as Secretary of Public Relations and Recruitment.
4. Actively recruit SGA members to run for Senate prior to the elections.
5. Engage incoming freshman and transfer students during New Student Orientations if possible, and during the semester.
6. Recruit undergraduate students for Faculty Senate councils and committees.
7. Work with RSOs to help plan and organize events that promote a positive UMass image
8. Work with Area Governments, RHA, and any other relevant officials to organize outreach meetings, events and canvassing campaigns in the dorms, DC's, and off-campus living areas for two purposes:
  - a) To get input from and build relationships with students
  - b) To inform and educate students about existing campaigns

## **Chapter 17**

### The Secretary of Sustainability

#### **Section 1**     The Secretary of Sustainability shall:

1. Act as the liaison to the President for students, faculty and administration on all matters pertaining to the environment and offer advice to cabinet members for collaborative projects.
2. Serve as a liaison to the following groups:
  - a. Environmental Performance Advisory Committee (EPAC)
  - b. Any EPAC Subcommittees pertaining to the goals of the current administration
  - c. Student Government Association Environmental Committee (SGAEC)
  - d. Sustainability Coordinator and the Sustainability Initiative
  - e. Eco-Rep
  - f. Any subsequent groups that emerge as leaders in campus sustainability
3. Reach out to other environmentally-related Registered Student Organizations and campus organizations and help to coordinate their efforts with the aforementioned groups.

4. Write legislation pertaining to environmental policy on campus.
5. Research all current initiatives related to campus sustainability.
6. Ensure that student and administrative environmental initiatives are communicated to the student body.

## **Chapter 18** Secretary of Veterans Services

**Section 1:** The Secretary of Veterans Services shall:

1. Act as the liaison of the Student Government and the campus body to the military veteran, reserve, and active-service member population studying, working and visiting the University of Massachusetts, Amherst
2. Work with the University departments and student organizations including Health Services and the campus Veterans Services Office on health, safety, and integration issues that may arise.
3. Work with the university development and admissions office to encourage veteran and active-service enrollment at the university
4. Coordinate with the Air Force and Army Reserve Officer Training Corps on student – soldier training, integration, and assistance
5. Work with Veterans Services and military programs to assist with deployment issues and support
6. Issue a monthly Veterans Newsletter which highlights and discusses the state of and issues related to the veteran student body
7. Obtain and distribute information regarding events, support services, and RSO's which involve veterans on campus upon request

**Section 2** The veterans services office or veteran RSO's shall have ten business days from the President's swearing-in date to submit nominations for the position and the Office of the President shall consider these recommendations when providing nomination for the Secretary of Veterans Services to the Senate.

**TITLE IV**  
**Judicial**

## **Chapter 1**

### The Student Judiciary

**Section 1** The authority of the Student Judiciary shall be vested in seven (7) Justices, appointed and confirmed in a manner prescribed by Article VI, Section 5, Sub-section D, of the Constitution of the SGA, and the By-laws of the SGA.

## **Chapter 2**

### Authority of the Student Judiciary

**Section 1** In addition to the power vested in the Student Judiciary under Article VII, Section 4, of the Constitution of the SGA, the Student Judiciary shall be vested with the powers prescribed herein:

1. *Mandamus* - Here defined as the power to order any agent of the Executive or Legislative Branches of the SGA, or of any agency directly associated with the SGA, or of any candidate for SGA office, to perform a task which, in the Student Judiciary's judgment, is mandated by the Constitution of the SGA, the By-laws of the SGA or Acts of the SGA.
2. *Injunction* - Here defined as the power to order any agent of the Executive or Legislative Branches of the SGA, or of any agency directly associated with the SGA, or of any candidate for SGA office, to cease a practice which, in the Student Judiciary's judgment, is in violation of the Constitution of the SGA, the By-laws of the SGA or Acts of the SGA.

**Section 2** "Contempt" shall be defined here as the failure of any agent of the Executive or Legislative Branches of the SGA, or of any agency directly associated with the SGA, or of any candidate for SGA office, to comply with the orders of the Student Judiciary. The Student Judiciary is further empowered to order the Attorney General to file formal charges against said agent with the Dean of Students.

## **Chapter 3**

### Student Judiciary Appointment

**Section 1** If a vacancy shall occur in a Student Judiciary post, the President shall, within thirty (30) calendar days of said vacancy, submit (1) named representative for the Student Judiciary post vacated.

**Section 2** If the President shall have failed to submit to the Senate one (1) named representative for the Student Judiciary post vacated within thirty (30) calendar days of the vacancy, the Senate shall be empowered to appoint and confirm one named representative to the vacated Student Judiciary post, upon a majority vote of its membership in attendance at a scheduled meeting, provided the President shall not have acted by the convention of said meeting.

**Section 3** If the Senate shall not have acted to confirm a Student Judiciary post appointment of the President within thirty (30) calendar days of receipt of said appointment, the Senate shall surrender its confirmation right.

**Section 4** If the Senate shall have voted to deny a Student Judiciary appointment, the President shall submit a subsequent named representative to the Senate within ten (10) calendar days.

#### **Chapter 4** Installation of Student Judiciary Members

**Section 1** Student Judiciary Justices shall, prior to being installed, consult the Directing Attorney of Student Legal Services or her/his designee.

**Section 2** Student Judiciary Justices shall, upon taking office, be administered the following affirmation by the Speaker before the Senate membership:

1. "I do affirm to faithfully execute the office of Student Judiciary Justice and support the Constitution and By-laws of the Student Government Association."

#### **Chapter 5** Term of the Student Judiciary

**Section 1** All meetings of the Student Judiciary, shall be conducted in a Term of the Student Judiciary, here defined as April 1 to March 31, and herein denoted the Term.

#### **Chapter 6** Convention of the Term

**Section 1** On or before April 15, the Senate shall convene the first meeting of the Student Judiciary Term and the Speaker shall preside at said meeting.

**Section 2** If, on or before April 15, the Senate shall have failed to convene the first meeting of the Student Judiciary Term, the President shall convene the first meeting of the Student Judiciary Term, and shall preside at said meeting.

**Section 3** If Title IV, Chapter 6, Section 2 of the By-laws of the SGA shall not have been invoked, the Senate shall convene the first meeting of the Student Judiciary Term and the Speaker shall preside in the manner prescribed herein:

1. The Speaker shall call the meeting to order.
2. The Speaker shall take a roll call to determine if quorum is present.
3. The Speaker shall yield the chair to the Chancellor of Elections, or, in the absence of the Chancellor of Elections, an Elections Commissioner.

**Chapter 7**  
Election of the Chief Justice and Associate Chief Justice

**Section 1** The Chancellor of Elections, upon assuming the chair at the first meeting of the Student Judiciary Term, shall conduct the election of the Chief Justice and Associate Chief Justice of the Student Judiciary in the manner prescribed herein:

1. The Chancellor of Elections shall announce that nominations for Chief Justice of the Student Judiciary are open.
2. The Chancellor of Elections shall record the nominations in the minutes in the order in which they shall have been made and seconded.
3. The Chancellor of Elections shall entertain and record nominations for Chief Justice until a motion shall have been made, seconded and approved by unanimous consent, to close said nominations.
4. Following the closing of nominations for Chief Justice, the Chancellor of Elections shall read, from the minutes, the nominations made and seconded for Chief Justice and shall ask each nominee if the nomination is accepted, If the nominee shall have responded in the negative, the Chancellor of Elections shall strike the nomination from the minutes.
5. The Chancellor of Elections shall then announce that nominations for Associate Chief Justice of the Student Judiciary are open.
6. The Chancellor of Elections shall record the nominations in the minutes in the order in which they shall have been made and seconded.
7. The Chancellor of Elections shall entertain and record nominations for Associate Chief Justice until a motion shall have been made, seconded and approved by unanimous consent to close said nominations.
8. Following the closing of nominations for Associate Chief Justice, the Chancellor of Elections shall read, from the minutes, the nominations made and seconded for Associate Chief Justice and shall ask each nominee if the nomination is accepted. If the nominee shall have responded in the negative, the Chancellor of Elections shall strike the nomination from the minutes.
9. The Chancellor of Elections shall then provide that each nominee, in the order in which their nomination shall have been recorded in the minutes, shall have the opportunity to address the Student Judiciary for no more than five (5) minutes, and entertain questions for no more than five (5) minutes.
10. When each nominee shall have been provided the opportunity to address the Student Judiciary and entertain questions, the Chancellor of Elections shall read again, from the

minutes, all nominations for both offices, in the order in which the nominations shall have been recorded in the minutes.

11. The Chancellor of Elections shall then distribute to each Justice one (1) ballot
12. The Chancellor of Elections shall then direct each Justice to cast, from the list of nominations recorded for each office in the minutes, one (1) vote for Chief Justice of the Student Judiciary above the fold of the ballot, and one (1) vote for Associate Chief Justice of the Student Judiciary, below the fold of the Ballot.
13. Following this direction, and the elapse of five (5) minutes, the Chancellor of elections shall retrieve the ballots in the manner in which they shall have been distributed, and, in the presence of the Student Judiciary, count the ballots.
14. Following the completion of the ballot count, the Chancellor of Elections shall report to the Student Judiciary the complete numerical tabulation of the results, and declare those persons having received the majority of the votes cast, to be elected Chair.
15. The Chancellor of Elections shall then yield the chair to the Chief Justice, and proceed to destroy the ballots at the expiration of twenty-four (24) hours.

**Section 2** No nomination shall be recorded in the minutes which shall not have received a second.

**Section 3** No Justice shall make more than one (1) nomination for each office.

**Section 4** If, after the ballots have been counted by the Chancellor of Elections, no nominee for the office of either Chief Justice or Associate Chief Justice shall have received a majority of the votes cast, the nominee receiving the lowest total for that office shall be eliminated, and the ballots for that office shall be re-cast. The ballots shall continue to be re-cast in this manner until one (1) nominee for each office receives a majority.

**Section 5** The Chief Justice elected in the Term immediately preceding the convening of a Term, shall be eligible to be nominated for either Chief Justice or Associate Chief Justice.

**Section 6** The Associate Chief Justice elected in the Term immediately preceding the convening of a Term, shall be eligible to be nominated for either Chief Justice or Associate Chief Justice.

**Section 7** A Justice may, within twenty-four (24) hours of the election, request a re-count.

**Section 8** No other business shall be conducted by the Student Judiciary in its Term, prior to the election of the Chief Justice and Associate Chief Justice.

## **Chapter 8**

### The Chief Justice

**Section 1** The Chief Justice shall be elected in the manner prescribed by the Title IV, Chapter entitled “Election of the Chief Justice and Associate Chief Justice” of the By-laws of the SGA and shall serve for the Term of the Student Judiciary in which s/he shall have been elected.

**Section 2** The Chief Justice, as the chief presiding officer of the Student Judiciary, shall:

1. Chair all meetings and Hearings of the Student Judiciary.
2. Act as the chief spokesperson of the Student Judiciary.
3. Shall decide the outcome of any objection raised. If another justice objects to his/her ruling, the Judiciary shall quickly leave the room and vote on the objection.
4. Take care that Student Judiciary business is conducted in a manner consistent with the SGA Constitution, the By-laws of the SGA, and Acts of the Senate.
5. Swear-in the President, the elected Senate body, the Executive Cabinet, the Area Government Officers and the Elections Commission
6. Execute all other tasks assigned to her/him by the Constitution of the SGA, the By-laws of the SGA, or Acts of the SGA.
7. Shall at the beginning of each semester set a time and weekday for the judiciary to meet if necessary. This time shall need to be agreed upon by a majority of the Justices.

## **Chapter 9**

### The Associate Chief Justice

**Section 1** The Associate Chief Justice shall be elected in the manner prescribed by the Title IV Chapter entitled “Election of the Chief Justice and Associate Chief Justice” of the By-laws of the SGA and shall serve for the Term of the Student Judiciary in which s/he was elected.

**Section 2** The Associate Chief Justice, as the chief clerk of the Student Judiciary, as defined by the Constitution of the SGA, shall:

1. Record the minutes of all Student Judiciary meetings and Hearings.
2. Be responsible for maintaining accurate attendance records, the correspondence of the Student Judiciary, and the permanent records of the Student Judiciary.
3. Act as the chief advisor to the Chief Justice on the rules and procedures of the Student Judiciary.

4. Chair the Student Judiciary in the absence of the Chief Justice or if the chair is yielded.
5. Execute all other tasks assigned to her/him by the Constitution of the SGA, the By-laws of the SGA or Acts of the SGA.
6. Schedule, at least once per term, a training session with the Student Legal Services Office.

**Section 3** If a vacancy shall occur in the office of Associate Chief Justice, the Student Judiciary shall elect, from its membership, an Associate Chief Justice in the manner prescribed by the Title IV Chapter entitled “Election of the Chief Justice and Associate Chief Justice” of the By-laws of the SGA.

### **Chapter 10** Conflict of Interest

**Section 1** No Student Judiciary member shall take part in a case in which s/he shall have, upon the protest of the Petitioner or the Respondent, and/or a majority vote of the Student Judiciary membership in attendance at a scheduled meeting, a vested interest.

### **Chapter 11** Petition for a Ruling

**Section 1** A time-stamped Petition for a Ruling shall be submitted to the Associate Chief Justice of the Student Judiciary and shall contain the information prescribed herein:

1. The specific person(s) submitting a Petition for a Ruling, herein denoted the Petitioner.
2. The specific person(s) to have allegedly violated the Constitution of the SGA, the By-laws of the SGA or Act(s) of the SGA, herein denoted the Respondent.
3. The specific parts of the Constitution of the SGA, the By-laws of the SGA or Act(s) of the SGA allegedly violated.
4. The Manner in which the Constitution of the SGA, the By-laws of the SGA or Act(s) of the SGA, were allegedly violated.

### **Chapter 12** Issuance of a Brief

**Section 1** Upon granting a request for a Judiciary Ruling, the Associate Chief Justice will, in writing, notify both the Petitioner(s) and the Respondent(s) of the hearing to come, identify the Petitioner(s) and the Respondent(s), the specific parts of the Constitution, SGA By-laws or Acts of the SGA allegedly violated, the manner in which they were allegedly violated, and the Statement of Notification of a Hearing. This shall be done within seven (7) days of receiving the Petition for a Ruling.

Section 2 After the notification of the both the Petitioner(s) and the Respondent(s), both parties will have ten (10) days to submit, in writing, a brief to the Judiciary. The brief will include all evidence, statements of factual allegation and legal arguments that will comprise the entirety of the Petitioner(s)'s and Respondent(s)'s opening argument for the case.

Section 3 The writs must be issued, in writing, to the Associate Chief Justice.

Section 4 The Petitioner(s) and/or Respondent(s) may request an extension for the issuance of their brief, which shall be granted by the Judiciary should the party concerned meet one or more of the criteria prescribed herein:

1. Personal Illness
2. Family Illness

a. Requests for extensions will be submitted, in writing, to the Associate Chief Justice at least forty-eight (48) hours before the deadline for the issuance of the brief is set.

Section 5 The Associate Chief Justice will be responsible to provide both the Petitioner(s) and Respondent(s) a copy of the opposing party's brief at least seventy-two (72) hours prior to the time of the Hearing.

### **Chapter 13**

#### Statement of Notification of a Hearing

**Section 1** Within seven (7) calendar days of the receipt of a Petition for a Ruling, the Associate Chief Justice shall issue to the Petitioner, the Respondent, the President, the Senate, the Attorney General, and the Directing Attorney of Student Legal Services, Statement of Notification, which shall contain the information prescribed herein:

1. The information prescribed in the Title IV Chapter entitled "Petition for a Ruling" of the By-laws of the SGA.
2. The date, time and location of the Hearing.
3. The office hours of the Attorney General and Student Legal Services Office.
4. A certified copy of Title IV of the By-laws of the SGA.

### **Chapter 14**

#### The Hearing Date

**Section 1** The Hearing date shall be set on a day after the deadline for the issuance of writs, but not more than thirty (30) days from the deadline.

**Section 2** The Chief Justice shall honor a written request from the Petitioner or the Respondent for a change in the Hearing date, time or location, if the Petitioner or the Respondent meets one or more of the conditions prescribed herein:

1. Personal illness
2. Family illness
3. Two (2) hour exams are scheduled for the day immediately following the Hearing.
4. Required class meeting or other scholastic duty.

**Section 3** If the earlier sections of this Chapter shall have been invoked, and the Hearing date shall have been adjusted, the second Hearing date shall be set on a day no more than fourteen (14) calendar days from the initial Hearing date.

### **Chapter 15**

#### Proceedings before the Student Judiciary

**Section 1** Proceedings before the Student Judiciary shall be two-fold: the Hearing, and the Deliberative Session.

### **Chapter 16**

#### The Hearing

**Section 1** Student Judiciary Hearings shall be conducted in the manner prescribed herein:

1. The Chief Justice, or, in the absence of the Chief Justice, the Associate Chief Justice shall convene the Hearing in the manner prescribed herein:
  - A. "Under the Authority granted it by the Constitution of the Student Government Association, the Student Judiciary is assembled here today to hear the case of (Petitioner) vs. (Respondent).
2. The Chief Justice shall proceed to explain the procedures of a Hearing and entertain questions on same.
3. The Petitioner(s) may briefly expand upon or clarify their argument presented in their brief. The Chief Justice will have the authority to unilaterally limit the duration of the Petitioner's remarks. If any Justice challenges the CJ's ruling the judiciary shall vote on the ruling.
4. The Respondent shall question the Petitioner
5. The Petitioner shall present and question her/his witnesses.

6. The Respondent shall question the Petitioner's witnesses.
7. The Respondent(s) may briefly expand upon or clarify their argument presented in their brief. The Chief Justice will have the authority to limit the duration of the Respondent's remarks.
8. The Petitioner shall question the Respondent
9. The Respondent shall present and question her/his witnesses.
10. The Petitioner shall question the Respondent's witnesses.
11. The Respondent shall briefly present her/his closing argument.
12. The Petitioner shall briefly present her/his closing argument.
13. The Chief Justice shall announce the procedure for appeals.
14. The Chief Justice shall adjourn the Hearing.

**Section 2** If a Hearing shall have been adjourned to due lack of quorum, a second Hearing shall be scheduled.

**Section 3** If the Petitioner shall have been absent at the time a Hearing shall have been convened, the Petition for a Ruling shall be withdrawn.

**Section 4** If the Respondent shall have been absent at the time a Hearing shall have been convened, the Hearing shall proceed in the absence of the Respondent.

**Section 5** No Petition for a Ruling withdrawn because of a Petitioner's absence from a Hearing shall be re-submitted.

**Section 6** The Student Judiciary shall reserve the right to question any person at anytime during the conduct of a Hearing.

**Section 7** The Chief Justice may, for improper conduct, or for failure to obey the instructions of the Student Judiciary, expel a person from a Hearing.

**Section 8** If the Petitioner shall have been expelled during the course of a Hearing, the Petition for a Ruling shall be withdrawn.

**Section 9** If the Respondent shall have been expelled during the course of a Hearing, the Hearing shall proceed in the absence of the Respondent.

**Section 10** The Petitioner, the Respondent and any Justice may request and shall be granted a recess for a period of time which shall not exceed sixty (60) minutes.

**Section 11** The Chief Justice, upon request, may call a recess for a period of time which shall not exceed seventy-two hours.

**Section 12** All Student Judiciary Hearings shall be tape recorded and the Associate Chief Justice shall maintain copies of said recordings in the permanent records of the Student Judiciary. Further, copies of tape recordings shall be maintained in the Student Legal Services Office.

## **Chapter 17** Deliberative Sessions

**Section 1** Following the adjournment of a Hearing, the Student Judiciary shall set a time, place and location for its Deliberative Session, which shall be no more than thirty (30) calendar days from the date of the Hearing.

**Section 2** The minutes of a Student Judiciary Hearing shall be made available to the entire membership of the Student Judiciary at the Deliberative Session for that Hearing.

**Section 3** No Justice, who shall have been absent from a Hearing, shall attend the Deliberative Session directly relating to the Hearing from which s/he was absent.

**Section 4** The Directing Attorney of the Student Legal Services, or her/his designee shall be present at all Deliberative Sessions of the Student Judiciary.

**Section 5** The proceedings votes taken of and at a Deliberative Session shall be closed and held in confidence at all times.

**Section 6** The Student Judiciary shall, by a majority vote of its membership in attendance at a Deliberative Session, and based upon a preponderance of the evidence, issue a written Majority Ruling.

**Section 7** If the Student Judiciary shall be unable to reach a Majority Ruling the Student Judiciary shall allow the action of the Respondent to stand.

## **Chapter 18** Majority Rulings

**Section 1** The Majority Ruling of the Student Judiciary shall be based only upon evidence or testimony introduced at a Hearing or in the submitted brief.

**Section 2** If the Chief Justice is in the voting majority, s/he will designate the Justice responsible for authoring the Majority Ruling. If the Chief Justice is in the voting minority, the ranking member of the majority will designate the responsibility for authoring the majority ruling. In both instances, the delegating Justice will select only from those Justices in the

majority. The ranking member shall be defined as the Justice with the longest tenure on the student Judiciary.

a. If a ranking member cannot be discerned, the majority will collectively come to a consensus as to who should author the Majority Ruling.

**Section 3** The Associate Chief Justice shall issue the written Majority Ruling no more than fourteen (14) calendar days from the date of the Deliberative Session, and shall provide the Petitioner and the Respondent with certified copies of same, which shall include the information prescribed herein:

1. The name of the Petitioner.
2. The name of the Respondent.
3. A summary of the evidence presented
4. The Ruling of the Student Judiciary
5. The rationale for the Ruling.
6. The signatures of the Justices having voted on the Ruling.

**Section 4** Additionally, the Associate Chief Justice shall submit one (1) copy of the minutes of all Student Judiciary Hearings and all Majority Ruling decisions of the Student Judiciary to each of the following:

1. The President
2. The Speaker
3. Chief of Staff (replaced with Vice President effective March 2012)
4. The Attorney General
5. The Vice Chancellor for Student Affairs
6. The Directing Attorney, Student Legal Services Office

## **Chapter 19**

### The Burden of Proof

**Section 1** The burden of proving that a Respondent shall have violated the Constitution of the SGA, the By-laws of the SGA or any Act of the SGA shall rest, by a preponderance of the evidence submitted, with the Petitioner.

## **Chapter 20** Rules of Evidence

**Section 1** Only evidence submitted in the brief or during the conduct of a Hearing which has been seen by both the Petitioner(s) and Respondent(s) will be admissible.

The judiciary, upon a majority vote, may allow evidence not previously submitted to be admissible during the hearing upon exigent circumstances.

**Section 2** Only evidence which a witness shall have directly perceived shall be admissible.

**Section 3** Opinion based evidence shall be admissible only in cases in which the facts on which the opinion is based are made known, or the witness is an acknowledged expert.

**Section 4** The Petitioner(s) and Respondent(s) will be permitted to motion to suppress evidence. Approval of this motion will require a majority vote of the Judiciary membership in attendance at a hearing.

**Section 5** Evidence not germane to the case shall not be admissible.

**Section 6** Student judicial records, confidential communication between persons and medical personnel, immediate relatives, judicial advocates, and University staff when acting in a counseling capacity, shall not be admissible, unless the Respondent so permits.

**Section 7** Student Judiciary members may take notice of matters which would be within the general experience of University staff and students.

**Section 8** The Student Judiciary, by a majority vote of its membership in attendance at a Hearing, shall be the sole judge of the relevance and admissibility of evidence.

## **Chapter 21** Witnesses

**Section 1** All persons making statements before the Student Judiciary shall be administered the affirmation prescribed herein by the Chief Justice:

1. "I, (Witness' Name) affirm and recognize that misrepresentation before a University Board is a violation of the Code of Student Conduct, Part II, Section A, Paragraph 7."

**Section 2** In the event a witness, other than the Petitioner and the Respondent, is unable to attend a Hearing in person, said witness may submit a written witness statement.

**Section 3** The Student Judiciary shall give considerably less weight to written witness statements than witness statements submitted in person at a Hearing, during its Deliberative Session.

## **Chapter 22** Judicial Advocates

**Section 1** Either the Petitioner or the Respondent may elect to be represented by a Judicial Advocate who shall not be an attorney.

## **Chapter 23** Appeals

**Section 1** The losing party or parties in a Student Judiciary Majority Ruling may appeal the Majority Ruling, by filing a second Petition for a Ruling with the Associate Chief Justice of the Student Judiciary, provided at least (1) of the conditions prescribed herein is asserted to be present:

1. There shall have existed a procedural error or irregularity which materially affected the Majority Ruling.
2. There shall exist new evidence not previously available which would materially affect the Majority Ruling.
3. The Majority Ruling shall be unsupported by substantial evidence, here defined as evidence that a reasonable mind might accept as adequate to support the Majority Ruling.

**Section 2** The Student Judiciary may, upon receipt of a second Petition for a Ruling, and upon a majority vote of its membership in attendance at a scheduled meeting, declare one of the conditions prescribed in this Chapter to be present and may schedule a second Hearing for the Petition for a Ruling.

## **Chapter 24** Scheduled Meetings

**Section 1** The Judiciary will not meet except to carry out the functions prescribed herein: Hearings, Elections, Training Sessions,, Administrative/Procedural tasks including but not limited to requesting memo's from SLSO and consulting advisers, Deliberative sessions, Convening a term/session, Rule on appeals, and Deliberations of contempt

## **Chapter 25** Failure of Compliance

**Section 1** Should the Judiciary fail to meet any of the aforementioned deadlines enumerated within the By-laws of the SGA, the Senate, by a majority vote of its membership in attendance at a scheduled meeting, shall have the power to summon the Chief Justice to report to the Senate as to why proceedings have not occurred in accordance with the mandated time-table.

**TITLE V**  
**Area Governments & House Councils**

## **Chapter 1**

### Definition – Residence Hall Association

**Section 1** The Residence Hall Association (RHA) is a student representative of the University of Massachusetts Undergraduate Student Government Association.

**Section 2** The RHA and its elected officials will operate within the boundaries and values enumerated within the SGA Constitution and bylaws and the RHA Constitution and bylaws.

## **Chapter 2**

### Structure and Procedure of RHA

**Section 1** The structure of RHA, including that of its executive board and general body, as well as its rules, functions, and procedures, is delineated within the RHA Constitution and bylaws.

**Section 2** All amendments to the RHA Constitution and bylaws must be approved by the Administrative Affairs Committee of the SGA Senate, as well as by the SGA Senate, following approval according to amendment procedures within the RHA Constitution and bylaws.

## **Chapter 3**

### Definition – Area Governments

**Section 1** An Area Government shall be defined as a student representative body, recognized as a subsidiary governmental arm of the SGA, charged with the administration of programming for a residential area.

**Section 2** Each of the following five on-campus residential areas, as defined by the University, also herein denoted as Living Area, shall have an Area Government

1. Southwest Residential Living Area
2. Orchard Hill Residential Living Area
3. Central Residential Living Area
4. Northeast Residential Living Area
5. Sylvan Residential Living Area
6. North Residential Apartments
7. Commuters, here defined as the living area exclusive of those above

**Section 3** There shall be a “Commuter Area Government” which shall encompass all Undergraduate Students not living in areas provided in Section 2.

#### **Chapter 4** Recognition

**Section 1** To be recognized as an Area Government, a residential area shall submit to the Associate Speaker of the Senate a time-stamped proposed Charter that shall provide for at least the following:

1. Four Officers defined herein:

**a. Governor** – Here defined as the chief presiding officer of the Area Government. The Governor shall have Signature Authority.

**b. Lieutenant Governor** – Here defined as the deputy chief presiding the Area Government, and as the liaison to House Councils.

**c. Secretary** – Here defined as the chief clerk and maintainer of permanent records of the Area Government.

**d. Treasurer** – Here defined as the chief financial officer of the Area Government. The Treasurer shall have Signature Authority.

2. Succession of Officers

3. Impeachment and recall of Officers

4. Appointment of Elections Commissioners

5. A Charter amendment process

6. Appointment of Area Government representation to the Residential Committee

a. This applies to on-campus Area Governments only.

7. Appointment of Area Government representation to the Area Government Council

8. Appointment to the Residential Appeals Board

a. This applies to on-campus Area Governments only.

9. Appointments to any other applicable boards and/or committees necessary.

**Section 2** The Senate, upon a two-thirds vote of its membership in attendance at a scheduled meeting, shall grant recognition to an Area Government Charter.

**Section 3** Upon recognition, Area Governments shall enjoy the rights and privileges granted to an Area Government by the Constitution of the SGA, the By-Laws of the SGA, or Acts of the SGA.

**Section 4** If the Senate shall not have acted to recognize or not recognize the proposed Charter of an Area Government within three (3) consecutive Senate meetings upon receipt of the said Charter, the Senate shall surrender its recognition right and the Area Government Charter shall be recognized.

**Section 5** The Senate, upon a two-thirds vote of its membership in attendance at a scheduled meeting, shall review and determine any changes necessary to all Area Government Charters every two (2) years. The charter is to be returned to the said Area Government, which will have two (2) consecutive Senate meetings upon return of said Charter to the Associate Speaker of the Senate. The Senate shall be empowered to renew or not renew the proposed charter of said Area Government.

## **Chapter 5** Officers

**Section 1** The authority of the Area Government shall be vested in the officers.

**Section 2** Officers shall be elected by the constituents of their respective Area Government in a manner prescribed by Title VIII of the By-Laws of the SGA, and shall be full-time undergraduate students enrolled at the University of Massachusetts.

**Section 3** Officers shall be residents of the Living Area in which they shall have been elected.

**Section 4** If an Officer shall have been dislocated from his/her Living Area s/he shall surrender his/her Office.

**Section 5** Area Governors, or their designees, shall be ex-officio members of the Senate.

**Section 6** Area Governors serve on the executive board of the Residence Hall Association.

**Section 7** Area Government Officers may hold other elected or appointed positions, provided same office is below the rank of Executive Cabinet, Senator, or Student Judiciary member except House Council Officer, which an Area Government Officer is prohibited from holding.

**Section 8** Residential Assistants (RA) may hold the position of Area Government Officer at the discretion of the specific Area Government Charter. Residence Life may deny these positions as per the RA Position Description.

**Section 9** Officer shall, upon taking office, be administered the following affirmation by the SGA Chief Justice:

“I do affirm to faithfully execute the office of Area Government Officer and support the Constitution and By-Laws of the Student Government Association.”

## **Chapter 6** Powers

**Section 1** The Area Governments shall be empowered to make general recommendations regarding matters relevant to the educational, political, and social well being of the SGA membership residing in their respective Living Area to the Residence Hall Association (RHA). Said recommendations shall be in accordance with Trustee Document T73-098, as amended.

**Section 2** The Area Government shall be empowered to withdraw their support for any University Policy, official, or board, which, in the judgment of the Area Government, shall be detrimental to the educational, political, or social well being of the SGA members residing in the Area.

## **Chapter 7** Prohibitions

**Section 1** No Area Government shall violate the integrity of the residence halls, or the integrity of the student residence hall rooms, as defined by the University.

**Section 2** Area Governments shall not fund organizations or programs, or perform activities, which are properly the responsibility of the University.

**Section 3** Area Governments shall not allocate funding to any of the following:

1. Organizations or programs whose primary functions are not directly beneficial to their respective residential area.
2. Organizations or programs, which are not primarily initiated, organized, funded, or managed by SGA members.

## **Chapter 8** Rights and Privileges

**Section 1** Area Governments shall have the following rights and privileges:

1. Recognition by the University as a subsidiary arm of the SGA.
2. Access to the use of campus facilities.
3. Ability to receive space and equipment.
4. Financial accounts from the Student Activities Center.

5. Assistance from the Student Activities Center in the way of mail service, program development, financial accounts, and budgeting support. It shall be understood that due to the nature of the Area Governments and their residential locations, that Residence Life shall also be a forum of program development and mail service for on-campus Area Governments.

6. On-campus Area Governments have the privilege of initiating programming ideas and planning with their Residence Life Advisor before contacting The Student Activities Center, again due to the residential nature of on-campus Area Governments.

7. Access to Resource Center computers, equipment, and advising service.

## **Chapter 9** Responsibilities

**Section 1** Area Governments shall have the following responsibilities:

1. Appointment of Elections Commissioners in accordance with Title VIII.

6. To prepare a monthly report all minutes and documents otherwise deemed as public records to the Chief of Staff (replaced with Vice President effective March 2012) and the Assistant Director of RHA

3. To administer programs and expenditures in accordance to guidelines set forth by the Student Activities Center, except in cases where Residence Life is affected by programs. In this case, the Area Government shall notify Student Activities Center of appropriate planning being conducted through Residence Life.

4. To appoint necessary members to the Residential Committee and Residential Appeals Board.

5. To administer House Council elections in accordance with guidelines set forth in Title V.

6. To provide an officer report before the RHA General Body twice a month.

7. To attend bi-weekly RHA meetings.

8. To facilitate, in collaboration with the Residence Hall Association and necessary Housing Officials, the training of House Council Officers.

9. To provide adequate representation at all Coordinating Council meetings in accordance with the Title I Chapter entitled "The Coordinating Council".

10. In addition to the Residence Hall Association, to provide support service to House Councils in the way of advocacy, including but not limited to, the use of copiers, liaison to Student Activities Center and the Student Government Association

## **Chapter 10** House Councils

**Section 1** A House Council shall be defined as a student representative body, charged with the administration of programming, advocacy, and community development for a residence hall or cluster.

## **Chapter 11** Recognition

**Section 1** A House Council shall not be eligible for recognition until the Area Government has completed elections for the House Council for the upcoming term, and the elections shall have been approved and validated through the provisions in Title V, Chapter 16, of the SGA By-Laws.

**Section 2** To be recognized, a House Council must provide a time-stamped House Council Agreement Form, as provided in the Title V Chapter entitled “House Council Agreement Forms” of the SGA By-Laws, to the Chief of Staff (replaced with Vice President effective March 2012) .

**Section 3** An approval by the Chief of Staff (replaced with Vice President effective March 2012) of the House Council Agreement Form, as prescribed in the Title V Chapter entitled “House Council Agreement Forms” shall grant recognition to a House Council.

**Section 4** The Chief of Staff (replaced with Vice President effective March 2012) shall not deny a House Council their recognition if all provisions for recognition have been met. If the Chief of Staff (replaced with Vice President effective March 2012) shall have rejected recognition of a House Council, just cause must be presented and explain the criteria for achieving recognition.

**Section 5** Upon recognition, House Councils shall enjoy the rights and privileges granted to House Councils by the Constitution of the SGA, the By-Laws of the SGA, or Acts of the SGA.

## **Chapter 12** Powers and Prohibitions of House Councils

**Section 1** The House Council shall derive its power from the regulations and guidelines set forth from the Constitution and By-Laws of the Student Government Association.

**Section 2** The House Council shall be empowered to make general recommendations regarding matters relevant to the educational, political, and social well being of the SGA membership residing in their respective residential building(s) to the Residence Hall Association. Said recommendations shall be in accordance with Trustee Document T073-098, as amended.

**Section 3** The House Council shall be empowered to withdraw their support for any University Policy, official, or board, which, in the judgment of the House Council, shall be

detrimental to the educational, political, or social well being of the SGA membership in their residential building(s).

**Section 4** All powers in the House Council shall be vested in the officers.

**Section 5** Resident Assistants may not hold position of House Council Officer.

**Section 6** House Councils shall adhere to the University policies concerning health and safety in the residence halls.

**Section 7** House Councils shall not provide fund organizations or programs, or perform activities, which are properly the responsibility of the University.

**Section 8** House Councils shall not allocate funding to organizations or programs that are not directly beneficial to their respective residence hall(s) or to organizations or programs that are not primarily initiated, organized, funded, or managed by SGA members.

**Section 9** House Councils in violation of Title V or deemed to be in “bad standing” as outlined by the RHA Constitution shall be subject to having their status frozen by the Residence Hall Association, whom shall be the sole entity able to freeze House Councils. In each case, the Residence Hall Association shall follow guidelines set forth the Constitution of the RHA.

**Section 10** The following shall be direct House Council violations subject to 24-hour notice account freezing as stated in the Title V Chapter entitled “Violations of Title V”:

1. If a House Council fails to properly fill vacant positions according to the House Council Charter.
2. If a House Council allocates funding without quorum at a scheduled meeting.
3. If House Council fails to attend three unexcused meetings of their respective Area Government. In such a case, the Area Government shall forward notice of missed meetings to the Residence Hall Association along with minutes of all missed meetings showing everyone who attended the respective meetings.

**Section 11** A House Council may have their accounts frozen by petition from the Area Government to the Residence Hall Association. In such case, an Area Government must forward a request to the Residence Hall Association stating the nature of their request, violations of the House Council meriting accounts being frozen, and a procedure for the re-activation of the respective House Council. The Residence Hall Association shall retain the right to render the final decision.

## **Chapter 13** Rights and Privileges

**Section 1** House Councils shall have the following rights and privileges:

1. Access to the use of all residence hall facilities in which their House Council resides.
2. Ability to reserve space and equipment in residence halls in which their House Council resides.
3. Assistance from Residence Life by means of mail service, financial accounting, and community development.
4. Access to the RSO Resource Room computers, equipment, and advising services.
5. Assistance from the Residence Hall Association in the way of program development, leadership training, and organizational development.

## **Chapter 14** House Council Agreement Forms

**Section 1** House Councils shall commit to the provisions in this Chapter as their official Charter. This Chapter shall serve as the strict rules and guidelines for all House Councils to abide by.

**Section 2** Upon the start of a new House Council term, the Officers of the House Council shall sign a form provided from the Chief of Staff (replaced with Vice President effective March 2012) that affirms the following:

“We, the undersigned officers of the (House Council) do hereby commit to the provisions set forth in Title V, Chapters 9 through 15 and Chapter 17, of the SGA By-Laws of the Constitution of the Student Government Association and the RHA Constitution. We affirm to faithfully execute the position of House Council Officer and support the Constitution and By-Laws of the Student Government Association, the Charter and By-Laws of our respective Area Government, and the Constitution of the RHA.”

**Section 3** The Chief of Staff (replaced with Vice President effective March 2012) shall provide this document on the SGA Web Site or other means of Internet access within ten days of the approval of a House Council election.

**Section 4** House Councils shall not be active until Agreement Forms have been submitted to the Chief of Staff (replaced with Vice President effective March 2012) and approved.

## **Chapter 15** House Council Elections

**Section 1** Area Governments shall have complete responsibility and jurisdiction in the administration of House Council Elections. They shall abide by the provisions set forth in this Chapter. Area Governments shall conduct the election during the fall, on or before the third

Tuesday after classes have started in the fall semester. This shall supersede any elections rule outlined in an Area Government Charter.

**Section 2** If there is no Area Government established when it is necessary to hold House Council elections, the Chief of Staff (replaced with Vice President effective March 2012) may contact the SGA Chancellor of Elections to hold a Special Election. At such a point, the Area Government has lost its right to hold House Council elections for that term.

**Section 3** An Area Government shall hold elections for a House Council that shall represent the residence hall or cluster that it resides in, based on what portion of the cluster the House Council represented the previous year. If an Area Government wishes to have a House Council represent a different proportion of the cluster than it used to for the following year, it shall seek the approval or disapproval of the affected House Councils and the Residence Life Advisor and forward it to the Chief of Staff (replaced with Vice President effective March 2012), whom shall have the final decision in the merging or separating of a House Council. Merging or splitting House Councils cannot be done while House Councils are not in session. Individual House Councils may represent at most one entire cluster.

**Section 4** An Area Government shall only hold elections for the positions of House Council Officers outlined in Article VI of the House Council Charter. If a House Council wishes to have additional officers for election, it must present the request to the Area Government prior to the release of House Council nomination forms, as established in Article VI of the House Council Charter. The Area Government must abide by the request of the House Council in this matter.

**Section 5** Area Governments shall have the following responsibilities in the administration of House Council elections:

1. The production, dissemination, and collection of nomination forms.
2. Proper advertisement of elections, including the distribution of flyers to Cluster Offices at least 2 weeks prior to the date of the election.
3. Nomination forms shall provide the following:
  - A. The printed name, address, student identification number, phone number, and signature of the nominee attesting that s/he shall have accepted the nomination.
  - B. SGA members may take out nomination papers for the office of house council and obtain twenty-five (25) signatures from the residents of their respective residential buildings.
  - C. The date and time nominations shall be closed.
4. The Area Government shall review all nomination forms and determine the validity thereof.
5. The production of ballots for the election.

6. The operation of voting tables.
7. The counting of ballots.
8. Access to Residence Life involvement in the elections in the following manners:
  - A. Assistance in setting up locations for elections
  - B. Assistance from Residence Assistants or Community Leaders in manning election tables.
  - C. Advertising of elections
  - D. Obtaining alpha rosters.
9. Submission to the Chief of Staff (replaced with Vice President effective March 2012) an elections report that shall include, but not be limited to the following:
  - A. The date(s) and time(s) of the nomination process and the election.
  - B. All alpha rosters used in the election cross checked with a highlighter.
  - C. A tabulation of the results of all elections.
  - D. Any discrepancies regarding false ballots, discrepancies between the number of ballots and alpha rosters, and any irregularities in elections results or administration.

**Section 6** The Area Government shall be empowered and required to create an elections committee, which shall aid the Area Government in the facilitation of house council elections. The Area Government shall include the names of any appointments to the Chief of Staff (replaced with Vice President effective March 2012) two (2) days prior to the election. These individuals shall be appointed by the Area Governor, and shall assist the Area Government in all aspects of the house council elections. Said appointments must be undergraduate students enrolled at the University and may not be a candidate in either the race or a campaign worker of any candidate. Each voting station must be manned by at least one elections committee worker.

**Section 7** Area Governors may initiate any referenda on the election ballots.

**Section 8** The Area Government shall deliver an elections report to the Chief of Staff (replaced with Vice President effective March 2012) in no more than three (3) calendar days after said election.

**Section 9** The Chief of Staff (replaced with Vice President effective March 2012) shall have seven (7) calendar days to review and determine the validity of said house council

elections. The Chief of Staff (replaced with Vice President effective March 2012) shall deliver his/her decision to said Area Government, who shall be empowered to post elections results in each residence building in his/her residential area. The Chief of Staff (replaced with Vice President effective March 2012) shall present just cause for denying House Council elections.

**Section 10** Upon recognition, the Area Government shall post, within two (2) days, the results of the election in each representative residence building in said residential area.

**Section 11** If the Chief of Staff (replaced with Vice President effective March 2012) shall have acted to deny said House council elections, the Area Government shall be required to facilitate a second house council election. The Area Government shall retain the right to determine the time and place of said elections, with the exception of the date that elections must be conducted by, which shall be an automatic extension to September 30.

**Section 12** The Chief of Staff (replaced with Vice President effective March 2012) shall provide the Senate or Coordinating Council with an elections report no less than one (1) week after said house council elections. The Chief of Staff (replaced with Vice President effective March 2012) shall also provide, upon request, a written election report to any SGA member or Housing Official.

**Section 13** A person may appeal the decision(s) of the Chief of Staff (replaced with Vice President effective March 2012) or said Area Government by filing a petition for a ruling with the Associate Chief Justice of the Student Judiciary. In such case, the Area Government is not required to host new elections until the ruling has been determined by the Judiciary.

## **Chapter 16**

### Constituent Communication

**Section 1** For the purposes of this Chapter, “primary officer” shall mean Governor, Lt. Governor, Treasurer, and Secretary when referring to Area Governments, and shall mean President, Vice President, Treasurer and Secretary when referring to House Councils.

**Section 2** Each Area Governor shall set a date for a “Back to the People” meeting in coordination with the Residence Hall Association Executive Board and General Body at a desired location within their residence area. For the Commuter Area Government, this shall include the Campus Center, the Student Union, or other designated areas.

**Section 3** Each Area Governor shall arrange, consistent with the Charter of their respective Area Government, to have at least two (2) primary officers of the Area Government and at least one (1) primary officer of the Residence Hall Association attend each “Back to the People” meeting.

## **Chapter 17**

### Violations of Title V

**Section 1** If any House Council shall have failed to meet requirements outlined in the Title V Chapter entitled “Powers and Prohibitions of House Councils” it shall result in action taken by the

Residence Hall Association. If the House Council which has been frozen feels the actions taken against them are unjust or unwarranted, they may then submit a formal appeal to the Chief of Staff (replaced with Vice President effective March 2012) . The Chief of Staff (replaced with Vice President effective March 2012) will then review the appeal and make a recommendation to the RHA on further action. The Chief of Staff (replaced with Vice President effective March 2012) will retain final authority to override the decision of the RHA.

**Section 2** If a House Council is frozen due to bad standing, they can regain good standing by following the procedure outlined in the RHA Constitution. Their account will then be unfrozen.

**Section 3** If a House Council is frozen due to Title V violations, the RHA Executive Board will meet with the President of the House Council to discuss the violation and further action to be taken. Their account status will be unfrozen at the discretion of the RHA Executive Board. In the case that a House Council feels it was treated unfairly, the appeal process in Section 1 may be followed.

**Section 4** If an Area Government or House Council, or any officer of the SGA shall have failed to meet the provisions set forth in Title V, any SGA member may issue a complaint with the Residence Hall Association.

**Section 5** The Student Judiciary shall retain the right to investigate, veto, or overturn any decision by the Residence Hall Association in a manner prescribed in Title IV, Chapter 2, Sections 1 and 2, and Chapter 11.

**TITLE VI**  
**Financial**

## **Chapter 1**

### Authority

**Section 1** Trustee Document T73-098, as amended, University policy, and Title VI of the By-laws of the SGA, shall govern the financial transactions of all Registered Student Organizations, herein denoted RSOs, as well as the financial transactions of any person(s), agency or organization funded in whole or in part by the Student Activities Trust Fund, herein denoted the SATF.

**Section 2** The SGA shall work cooperatively with the Center for Student Development toward the effective implementation of Title VI of the By-laws of the SGA.

**Section 3** All appropriations and disbursements by the SGA shall be in accordance with Title VI of the By-laws of the SGA and duly established University financial and operational policies and Campus procedures.

## **Chapter 2**

### RSO Definition

**Section 1** For the purpose of Title VI of the By-laws of the SGA, unless otherwise specified, the term "RSO" shall refer to all groups having an account within the SATF system.

## **Chapter 3**

### RSO Responsibilities and Financial Solvency

**Section 1** All RSOs shall maintain a state of financial solvency.

**Section 2** RSOs shall maintain permanent financial records.

**Section 3** No financial officer of an RSO shall knowingly authorize payments for which there are insufficient monies.

**Section 4** The SGA shall guarantee the payment of all debts legally incurred by an RSO.

## **Chapter 4**

### Fiscal Year End Balance

**Section 1** At the end of each fiscal year, RSOs which received SATF Fee based appropriations shall return unexpended appropriations to the SATF, which shall be utilized to augment revenue in the next fiscal year.

## **Chapter 5**

### Procurement of Revenue - Student Activities Fee

**Section 1** The SGA shall procure revenue primarily through the Student Activities

Fee levied upon SGA members by the Senate. A recommended increase in the Student Activities Fee of over 7.5% shall require a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and an affirmative vote of the SGA membership through an Action Referendum.

**Section 2** The Student Activities Fee shall be collected each semester by the University and placed in a SATF Clearing Account.

## **Chapter 6** Procurement of Revenue - RSOs

**Section 1** RSO's, in a manner consistent with Title VI of the By-laws of the SGA, University Policy, and State and Federal Law, may generate revenue.

**Section 2** All RSO-generated revenue shall be deposited in the RSO's Revenue Account.

## **Chapter 7** Procurement of Revenue - Supplemental

**Section 1** Revenue generated from re-payments of loans, interest accumulated on certificates of deposit, and full-costing re-charges, as defined by University policy, shall supplement the Student Activities Fee and shall be incorporated into the Annual SGA S-1 Budget Act as such.

## **Chapter 8** Appropriation of Revenue - The Annual SGA S-1 Budget

**Section 1** The Senate shall, through the Annual SGA S-1 Budget Act, provide that at least each of the persons holding the elected or appointed offices prescribed herein, receive a pecuniary benefit for their service:

1. The President
2. The Speaker
3. The Chief Justice
4. The Executive Cabinet
5. The Associate Speaker
6. The Associate Chief Justice
7. The Chancellor of Elections
8. The Chair - Senate Ways and Means Committee

**Section 2** The Senate shall, through the Annual SGA S-1 Budget Act, provide funds for at least each of the line items prescribed herein:

1. Long Term Reserves

- A. These funds shall be carried forward from year to year in a contingency reserve account to ensure the fiscal stability of the SATF, and shall only be accessed in extraordinary circumstances.
- B. Long Term Reserves shall be allocated upon a majority vote of the Ways and Means Committee membership in attendance at a scheduled meeting.

2. Short Term Reserves

- A. These funds shall be budgeted in a stabilization account to cover unforeseen financial obligations of the SGA which may normally occur in the course of a fiscal year and which cannot be met in any other manner.
- B. Short Term Reserves shall be allocated upon a majority vote of the Ways and Means Committee membership in attendance at a scheduled meeting.

3. Short Term RSO Reserves - (Finance Reserves)

- A. Appropriations from Finance Reserves shall be made in the form of either grants or loans by the Finance Committee of the Senate Ways and Means Committees, in a manner prescribed by Title VI, Chapter 11 of the By-laws of the SGA, and shall be appropriated for additional needs which cannot be reasonably met through the budget process.

4. ALANA Caucus Reserves

- A. The reserves of the ALANA Caucus shall be used to supplement programming which may normally occur in the course of a fiscal year, and which cannot be supplemented in any other manner.
- B. Appropriations of more than \$750.00 from the ALANA Caucus Reserves shall require a majority vote of the Senate membership in attendance at a scheduled meeting.
- C. The ALANA Caucus, upon a majority vote at a scheduled meeting, shall have the authority to make appropriations from the ALANA Caucus Reserves which are within the sound and constitutional practices, and are \$750.00 or less. The ALANA Caucus shall formally submit a list of all allocations, along with the meeting minutes associated with those allocations, during the semester to the SGA Secretary of Finance due on the last day of the respective semester.

5. Spring Event Fund

- A. Appropriations from the Spring Event Fund shall be made for Spring Events which are for the greater benefit of the SGA membership.
- B. The Spring Event Fund shall be apportioned in the manner prescribed herein and allocated upon a majority vote of the Senate Ways and Means membership in attendance at a scheduled meeting:
  - 1. Union Productions and Concerts - 40 %
  - 2. Sylvan Area Government - 7.5%
  - 3. Central Area Government - 5%
  - 4. Northeast Area Government - 7.5%
  - 5. Southwest Area Government - 15%
  - 6. Orchard Hill Area Government - 5%
  - 7. Greek Area Government - 5%
  - 8. Commuter Area Government - 5%
  - 9. Other - 10%

6. Campaign Fund

- A. The Campaign Fund shall total at least \$9,422.00 and shall be apportioned in the manner prescribed herein:
  - 1. A minimum of \$3000 shall be apportioned and dispersed among the candidates for SGA office and SGA referenda campaigns, upon a majority vote of the Elections Commission membership in attendance at a scheduled meeting.
  - 2. A minimum of \$3650 shall be apportioned to cover the costs of the SGA elections, including but not limited to the cost of ballots, voting machines, and advertising.
  - 3. A minimum of \$2772 shall be apportioned to cover the payroll costs of the Chancellor of Elections, Elections Commissioners and Elections assistants.

**Section 3** The Senate shall, through the Annual SGA S-1 Budget Act, provide funds for each of the enrollment-based line items prescribed herein:

1. Sylvan Area Government - \$3.00
2. Commuter Area Government - \$3.00
3. Northeast Area Government - \$3.00
4. Southwest Area Government - \$3.00
5. Orchard Hill Area Government - \$3.00
6. Central Area Government - \$3.00
7. North Area Government- \$3.00

**Section 4** The formula for calculating the Area Government enrollment based line items shall be as prescribed herein:

1. The Area Government enrollment based line item multiplied by the average number of SGA members, as determined by the University in the previous academic year.

**Section 5** Title VI, Chapter 8, Sections 3-6 of the By-laws of the SGA shall be amended by a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and a majority vote of the SGA membership through an Action Referendum.

### **Chapter 9**

#### Appropriation of Revenue - The Senate Ways and Means Committee

**Section 1** Any RSO may petition for a budget appropriation from the SATF, under the guidelines set forth by the Ways and Means Committee.

**Section 2** The Senate Ways and Means Committee, herein denoted the Committee, shall make known its deadlines at a sufficiently early date to provide petitioning RSOs with a reasonable degree of calendar time to complete their budget appropriation request.

1. No RSO shall receive appropriations from the annual SGA S-1 Budget if that RSO did not petition for a budget appropriation through the annual budget process.

**Section 3** The Committee shall require information from the petitioning RSO which shall include but may not be limited to the information prescribed herein:

1. The petitioning RSO's expenses and revenues in the present fiscal year, and the projected expenses and revenues for the remainder of the current fiscal year, as well as the RSO's projected fiscal year end balance.
2. The petitioning RSO's revenues and expenses for the previous fiscal year.

3. The petitioning RSO's projected revenues and expenses for the next fiscal year.
4. The petitioning RSO's mission statement, goals, and objectives.

**Section 4** All petitioning RSOs who shall have met the deadlines and guidelines established by a majority vote of the Ways and Means Committee membership in attendance at a scheduled meeting, shall be entitled to a hearing before the Committee.

**Section 5** The Secretary of Finance shall be responsible for publicizing a schedule of hearings for all petitioning RSOs.

**Section 6** The committee shall hear all petitions, determine eligibility for budget appropriations, and make recommendations on the level and composition of budget appropriations to the Senate.

**Section 7** No RSO shall receive appropriations from in the Annual SGA S-1 Budget Act which shall not be in a state of financial solvency at the time the Annual SGA S-1 Budget Act shall have passed.

**Section 8** On or before the last scheduled meeting of the Senate in April, the committee shall compile its final recommendations and submit it to the Senate, upon a majority vote of its membership in attendance at a scheduled meeting, as the proposed Annual SGA S-1 Budget Act.

**Section 9** The proposed Annual SGA S-1 Budget Act shall contain a complete breakdown, by account number and object code, of recommended allocations.

**Section 10** The proposed Annual SGA S-1 Budget Act shall be placed on the agenda for the first scheduled Senate meeting of May, and shall appear as a Special Order.

**Section 11** All petitioning RSOs shall be notified of the Ways and Means Committee's recommendations prior to the Proposed Annual SGA S-1 Budget Act being submitted to the Senate.

**Section 12** Upon a majority vote of the Senate membership in attendance at a scheduled meeting, the proposed Annual SGA S-1 Budget Act shall become an Act of the SGA.

**Section 13** The Senate shall pass the Annual SGA S-1 Budget Act in the Regular Period.

## **Chapter 10**

### Appropriation of Revenue - The Finance Committee

**Section 1** RSO's, including Area Governments and Agencies but with the exception of Student Businesses, as defined by Title VII of the By-laws of the SGA, may, within seven (7) calendar days prior to a scheduled meeting of the Finance Committee, petition the Finance Committee, herein denoted the Committee, for an appropriation from the Finance Reserves.

**Section 2** The Committee shall require information from the petitioning RSO which shall include, but may not be limited to, the information prescribed herein:

1. The RSO's financial posture
2. The event, item, or project for which the RSO is petitioning for an appropriation.

**Section 3** All petitioning RSOs shall be entitled to a hearing before the Committee.

**Section 4** The Committee shall hear all petitions, determine eligibility for Finance Reserves appropriations and shall be empowered to appropriate grants or loans of up to and including \$750.00.

**Section 5** Petitions for over \$750.00 shall be submitted to the Senate, with the Committee's recommendation, in the form of a Main Motion, forty-eight (48) hours in advance of the next scheduled Senate meeting, and the petitioner(s) shall be notified of such.

**Section 6** Petitions for appropriations from the Finance Reserves shall be evaluated by uniform criteria which shall include, but may not be limited to, those prescribed herein:

1. Community Enrichment
2. Organizational Development
3. Number of persons expected to derive benefit from the event, item or project.
4. The appropriation could not be reasonably met through the Annual SGA S-1 Budget Act.

**Section 7** Finance Reserves appropriations which shall have been denied may be appealed to the Senate through the Committee Chair.

## **Chapter 11** Conflict of Interest

**Section 1** No Senate Ways and Means Committee or Finance Committee member shall take part in a vote in which s/he shall have, as determined by the Committees upon the majority vote of the Committee membership in attendance at a scheduled meeting, a vested interest.

## **Chapter 12** Violations of Title VI of the By-laws of the SGA

**Section 1** Failure to comply with the provisions set forth in Title VI of the By-laws of the SGA may result in the suspension of the Charter of the offending RSO.

**Section 2** An RSO which shall have had its Charter suspended under this Chapter of the By-laws of the SGA, shall not have their Charter reinstated until the leadership of said RSO meets

with the Secretary of Finance, the Secretary of the Registry, and the Business Manager of SAC, to review and rectify their financial situation.

**Title VII**  
**Established Student Organizations**

## Chapter 1

### Definitions of an Established Student Organization

**Section 1** The following classifications of Established Student Organizations (ESOs) shall be administered:

1. “Agency” shall be defined as a co-curricular organization operating under the guidance and supervision of a full time staff member, faculty member, or Graduate Student Assistant paid out of the Student Activities Trust Fund, serving students as either an advocacy or activities organization.
2. “Subsidiary Governance Body” shall be defined as an extension of the Student Government Association charged with specific student governance tasks.
3. “Registered Student Organization” (RSO) shall be defined as an ESO consisting of mostly undergraduate students with full ESO rights and responsibilities, as defined in the By-Laws of the SGA.
4. “Student Business” shall be defined as an ESO which is established and operated by undergraduate students of the University of Massachusetts at Amherst. Student Businesses shall provide goods/services to the entire University community, as well as, educational and employment opportunities to the undergraduate students of the University.

**Section 2** Membership of any kind cannot be denied on the basis of race, ethnicity, gender, religion, sexual orientation, marital status, disability, age, academic status, veteran status, unless such practices are deemed to be within the bounds of Federal and/or State law.

**Section 3** An ESO must be governed by democratically elected fee-paying undergraduate students.

## Chapter 2

### Freedom of Speech

**Section 1** All Established Student Organizations are recognized to have freedom of speech, which cannot be limited or restricted by any officer or body of the Student

Government Association. An ESO's political affiliation or speech is not relevant to any proceeding conducted by the Student Government Association. No officer of the Student Government Association shall use an ESO's political speech or affiliation as reason to deny or limit space or funding.

### **Chapter 3**

#### Rights and Privileges

**Section 1** All ESO's shall have the following rights and privileges:

1. Recognition by the University or Massachusetts as an officially recognized Established Student Organization.
2. Access to the use, of campus facilities, both indoor and outdoor.
3. The waiver or discount of designated fees for the use of various University facilities services.
4. Ability to reserve space and equipment on campus with special rates and privileges.
5. Ability to apply for a space allocation to whatever body is recognized by the SGA to allocate space.
6. The waiving of Massachusetts State sales tax on ESO purchases.
7. Free access to tables on the Campus Center Concourse for informational and fund raising purposes.
8. Assistance from the Student Activities Center in the way of mail and telephone service, scheduling space, program development, leadership training and organizational development, financial accounts and budgeting support.
9. Legal Assistance from the Student Legal Services Office.

10. Any ESO shall be recognized to have freedom of press and shall not be penalized or subject to penalty due to the subject matter expressed within their medium, with the exception of slander and intentional misrepresentation of SGA members or organizations.

## **Chapter 4**

### Nonprofit Status

**Section 1** All ESOs will be structured and operated "not for profit" according to University policies and procedures, including, but not limited to, the Policy for Management of University Funds, and the following:

1. No ESO will have as part of its official or unofficial purposes, functions enabling members of the ESO to profit financially from its activities, either directly or indirectly except as approved by the student employment office.
2. Funds outside SATF appropriations will be applied to the purpose of the ESO.
3. All equipment purchased with SATF funding is the property of the SGA and is subject to all SGA, University, State, and Federal inventory procedures and audits.
2. In the event of suspension or withdrawal, all property purchased by the ESO shall be placed under the direct control of Secretary of Finance.

## **Chapter 5**

### Grievance Procedures

**Section 1** If a grievance shall arise between ESOs, to include the SGA, parties shall have the right to file a petition with the Student Judiciary.

1. The decision of the Student Judiciary shall be final unless the Judiciary suspends action due to an upcoming appeal.
2. Failure to enact the Student Judiciary's decision shall result in automatic suspension of ESO status until such time as the remedy is enacted.
3. In the event that the Media ESO shall be petitioned or petition another ESO, the Student Judiciary shall show deference to precedence established by the Federal Courts and/or the Courts of the Commonwealth of Massachusetts.

## **Chapter 6**

### Agencies

**Section 1** An agency is a co-curricular organization formally recognized by the Student Government Association and established for the purpose of serving the student population at the University of Massachusetts at Amherst.

1. An agency must adhere to the charter under which it was created, unless amended through the procedures established in Title VII.
2. An agency must work to benefit all students, unless established to serve a specific population at the University.
3. All agencies must adhere to the Equal Opportunity Policy of the University of Massachusetts at Amherst.

**Section 2** The following and only the following are agencies listed with the Student Government Association:

- 1 Center for Educational Policy and Advocacy
- 2 Student Legal Services Office
3. The Center for Student Businesses
4. Commuter Services and Housing Resource Center
5. Union Video Center
6. WMUA
7. The Massachusetts Daily Collegian
8. The Student Union Craft Center
9. Distinguished Visitors Program
10. University Productions and Concerts
11. Student Bridges

**Section 3** Groups wishing to be established as an Agency shall adhere to the following guidelines for Agency Application:

1. An Agency shall receive an application from the Speaker of the Senate which shall include, but not be limited to, the creation of a Charter with the following minimum requirements:
  - A. The name of the Agency

- B. The mission of the Agency
  - C. Daily operational policies and procedures
  - D. The non-student, permanent staff person(s) relationship to the Agency and their decision making responsibilities, if applicable
  - E. The method in which proposed amendments to the Charter are made before being submitted to the SGA for approval, as outlined in the By-Laws of the SGA.
  - F. A complete budget for the Agency desired, to include, if applicable:
    - i. Salary cost for permanent staff
    - ii. Rate of pay for part-time or student staff
    - iii. Travel cost
    - iv. Cost of equipment
    - v. Cost of office supplies and miscellaneous items
2. The Speaker of the Senate shall review the application to ensure it is in compliance with the SGA Constitution and by-laws. If the application fails to comply, the Speaker of the Senate shall issue a letter to the organization explaining the decision to deny the application.
  3. If the application complies with the SGA Constitution and by-laws, the Speaker of the Senate shall write a motion for the passing of the charter and the creation of the Agency.
    - A. The motion shall be placed on the agenda for a Senate meeting during regular session as a Special Order.
    - B. The motion shall require two-thirds (2/3) majority to pass.
    - C. Upon passage of the motion, the Agency shall become officially recognized by the Student Government Association and have all rights and privileges afforded an Agency.
  4. If a motion to create an Agency fails to receive a two-thirds (2/3) vote, another motion with the purpose of creating the same Agency cannot be put before the Senate until one (1) year after the initial failure.
  5. All agencies previously approved by the SGA shall be deemed recognized under this act.

**Section 4** Agencies wishing to amend their Charter shall do so in the following manner:

1. The proposal shall be approved internally through the amendment procedures in the Agency's charter.
2. Upon receiving a positive recommendation from the Agency's internal procedures, the amendment shall be presented to the Administrative Affairs committee of the Senate for a recommendation.
3. Upon receiving a recommendation from the Administrative Affairs committee, the amendment shall be presented to the Senate and shall require a majority vote.

**Section 5** Agencies will be dissolved in the following manner:

1. A motion will be made in the Senate to dissolve a given Agency.
2. Upon a two-thirds (2/3) majority vote of the senate the matter will be turned over to the Rules and Ethics Sub-Committee.
3. The Rules and Ethics Sub-Committee will research the case and make a report to the senate within twenty (20) business days.
4. After reviewing the report, a three-quarters (3/4) majority vote of the Senate will dissolve the Agency.

## **Chapter 7** Subsidiary Governance Bodies

**Section 1** Charters of Subsidiary Governance Bodies shall be recognized in the manner prescribed herein, unless otherwise provided for in the Constitution and By-Laws of the SGA:

1. The Administrative Affairs Committee shall review any charter for a Subsidiary Governance Body and make a recommendation.
2. Upon receiving a recommendation from the Administrative Affairs Committee, the Senate shall grant recognition to a Subsidiary Governance Body upon receiving a two-thirds (2/3) vote.

**Section 2** Subsidiary Governance Bodies shall include the following in their charter:

1. The method and frequency for review of the organization by the Student Government Association.
2. The process for amending the charter of the Subsidiary Governance Body.

3. The specific function that the body will be established for, unless otherwise provided for in the Constitution or By-Laws of the SGA.

**Section 3** Recognition of a Subsidiary Governance Body can be revoked by the Undergraduate Student Senate by a two-thirds (2/3) vote, with the exception of Area Governments and House Councils, and unless otherwise provided for in the Constitution and By-laws of the SGA.

## **Chapter 8** Registered Student Organizations

**Section 1** All Registered Student Organizations (RSO) shall be associations composed primarily of undergraduate students at the University of Massachusetts at Amherst, which are democratically directed by their members, independent, and registered by the Student Government Association. Each RSO shall enhance the social, cultural, educational, and/or recreational experience of undergraduate students at the University of Massachusetts at Amherst.

**Section 2** An organization shall not be considered independent of other organizations if it receives or enables its members to receive specific monetary reward from another organization, or if its primary objectives are substantially determined by another organization, except in the following cases:

1. Recognized Fraternities and Sororities of the University of Massachusetts at Amherst; to include Service Fraternities and Sororities.
2. As specified by an Act of the Student Senate or if the organization holds a charter from the Commonwealth of Massachusetts as a non-profit corporation.

**Section 3** A two-thirds (2/3) majority of the members of an RSO must be members of the SGA. Not less than ten (10) SGA members must be active members of the RSO at all times.

1. For purposes of this definition, "membership" shall refer to active members with full voting and participation rights. Membership must be voluntarily and actively entered into by each member, and may not be automatically established. This definition does not preclude an RSO from establishing additional classes of membership defined in alternative ways. In such situations, an RSO must maintain not less than ten (10) SGA members as active members of its organization at all times, in addition to alternative forms of member classification. Members may be empowered by an RSO to act on its behalf, within the parameters of its valid goals/objectives/activities, and with the approval of the RSO leadership.

**Section 4** Officers must be full-time students, and SGA members. Part-time students, and non-SGA members of an RSO, may not hold full officer positions.

**Section 5** To become an RSO, members of the organization must complete an activation packet, which includes: an application, a charter, mission statement, and future goals.

1. The application form will be available from the Secretary of the Registry and must contain:
  - A. Officers' names, addresses, student ID numbers, and telephone numbers.
  - B. Membership list of at least ten (10) undergraduate students, with members' names, addresses, student ID numbers, and telephone numbers.
  - C. Name of an initial contact person for the SGA, including address and telephone number.
  - D. Statement of Non-Discrimination signed by the organization's initial leadership. An organization seeking to incorporate its own Statement of Non Discrimination must consult with Secretary of the Registry
2. The charter and if necessary, by-laws, must:
  - A. Contain a process for voting by the membership.
  - B. The process for establishing voting membership must be reasonable; as to allow access to all undergraduate students. Those RSOs with policies of exclusivity, which are deemed to be within the bounds of Federal and/or State law, are exempt.
  - C. Outline a fair and democratic method for the election and removal of officers.
  - D. Outline reasonable procedure for resolving disputes among members within the organization.
  - E. Contain a statement of Free Speech/Expression.
  - F. Outline clear procedures for conducting its meetings and planning its activities.
  - G. Outline record-keeping procedures.
  - H. Must be adopted by a majority vote of its members in attendance at a scheduled meeting
3. The Mission Statement shall give a brief description of the purpose/function of the proposed organization. It shall include examples of the kind of activities the organization plans to undertake. It may state the organization's philosophy. The Mission Statement should be included on the cover of the printed charter document.
4. The future goals and purposes should outline projects and events the group is looking to plan.

5. If any of the preceding requirements cannot be met due to an RSO's obligation to an organization recognized as having authority as per Title VII, Chapter 8, Section 2, The RSO will have the ability to appeal its status as an active RSO as pertaining to the question of utilizing resources available to other RSOs. Each organization shall be considered on a case by case basis.

**Section 6** The Secretary of the Registry will be given (14) fourteen days to decide if the applicants will be recognized. The Secretary will submit a letter of approval to the applicants if approving or a letter of denial listing the reasons for denial to the applicants along with the activation packet.

1. RSO applications, which shall have been denied by the Secretary of the Registry may be appealed to The Student and Academic Affairs Committee, by re-submitting the application packet with the Letter of Denial, within (14) fourteen days of denial to the Chair of said Committee.
2. The Student and Academic Affairs Committee will at its next scheduled meeting allow the applicants to present their RSO application. Upon receiving positive recommendation from the committee, a motion to recognize the organization will be placed on the agenda of the next scheduled Senate meeting where upon a (2/3) two-thirds majority vote, the group will be approved to be an RSO.
3. If the Secretary of the Registry neither approves nor denied the RSO within the (14) days allotted, the Secretary waives his/her decision making power, and the applicants can submit their application (unchanged) to the Chair of The Student and Academic Affairs Committee to be approved through the process outlines in Title VII, Chapter 9, Section 6, Sub-Section 2.

**Section 7** RSOs shall be subject to suspension and/or withdrawal in the following manner:

1. The Secretary of the Registry shall suspend the registration of any RSO which is in violation of any defined University or SGA policy, or if the RSO fails to actively pursue the mission and goals established in the application for registration.

Upon suspension of an RSO, all of its accounts shall be frozen and all services provided through the Student Activities Center shall be foregone until such time when suspension is lifted

- A. An RSO shall remain suspended until it has complied with all University regulations and those policies stated in the SGA Constitution and by-laws. The Secretary of the Registry shall determine compliance.
2. The Secretary of the Registry shall withdraw the registration of any organization which has been suspended for more than three (3) consecutive semesters, failed to reactivate

their registration within one (1) year after the deadline, or that has a documented history of University or SGA policy violations.

- A. The Secretary of the Registry shall maintain records of all withdrawn organizations for two (2) consecutive semesters following withdrawal date.
3. Any RSO may withdraw from recognition by a majority vote of its members at a meeting called for the purpose, which was adequately publicized to the members at least two weeks in advance. For a vote calling for the withdrawal of registration, quorum for the RSO shall consist of two-thirds (2/3) of the membership, and a vote of two-thirds (2/3) of those present shall constitute withdrawing from recognition.
4. Withdrawn RSOs may apply for re-registration by the same manner as a new prospective RSO, pending that any failures of compliance have been resolved.
  - A. A finding of compliance is determined by the Secretary of the Registry, at a scheduled hearing with a two-thirds (2/3) majority of its voting membership present.

## **Chapter 9**

### Student Businesses

**Section 1** A Student Business or an association which desires to be registered as a Student Business must adhere to the following criteria:

1. The active membership of a Student Business shall solely consist of members of the Student Government Association, as defined by Article II, section 1, of the SGA Constitution.
2. Student Businesses must consist of three (3) or more SGA member at all times.
3. A Student Business must open for operations on a continuous basis during Fall and Spring academic sessions.
4. The Student Businesses must act in accordance with the Equal Opportunity policies or the University of Massachusetts.
5. Student Businesses must have a system of governance and management established in writing in the Operational Manual, which is in accordance with the SGA Constitution and by-laws.
6. Student Businesses must accept the Guidance of the Center for Student Businesses (CSB), and any subsequent policies of the Center for Student Businesses.

**Section 2** In order to initiate the process for starting a Student Business, the association desiring to establish the business must obtain an application from the Chief of Staff (replaced

with Vice President effective March 2012) , which shall include, but not be limited to the following:

1. The name and goals of the Student Business.
2. The current membership of the association.
6. Accompanying the application must be three (3) copies of the Operations Manual, which shall include, but not be limited to the following:
  - A. The name and mission statement of the Student Business.
  - B. The criteria for defining membership.
  - C. The governance structure.
  - D. The hiring, firing, succession, and vacancy procedure for any officer position.
  - E. The Operations Manual amendment process.
  - F. Internal grievance procedures.
  - G. Operational policies and procedures.
  - H. A copy of the Minutes of the meeting in which the Student Business's Operations Manual was approved by the association.
  - I. The application must be date stamped before submission to the Chief of Staff (replaced with Vice President effective March 2012) .
4. If the application is complete and meets the standards set forth by Title VII, the Chief of Staff (replaced with Vice President effective March 2012) shall approve the application and forward the application to the Center for Student Businesses.
5. The CSB's Governing Board is not required to approve an application. However, any denial must be followed within twenty (20) calendar days with a detailed letter explaining the decision along with the minutes of the meeting to the applying association, Chief of Staff (replaced with Vice President effective March 2012) , SGA President, and Center for Student Development.
  - A. Upon approval by the CSB Governing Board, a dated stamped statement, signed by the Director of CSB, along with the minutes of the voting meeting shall be forwarded to the applying association, Chief of Staff (replaced with Vice President effective March 2012) , SGA President, and Student Activities Center

**Section 3** Any amendments to a Student Businesses Operations Manual shall be forwarded to the Chief of Staff (replaced with Vice President effective March 2012) , in addition to the minutes of the meeting in which the vote was held. If the amendment does not contradict the mission or goals of the Student Business and is in compliance with the SGA Constitution and By-Laws, it shall be approved by the Chief of Staff (replaced with Vice President effective March 2012) and forwarded to the CSB Governing Board.

1. The CSB Governing Board shall approve or disapprove a PGOM amendment by a majority vote. The decision and the minutes of the meeting shall be forwarded to the Student Business, Chief of Staff (replaced with Vice President effective March 2012) , and the Campus Activities Office.

**Section 4** A Student Business shall have these additional Rights and Privileges:

1. A mailbox service through the CSB
2. Access to the CSB computers, office equipment and professional advice; within the guidelines established by the CSB.
3. Accounts into which all Student business funds must be deposited.
4. Ability to apply for business space in any on campus residential area through Housing Services.

## **Chapter 10**

### **Campus Center/Student Union Space Allocation**

**Section 1** The Student Government Association shall have authority in allocating all student space in the Campus Center/Student Union (CC/SU) Complex. All ESOS, as defined in Title VII of the SGA By-Laws, and all Graduate Student Organizations shall abide by this Chapter when seeking space in the CC/SU Complex. This Chapter shall supersede any previous document or process that assigned space in the CC/SU Complex.

**Section 2** All ESOs and Graduate Student Organizations shall be eligible to apply for student space in the CC/SU Complex, and shall be defined as "groups" for this Chapter.

**Section 3** Groups shall be ranked for priority and preference in space allocation. Ranking shall be determined based on a point system, as defined in Title VII, Chapter 10, Section 8 of the SGA By-Laws.

**Section 4** Agencies and Student Businesses of the SGA shall not need to re-apply for their current space allocation unless motioned by The Student and Academic Affairs Committee or the Senate as follows:

- A. The Student and Academic Affairs Committee may mandate an Agency or a Student business to reapply for a space allocation, upon a majority vote, no more than every two (2) years.

- B. The Senate can mandate an Agency or a Student Business to re-apply for a space allocation upon a two-thirds (2/3) majority vote of membership in attendance at a scheduled meeting during any year.
- C. The Student and Academic Affairs Committee or Senate mandates an Agency or a Student Business re-apply for a space allocation, it must occur prior to November I for allocations for the following year.

**Section 5** The application process shall be as follows:

- A. Applications for space allocation shall start to be distributed no sooner than September 15 and no later than October 15 by the Secretary of the Registry. All applications distributed in this timeframe shall be for allocations for the following school year.
- B. Groups applying for space must submit their office hours with their "Reactivation Packet" that is required by the Center for Student Development.
- C. The Secretary of the Registry shall collect all applications for space allocation "End of Semester" reports no later than the last day of classes for the fall semester of each academic year.
- D. Applications shall ask for the following information: the group's name; contact information for the group; statistics necessary for calculation of the point system; same room requests, if applicable; office-mate requests, if applicable; a 250 word maximum justification as to why office space is deserved; and a section for additional comments which shall have no bearing on the point system.
- E. The Secretary of the Registry shall prepare the Space Allocation Proposal, herein denoted SAP, to The Student and Academic Affairs Committee, as follows:
  - 1. All groups that have applied for space shall be given a rank based on the point system defined in this Chapter.
  - 2. The number of available spaces shall be compared with the number of applicants for a space allocation. No group may be allocated space if a group with a higher rank has not been allocated space during this process.
  - 3. If a group is assigned a separate space than it currently occupies, the Secretary of the Registry may not move that group unless a request has been made by either the group applying or a group

currently sharing space with the group applying. If the Secretary of the Registry gives a group a different allocation than it currently holds, he or she must include the Justifications with the SAP.

4. The Secretary of the Registry shall submit all space allocation applications and accompanying documentation to The Student and Academic Affairs Committee with the SAP by no later than March 1.
5. The Secretary of the Registry shall make the SAP public to all applying ESOs upon submission to the RSO advocacy committee.

**Section 6**

Upon receiving the SAP from the Secretary of the Registry, The Student and Academic Affairs Committee shall review the SAP and prepare the S-2 Space Allocation Act as follows:

- A. The Student and Academic Affairs Committee shall spend no less than one full regularly scheduled committee meeting reviewing the SAP and then delay voting on the SAP until the next regularly scheduled meeting.
- B. Prior to voting on the SAP by The Student and Academic Affairs Committee, groups may write appeals of the SAP for the sole purpose of encouraging or discouraging a positive recommendation vote of the SAP by The Student and Academic Affairs Committee.
- C. A two-thirds (2/3) majority vote of approval of the SAP by The Student and Academic Affairs Committee voting members in attendance at a regularly scheduled meeting shall constitute a positive recommendation of the SAP. The SAP shall be forwarded to the Senate as the S-2 Space Allocation Act.
- D. If The Student and Academic Affairs Committee shall have given less than a two-thirds (2/3) majority vote on the approval of the SAP, the SAP shall be open for "Reorganization", as defined in Section 7 of this Chapter.
- E. At any time after the initial recommendation vote of the SAP by The Student and Academic Affairs Committee, the Senate, upon a two-thirds (2/3) majority vote of voting members in attendance at a regularly scheduled meeting, can bring the SAP directly to the Senate floor as the S-2 Space Allocation Act.
- F. Enactment of the S-2 Space Allocation Act by the Senate is as follows:

1. Upon first hearing of the S-2 Space Allocation Act, a two-thirds (2/3) majority vote of Senate membership in attendance at a regularly scheduled meeting shall be required to be enacted upon the first hearing. It may not be amended.
  2. If the S-2 Space Allocation Act failed to receive a two-thirds (2/3) majority vote the first time it is heard, the S-2 Space Allocation Act shall return to The Student and Academic Affairs Committee as the SAP and shall be opened for "Reorganization", as defined in Section 7 of this chapter.
  3. Upon the second hearing of the S-2 Space Allocation Act by the Senate, a simple majority is required for enactment. It may not be amended.
  4. If the Senate fails to pass S-2 Space Allocation Act the second time it is heard, the Senate shall have the sole authority to amend S-2 Space Allocation Act until it is passed by majority vote of Senate voting membership in attendance at a regularly scheduled meeting.
  5. If the Senate failed to pass the S-2 Space Allocation Act for a third time, the previous year's space allocation shall remain in affect.
- G. If the S-2 Space Allocation Act is not brought to the Senate floor by the last scheduled meeting in April, it is automatically placed on the agenda for said meeting and flows the procedures outlined in Section 6, Sub-section F, numbers 3-5.

**Section 7** Reorganization of the S-2 Space Allocation Act shall proceed as follows:

- A. The Student and Academic Affairs Committee members shall propose amendments to the SAP and the Committee shall vote on amendments in accordance with Senate procedure.
- B. No group may be allocated space if a group with a higher rank has not been allocated space under amendments of the SAP during this process.
- C. A two-thirds (2/3) majority vote of The Student and Academic Affairs Committee voting members in attendance at a regularly scheduled meeting shall forward the amended SAP to the Senate as the S-2 Space Allocation Act and make public to any applying ESOs any amendments which were passed.

D. If any reorganization amendments are passed, applying ESOs may submit a written 250 work maximum, appeal to be attached to the proposed S-2 Space Allocation Act.

**Section 8** The point system used to rank groups shall be as follows:

A. Hours Staffed - ESOs shall be afforded points for the hours that their offices are staffed as follows: 1 to 5 hours shall be afforded 1 point; 6 to 10 hours shall be afforded 2 points; 11 to 15 hours shall be afforded 3 points; 16 to 20 hours shall be afforded 4 points; 21 hours and over shall be afforded 5 points.

B. Resources - ESOs shall be afforded from 1 to 3 points based on the resources they provide to SGA members. The Secretary of the Registry shall determine the rubric for qualifying for 1, 2, or 3 points, and submit it to the RSO Advocacy Committee with the Space Allocation Report.

C. SGA Membership - ESOs shall be afforded points for the number of SGA members in their group as defined by the SGA By-Laws and their specific charter, as follows: 10 SGA members or less shall be afforded 1 point; 11 to 20 SGA members shall be afforded 2 points; 21 to 30 SGA members shall be afforded 3 points; 31 to 40 SGA members shall be afforded 4 points; 41 or more SGA members shall be afforded 5 points.

D. Paid Staff - ESOs shall be afforded 1 point for each paid staff member, with no more than 5 points afforded for this category.

E. Length of Existence - ESOs shall be afforded points based on continual existence, defined as number of years since being created, or removed from any status other than "Active" as defined by the SGA By-Laws for the duration of one or more full semesters, as follows: 3 years or less shall be afforded 1 point; 3 to 5 years shall be afforded 2 points; 6 to 8 years shall be afforded 3 points; 8 to 10 years shall be afforded 4 points; 11 or more years shall be afforded 5 points.

F. Justifications - ESOs shall be afforded 0 to 3 points based on their Justifications as to why they deserve office space. The Secretary of the Registry shall define the rubric for qualifying for 0, 1, 2, or 3 points, and submit it to the RSO Advocacy Committee with the Space Allocation Report.

**TITLE VIII**  
**Elections**

## **Chapter 1**

### **Authority**

**Section 1** The authority and responsibility for the conduct of SGA elections, here defined as votes on referenda, and the elections of the Senate, the President, Area Government Officers and House Council Officers, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA, shall be vested in an SGA Elections Commission, herein denoted the Commission.

## **Chapter 2**

### **Composition of the Elections Commission**

**Section 1** The Elections Commission shall be composed of one (1) named representatives from each of the Area Governments, as defined in Title V of the By-laws of the SGA, who shall be confirmed upon a majority vote of the Senate membership in attendance at a scheduled meeting.

## **Chapter 3**

### **Elections Commission Appointment**

**Section 1** The Governor of each Area Government shall, on or before October 15 of each calendar year, submit to the Senate one (1) named representatives for the posts of Election Commissioner, who shall serve for the calendar period of one (1) year, here defined as November 15 to November 14.

**Section 2** If a Governor shall have failed to submit to the Senate one (1) named representatives for the posts of Election Commissioner on or before October 15, the Senate shall appoint and confirm the respective Elections Commissioner(s) upon a majority vote of its membership in attendance at a scheduled meeting, provided said Governor shall not have acted by the convention of said meeting.

**Section 3** If the Senate shall not have acted to confirm or deny an Elections Commission appointment of a Governor within thirty (30) calendar days of receipt of said appointment, the Senate shall surrender its confirmation right.

**Section 4** If the Senate shall have voted to deny an Elections Commission appointment, the Governor shall submit a second named representative to the Senate within ten (10) calendar days.

**Section 5** Fifteen (15) days prior to the October 15 deadline for area government appointments to the Elections Commission, the SGA President shall send written notice of the deadline to all area governors.

## **Chapter 4**

### Elections Commission Vacancies

**Section 1** If a vacancy shall occur in an Elections Commission post the Governor of the Area Government from which s/he shall have been appointed shall, within thirty (30) days of said vacancy, submit (1) named representative for the Elections Commission post vacated.

**Section 2** If the Governor shall have failed to submit to the Senate one (1) named representative for the Elections Commission post vacated within thirty (30) calendar days of the vacancy, the Senate shall appoint and confirm one named representative to the vacated Elections Commission post, upon a majority vote of its membership in attendance at a scheduled meeting, provided said Governor shall have failed to act by the convention of said meeting.

**Section 3** If the Senate shall not have acted to confirm or deny an Elections Commission post appointment of a Governor within thirty (30) calendar days of receipt of said appointment, the Senate shall surrender its confirmation right.

**Section 4** If the Senate shall have voted to deny an Elections Commission appointment, the Governor shall submit a second named representative to the Senate within ten (10) calendar days.

**Section 5** If a vacancy shall occur in an Elections Commission post, with the exception of Chancellor of Elections, fifteen (15) calendar days prior to a General Election, the Elections Commission post vacated shall remain vacant until (7) calendar days following the election.

**Section 6** If a vacancy shall occur during the Special period, the Coordinating Council shall take the place of the Senate in Title VIII, Chapter 4, Sections 1-5 and shall have the power to approve the appointment of Elections Commissioners.

## **Chapter 5**

### Appointment of the Chancellor of Elections

**Section 1** Each Area Government shall, on a rotating schedule, appoint the Chancellor of Elections, who shall act as the chief presiding officer of the Elections Commission, and no Area Governor shall consecutively appoint the Chancellor of Elections.

**Section 2** Appointment of the Chancellor of Elections shall fulfill one (1) of the Elections Commission appointments prescribed in Title VIII, Chapter 3, Section 1 of the By-laws of the SGA.

**Section 3** The rotation schedule for the appointment of the Chancellor of Elections shall be as prescribed herein:

1. Southwest Residential Area
2. Orchard Hill Residential Area
3. Central Residential Area
7. Northeast Residential Area
5. Sylvan Residential Area
6. Commuter Area
7. North Residential Area

## **Chapter 6**

### Installation of Elections Commission Members

**Section 1** Elections Commissioners shall, prior to being installed, consult the Directing Attorney of Student Legal Services, or her/his designee.

**Section 2** Elections Commissioners shall, upon taking office, be administered the following affirmation by the Chief Justice, or at her/his request the Speaker, before the Senate membership:

1. "I do affirm to faithfully execute the office of Elections Commissioner and support the Constitution and By-laws of the Student Government Association."

## **Chapter 7**

### The Chancellor of Elections

**Section 1** The Chancellor of Elections shall be the chief presiding officer of the Elections Commission, shall perform all duties prescribed for that office by the Constitution of the SGA and the By-laws of the SGA, and shall be charged with the effective implementation of Title VIII of the By-laws of the SGA.

**Section 2** If the Chancellor of Elections determines that he/she is unable to hold general or special elections within the date constraints listed in Title VIII, he/she shall inform the SGA Senate or Coordinating Council of the reasons why he/she is unable to do so.

## **Chapter 8**

### Elections Commission Code of Conduct and Procedures

**Section 1** No member of the Elections Commission shall hold elected or appointed office during the term of her/his Elections Commission membership.

**Section 2** No member of the Elections Commission shall seek elected or appointed office during the term of her/his Elections Commission membership.

**Section 3** No member of the Elections Commission shall actively aid the campaign of any candidate for elected office in the SGA during the term of her/his Elections Commission membership, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA.

**Section 4** The quorum for the conduct of business for the Elections Commission shall be fifty (50) percent of the membership plus one (1), one (1) of who shall be the Chancellor of Elections.

**Section 5** The Chancellor of Elections shall not be eligible to hold any Cabinet position or any Area Government Senate appointments for one hundred fifty (150) calendar days following the conclusion of his/her Elections Commission membership.

## **Chapter 9** General and Special Elections

**Section 1** The Elections Commission shall be empowered to call either a General or Special Election.

**Section 2** Five (5) percent, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA, of the SGA membership shall cast a vote in a General or Special Election in order for said election to be ratified.

**Section 3** Candidates for SGA elected office, unless otherwise provided for by the General Laws of the Commonwealth of Massachusetts, the Constitution of the SGA, or the By-laws of the SGA, shall be elected upon a majority or plurality of the SGA membership voting in a General or Special Election.

## **Chapter 10** General Election

**Section 1** "General Election" shall be defined as those elections in which the University Student Trustee, the President, the Vice President, the Senate and the Area Government Officers are elected.

**Section 2** The University Student Trustee, the President, the Vice President, and the Area Government Officers shall be elected in a General Election on the same day on or before March 25 of each calendar year.

1. The Vice President shall not run for office alone but rather shall be picked as a running mate by the Presidential candidate and shall be elected as a ticket. (Effective March 2012)

**Section 3** The Senate shall be elected in a General Election on or before September 30 of each calendar year.

## **Chapter 11**

### Special Election

**Section 1** "Special Election" shall be defined as those elections called to fill vacancies not occurring as the result of the expiration of a term, as defined by the Constitution of the SGA or the By-laws of the SGA, in the Senate, Area Government Officer posts, or House Council Officer posts.

## **Chapter 12**

### Referenda and General or Special Election

**Section 1** Referenda may be placed on the ballot of either a General or Special Election, or, a Special Election may be called for the expressed purpose of calling a Referendum.

**Section 2** Referenda submitted to the Elections Commission shall be put to the SGA membership on a ballot in a General or Special Election in the manner prescribed for said Elections in Title VIII, Chapter 13, of the By-laws of the SGA, provided that said referenda shall not be subject to By-laws directly pertaining to candidates.

**Section 3** For the purpose of Title VIII of the By-laws of the SGA, the first name listed on a petition for a referendum shall be defined as "candidate".

## **Chapter 13**

### Election Procedure

**Section 1** For the purpose of Title VIII, Chapters 13-25, the term "Election" shall be defined as "General or Special Election".

**Section 2** The Elections Commission, if applicable to the Election, shall request from the Senate the Apportionment Schedule, which shall denote the number of Senate seats allocated per Electoral District.

**Section 3** The Election shall be conducted electronically via a Student Government Online Voting System herein denoted SGOV System, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA.

- A. The SGOV System shall not be used to generate reports containing personal voter information including, but not limited to, data that links a specific voter to a specific vote, unless otherwise provided for by the Constitution of the SGA or the By-laws of the SGA. Furthermore, all use of student information shall be in accordance with Family Education Rights and Privacy Act (FERPA) regulations.
- B. The SGOV System shall be constructed in a manner that provides for eligible voters to securely login using their unique University issued I.D. and password (eg. Spire ID)

- C. The online election should commence for not less than the period of 3 school days, 24 hours a day.
- D. After a voter has voted, he/she cannot switch his vote nor retract his vote.
- E. Each candidate has the ability to submit a campaign page whereby which the voter can access before voting. The pages are to be limited to plain text and should not exceed 750 words. Campaign pages must be submitted to the Election's Chancellor, within 72 hours of the Election. These pages must be approved by the Chancellor of Elections based upon information presented. All pages shall be available to each candidate, and should any candidate believe that a page incorrectly represents their own candidate, they shall have the ability to appeal to the Elections Commission. All pages shall be made available to all competitors within 24 hours of the election.
- F. The SGOV campaign pages mentioned above shall not direct the voter to any outside campaign materials including but not limited to a campaign website or social networking group.
- G. Prior to the first use of the SGOV system and after any major changes to the software used to run the SGOV, the Student Legal Services Office shall review the SGOV for compliance with FERPA. In addition, prior to the first use of the SGOV system and after any major changes to the software used to run the SGOV, the Student Legal Services Office shall advise the Senate of any legal or fiduciary liabilities that the SGOV may bring to the SGA.

**Section 4** The Elections Commission, if applicable to the Election, shall, upon a majority vote of its membership in attendance at a scheduled meeting confirm or deny the validity of a petition for a referendum.

- A. If the Elections Commission shall have voted to deny the validity of a petition for a referendum, the Elections Commission shall make a public announcement within twenty-four (24) hours following the vote, of its decision and its justification.

**Section 5** The Chancellor of Elections shall, in absence of quorum, due to the lack of membership or otherwise, within the Elections Commission, fix the date(s) time(s) and place(s) of the Election. Furthermore, the Elections Commission shall appoint Elections Assistants who shall assist the Elections Commission and the Chancellor of Elections, who shall not be SGA members, hold elected or appointed office during their service as Elections Assistants).

**Section 6** The Chancellor of Elections shall submit to the Directing Attorney of Student Legal Services the date(s) and time(s) of the Election.

- A. If a General or Special Election shall include the election of the University Student Trustee, the General or Special Election shall be scheduled for no less than three (3) calendar days.
- B. If a General or Special Election shall include the election of the University Student Trustee, President, Area Government Officers, House Council Officers or Senators, elections shall be held at least between 5 and 14 calendar days after the closing of nominations.

## **Chapter 14**

### Public Announcement of the Election

**Section 1** The Chancellor of Elections shall provide for the public announcement, no less than fourteen (14) calendar days prior to the election date and time, of the Election, through the Massachusetts Daily Collegian and other publications and methods deemed necessary by the Chancellor of Elections, and said announcement shall contain the information prescribed herein:

1. The date and time of the Election
2. The nominating procedure and the date and time at which nominations shall be closed.
3. The times during which, and the locations at which, nomination papers shall be made available.
4. The phone number and office hours of the Chancellor of Elections.

## **Chapter 15**

### Nominations

**Section 1** The Chancellor of Elections shall provide for the publication and distribution of nomination papers which contain the information prescribed herein:

1. The nominating statement:
  - A. "We, the undersigned Student Government Association members, and residents of (nominee) Electoral District as defined by the University and the By-laws of the SGA do hereby nominate (nominee) for the office of (office):"
2. Spaces for the name, address, student identification number, phone number and signature of the nominee attesting that s/he shall have accepted the nomination.
3. Spaces for the names of SGA members residing in the Electoral District, their signatures, addresses, phone numbers and date of birth, herein denoted the nomination signatures.

A. If an SGA member shall take out nomination papers for the office of Senator, the number of nomination signatures required for said nomination papers to be confirmed shall be twenty-five (25).

B. If an SGA member shall take out nomination papers for the office of Area Government Officer, the number of nomination signatures required for said nomination papers to be confirmed shall be one-hundred (100).

C. If an SGA member shall take out nomination papers for the offices of either University Student Trustee or President, the number of nomination signatures required for said nomination papers to be confirmed shall be two-hundred and fifty (250).

4. The Election's Chancellor shall provide a time when the nominations can be turned in and the candidate can begin campaigning.

**Section 2** All nomination papers shall be numbered and the numbers shall be recorded by the Chancellor of Elections next to the name of the person who shall have taken out said nomination papers.

**Section 3** All persons, upon taking out nomination papers, shall be issued a certified copy of the Constitution of the SGA and the By-laws of the SGA (an electronic copy shall suffice) and shall, upon returning said nomination papers sign a document attesting that s/he shall have read, understood and agreed to abide by the Constitution of the SGA, the General By-laws and specifically Title VIII of the By-laws of the SGA.

**Section 4** All candidates, if applicable, shall submit a campaign workers list which shall include the name, telephone number, e-mail address, and university identification number of all persons actively campaigning for the candidate. This list can be managed by an online webpage.

**Section 5** Upon the return of the nomination forms a receipt shall be written for the candidate by an SGA staff member.

**Section 6** When nominations shall have closed, the Elections Commission shall review all nomination papers and shall confirm or deny, upon a majority vote of its membership in attendance at a scheduled meeting, the validity thereof.

**Section 7** If the Elections Commission shall have voted to deny the validity of a set of nomination papers, the Elections Commission shall inform the nominee within twenty-four (24) hours following the vote, of its decision and its justification.

**Section 8** A Candidate may, in writing, and forty-eight (48) hours prior to an election, withdraw her/his name from the ballot.

**Section 9** The nomination period shall be between 10 and 14 calendar days

## **Chapter 16** Ballots

**Section 1** The Chancellor of Elections shall provide for the publication of the ballots in the SGOV system and shall produce absentee ballots which shall contain the information prescribed herein:

1. A brief set of voting instructions which shall include, but may not be limited to the number of votes which can be cast for each office.
2. The name of the candidate(s) grouped with her/his respective Electoral District.
3. A write-in spaces for all offices.

**Section 2** A candidate's legal name be printed on the ballot, a reasonable variation thereof, or a popularly known nickname which shall be valid at the determination of the Elections Commission. (e.g. Christina to 'Tina' or William to 'Bill').

**Section 3** The word "incumbent" shall appear next to a candidate seeking re-election from the same constituency.

**Section 4** The order of the names on the ballot shall be determined at random by the Elections Commission.

**Section 5** The Ballots shall be formally generated for the SGOV System in accordance with Title VIII, Chapter 13, Section 2, Subsection 1 of the By-laws of the SGA

**Section 6** The Chancellor of Elections shall provide for the publication of paper absentee ballots and said ballots shall contain the same information as prescribed in Title VIII, Chapter 16, Section 1, Subsections 1,2 and 3 of the By-laws of the SGA. Furthermore, the ballots shall be subject to the provisions in Title VIII, Chapter 16, Sections 2, 3, and 4.

**Section 7** The absentee ballots shall be locked in a secure area to which only the Chancellor of Elections shall have access, and the ballots shall be surrendered only to the possession of members of the Elections Commission.

## **Chapter 17** Public Announcement of the Voting Procedure

**Section 1** The Chancellor of Elections shall provide for the public announcement, no less than twenty-four (24) and no more than seventy-two (72) hours prior to the election date and time, of the voting procedure and absentee polling place(s), through the Massachusetts

Daily Collegian, an e-mail to all SGA members and other publications and methods deemed necessary by the Chancellor of Elections.

## **Chapter 18**

### Election Week

**Section 1** The Elections Commission shall open and close voting at the designated time and conduct the voting in the manner prescribed herein:

1. The voter shall log into the SGOV System.
2. The voter shall verify his/her identity.
3. The voter shall mark his/her ballot according to the instructions prescribed therein.
4. The voter shall submit his/her ballot according to the instructions prescribed therein.
5. The voter shall acknowledge that the ballot has been marked according to his/her wishes and that by proceeding he/she forfeits the opportunity to change his/her vote.

## **Chapter 19**

### Write-in and Sticker Votes

**Section 1** Voters casting write-in votes shall write or type the candidate's name legibly in the space provided.

**Section 2** Voters casting write-in votes by sticker shall affix the sticker in the space provided, provided that the sticker is no larger than one (1) inch by two and one-half (2 1/2) inches (not applicable to the SGOV System).

## **Chapter 20**

### Absentee Ballot

**Section 1** If an SGA member is unable or unwilling to vote using the SGOV System on the days of a General or Special Election, s/he may vote by absentee ballot at the absentee polling place(s), which shall be open for at least one day, and the vote shall be conducted in the manner prescribed herein:

1. Voters shall present her/his University identification card or certified driver's license.
2. The Elections Commissioner or Elections Assistant shall locate the voter's name on the official University roster of SGA members, delete her/his name from the roster, and determine the election(s) in which the voter may cast a vote.

3. The Elections Commissioner or Elections Assistant shall circle on the ballot, in ink, the elections in which the voter may cast a vote.
4. The voter shall mark her/his ballot according to the instructions prescribed therein.
5. The voter shall place her/his ballot in a envelope with her/his name, and student identification number legibly written in ink on the outside of the envelope.

## **Chapter 21**

### Absentee Polling Place(s) Staff

**Section 1** The Absentee polling places shall be staffed at all times by two (2) persons, one (1) of whom shall be an Elections Commissioner and one (1) of whom shall be either an Elections Commissioner or an Elections Assistant.

## **Chapter 22**

### The Count

**Section 1** When the polling places shall have closed, the Elections Commission shall immediately transport them to the room, upon a majority vote of its membership in attendance at a scheduled meeting, determine the method by which the ballots shall be counted.

**Section 2** The chancellor of elections shall generate a report containing the election results from the SGOV system. Only the chancellor of elections shall have access to this report during the election herein defined as the record of the number of people who voted by district, that is generated by the SGOV system.

**Section 3** The Elections Commission shall conduct the counting of the absentee ballots in the manner prescribed herein:

1. The Elections Commission shall destroy all absentee ballots not marked, except those which shall be used for tabulation purposes.
2. The Elections Commission shall proceed to count the absentee ballots.

**Section 4** The Elections Commission shall declare any ballot meeting any one (1) or more of the conditions prescribed herein, to be invalid:

1. Marks on the ballot are not placed clearly in the space provided on the ballot.
2. The ballot shows evidence of having been erased, scratched out, or otherwise altered.
3. There are more votes cast on the ballot than are numerically allowed.

4. An SGA member already named as having voted is recorded as having cast a second vote.
5. A vote is illegible.

**Section 5** The Elections Commission may, upon a majority vote of its membership in attendance at a count, declare, for extraordinary reasons, any ballot to be invalid which may, but need not necessarily meet any of the conditions prescribed in Title VIII. Chapter 22, Section 3, of the By-laws of the SGA.

**Section 6** Each candidate, and the Graduate Student Senate, if the election shall include the election of the University Student Trustee, may send one (1) person to the room in which the count is taking place who shall not be a candidate, and upon arrival, shall not leave the room until the completion of the count except to perform natural acts.

**Section 7** No person, other than the Elections Commission, the Elections Assistants, the Graduate Student Senate designee, and the candidate's designees, shall be present at the counting of the ballots.

**Section 8** Only Elections Commission members and Elections Assistants shall count ballots.

**Section 9** Following the completion of the count, the Elections Commission shall lock the absentee ballots, and SGOV voting system, in a secure area to which only the Chancellor of Elections and Student Legal Services shall have access, until the elections shall have been ratified. A log shall be kept to record any administrative access to the SGOV voting system report

**Section 10** Upon completion of the count, persons or referenda having received a majority or plurality of the votes cast shall be declared the winner(s), pending ratification. The Chancellor of Elections shall send an informal notification to all the candidates in the election telling them of the election results, as soon as possible following the end of the counting period.

## **Chapter 23**

### The Election Report

**Section 1** Within forty-eight (48) hours of the completion of the count, the Elections Commission shall submit to the Speaker of the Senate, or, if the Senate is in a Special Period, the Coordinating Council, its Election Report for the General Election, which shall appear as a Special Order on the agenda of the next scheduled Senate or Coordinating Council meeting, and shall include the information prescribed herein:

1. The complete numerical tabulation of the results.

2. Any formal complaints made to the Elections Commission and the act taken thereupon.
3. The signatures of the Elections Commission.

**Section 2** If an election shall have included the offices of University Student Trustee, a certified copy of the Election Report shall be submitted to the Graduate Student Senate at the same time said report shall have been submitted to the Senate.

**Section 3** If the Senate or the Coordinating Council shall have failed to ratify a General or Special Election within thirty (30) days of said Election, the Elections Commission shall call a Special Election and re-cast the ballots, provided the Senate or Coordinating Council shall have failed to ratify the Election by the re-casting of the ballots.

## **Chapter 24**

### Candidate Code of Conduct

**Section 1** For the purpose of Title VIII, Chapters 24-25 of the By-laws of the SGA, "candidate" shall be defined as any person who shall have expressed a firm intention to qualify, or who has qualified, to have her/his name placed on the ballot for elected office in an SGA General or Special Election, or any person seeking election to such an office through a write-in campaign, here defined as a concerted effort to win election to such an office through write-in votes.

**Section 2** For the purpose of Title VIII, Chapters 24-25 of the By-laws of the SGA, forms of the verb "to campaign", shall be defined as any public action by any person in support of a candidate for elected SGA office which shall include, but shall not be limited to, distribution of literature or posting of materials.

**Section 3** Candidates for SGA elected office shall be subject to the Code of Conduct prescribed herein:

1. While criticism of another candidate is allowed, no candidate shall libel or slander his/her opponent.
2. No candidate may utilize the resources of the SGA, the SGA office or any RSO office for the purpose of campaigning for the duration of one's candidacy for a General or Special Election. Speaking directly to an RSO or an agency in their assigned office shall not constitute a violation of this provision.
3. No person(s) shall appropriate funds for the purpose of campaigning except the SGA.
4. All equipment and supplies used to campaign shall be registered with the Chancellor of Elections prior to their use, and shall be accompanied by certified copies of the purchase orders or inter-activity recharges used to purchase said materials.

- A. Pens, pencils, copy machines, markers, computers, staplers and stapler guns shall be exempt from the provisions of Title VIII, Chapter 24, Section 3, Subsection 4 of the By-laws of the SGA.
5. All candidates shall purchase their materials at fair market prices to which all other candidates shall have reasonable access.
  6. No candidate shall harass or defame his or her opponent.
  7. No candidate shall use the Election Commission money given to candidates for non-campaign related use.
  8. No candidate or campaign worker shall use another voter's Student ID or other authentication for the purposes of voting.
  9. No person, who shall not have been listed on the campaign workers list, shall actively campaign for a candidate, and candidates shall be charged with registering any deletions or additions to a campaign list with the Chancellor of Elections.
  10. Candidates shall be responsible for the actions of persons registered on the campaign workers list.
  11. No funds shall be transferred between candidates
  12. No candidate shall wrongfully represent any campaign material as being the material of any other candidate.
  13. No candidate shall violate the Code of Student Conduct.
  14. No candidate shall corruptly give, offer or promise to any SGA member any pecuniary or other benefit not authorized by the Constitution of the SGA, the Bylaws of the SGA or an Act of the SGA, which is intended to influence the vote(s) of said SGA member.
  15. No person shall campaign within fifty (50) feet of an absentee polling place on Election Day.
  16. No candidate shall unduly coerce a voter while they are voting.

## **Chapter 25**

### Violations of Chapter VIII

**Section 1** The Elections Commission may, upon a two-thirds vote of its membership in attendance at a scheduled meeting, and up to thirty (30) calendar days following an election,

take any one of the actions prescribed herein for violations of Title VIII of the By-laws of the SGA:

1. *Warning* - A written statement to a candidate ordering the cessation of any activity which is in violation of Title VIII of the By-laws of the SGA, or her/his candidacy shall be suspended or invalidated.
2. *Suspension* - A written statement to a candidate ordering the suspension of all campaigning for a prescribed period of calendar time.
3. *Invalidation* - A written statement to a candidate declaring her/his candidacy to be invalid and stricken from the ballot (if before the election). After the election, a candidate may still be invalidated.
5. *Nullification* - A public announcement to the SGA membership declaring an Election nullified and calling a Special Election to re-cast the ballots.

**Section 2** For egregious and gross violations of Title VIII, upon a two thirds vote of its membership in attendance at a scheduled meeting, and up to thirty (30) calendar days following an election, the elections commission can recommend a disciplinary hearing for the candidate concerned with the Dean of Students who may levy additional sanctions against the student not necessarily limited to matters regarding the SGA or its elections.

## **Chapter 26**

### Appeals

**Section 1** A person may appeal the decision(s) of the Elections Commission by filing a Petition for a Ruling with the Associate Chief Justice of the Student Judiciary.

The Wellman Document, T73-098 as amended

## **DOC. T73-098**

Approved by the BoT 4/4/73

Amended 4/2/75

Amended 6/1/88

Amended 2/3/93

### **BOARD OF TRUSTEES STATEMENT ON UNIVERSITY GOVERNANCE**

#### **I. TRUSTEE POLICY ON UNIVERSITY GOVERNANCE**

##### **A. ENDORSEMENT OF AAUP STATEMENTS ON GOVERNANCE**

1. The Board of Trustees has all authority, responsibility, rights, privileges, powers and duties of organization and government of the University of Massachusetts as provided in Chapter 75 of the General Laws of the Commonwealth. Nothing in the following statement shall be taken as contravening that authority or any applicable federal or state law or regulation; anything contravening such authority, law or regulation is void.

2. Nevertheless, as an established university discharges its obligations and responsibilities to society by the advancement and dissemination of knowledge, the variety and complexity of its tasks require and ensure the interdependence of the governing board, the administration, the faculty, and the students, as well as other groups. The Board of Trustees has long recognized this interdependence, both among campuses within the system and among the various components within a campus, and now formally adopts the principle of joint effort in governing the University.

3. Joint effort in University governance will take a variety of forms depending on the issue and the situation. The administrative officers or the Board may in some instances propose recommendations for the consideration of the faculty and/or students before taking final action. The faculty and/or students may in other instances propose recommendations subject only to the endorsement of the administration and the Board. In all instances, however, the principle of joint effort requires that components within the University remain sensitive to the interests of other components.

4. The Board of Trustees therefore endorses in principle the 1996 Statement on Government of Colleges and Universities adopted by the American Association of University Professors, the American Council of Education, and the Association of

Governing Boards of Universities and Colleges and the 1970 statement on Student Participation in College and University Government formulated by the three aforementioned organizations, insofar as both are consistent with this Trustees' Statement on University Governance. In endorsing these two statements, the Board, while retaining its ultimate legal authority in governing the University, recognizes that the faculty, the students, and other groups within the University have the right, the responsibility, and the privilege of advising on policies affecting the University. The Board will ensure these rights, responsibilities, and privileges through the various governing bodies—both representative bodies such as senates and assemblies, and administrative bodies such as departments, school, and colleges—established by its bylaws and other actions.

## B. PRIMARY RESPONSIBILITIES IN GOVERNANCE

- I. The Board of Trustees recognizes that while it must exercise general authority over the University, certain components of the University, such as the President's Office, the campus administrations, and the representative and administrative governing bodies of the faculty and the students have, by virtue of interest, training, and experience, a special concern and competence in certain areas. Subject to precedents established by components on each campus and/or the restraints and procedures specified in their constitutions, these components shall have primary responsibility in their areas of special competence and concern. Whenever the phrase "primary responsibility" appears in this statement, it shall mean the capacity to initiate recommendations, after appropriate consultation, in accordance with the procedures specified in section II. D below. Such recommendations will be overruled only by written reasons stated in detail. While it in no way is intended to contravene the authority and participation of the Board of Trustees in governance, the following is a general statement of primary responsibility in the major areas of University life.
- II. **ACADEMIC MATTERS:** By virtue of its professional preparation and its central concern with learning and teaching the faculty will exercise primary responsibility in such academic matters as curriculum, subject matter and methods of instruction, research, admissions, libraries, and other aspects of University life which directly relate to the educational process. Students share this concern and they will be assured the opportunity of participating in developing academic policies and in evaluating degrees, programs, and courses.
- III. **FACULTY STATUS:** The faculty will have primary responsibility for matters of faculty status, such as appointments, reappointments, promotions, tenure, and salary adjustments. Students will also be assured the opportunity of participating in the evaluation of a faculty member's effectiveness.

- IV. STUDENT AFFAIRS: Students will have primary responsibility for services and activities which are designed primarily to serve students or those which are financed primarily by students, managing student political affairs and organizational matters, and setting standards for student behavior, conduct, and discipline.
- V. PLANNING, DEVELOPMENT AND BUDGET: The President is responsible for exerting educational leadership in the planning and development of the University, both before the Board of Trustees and on the various campuses. He/she shall coordinate the planning and development on the separate campuses, keep current a University master plan, and ensure that all appropriate components of the University have the opportunity to make recommendations before planning and development decisions are rendered. The President is also responsible for coordinating, preparing, and presenting to the Board of Trustees the University's annual budget request. He/she shall represent the budget request approved by the Board to the Governor and the General court. The Chancellors are responsible for coordinating, preparing, and presenting to the President budget requests from the campuses. The President is responsible for continually improving the budget process and developing a calendar which allows adequate time for consultation and study by all interested components of the University.

## II. RESPONSIBILITIES, DUTIES, FUNCTIONS, AND PROCEDURES OF THE BOARD OF TRUSTEES, THE PRESIDENT, THE CAMPUS ADMINISTRATORS, AND THE CAMPUS GOVERNING BODIES IN UNIVERSITY GOVERNANCE

Consistent with Chapter 15A and pursuant to Chapter 75 of the General Laws of the Commonwealth, the Board of Trustees may establish general policies governing the University. The authority of the Board shall include, but is not limited to, the following specific powers:

### A. BOARD OF TRUSTEES

1. The Trustees will consider, upon the recommendation of the appropriate faculty and student governing bodies and/or other appropriate groups, the academic plans, personnel policies, and admissions policies of each campus and of the University as a whole; plans for the establishment of new campuses, schools, institutes, and colleges, and plans for the closing of already established units and programs.
2. The Trustees will consider, upon the recommendation of the appropriate governing body(s), the establishment of degrees.
3. The Trustees will consider the budget requests of the University and the capital outlay budget requests and major amendments thereto. In addition, they will consider new student housing and other loan construction programs, accept gifts, and approve service agreements, rental agreements, and leases.

Further, they will consider policies governing the solicitation of grants and research contracts.

4. The Trustees will appoint the President, the Chancellors, the Treasurer, and the Secretary of the University, set their salaries, and periodically evaluate their performance. When appointing the President, the Board will seek nominations from a broadly representative search committee appointed by the Board. The Board will determine the charge to and composition of the search committee after seeking the recommendations of the appropriate campus governing body(s) and, when appropriate, other components of the University. The Board will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s). When appointing a Chancellor, the Board will seek nominations from a broadly representative search committee appointed by the Chair of the Trustees in consultation with the President. The Chair will determine the charge to and composition of the search committee after seeking the recommendations of the appropriate campus governing body(s) and, when appropriate, other components of the University. The Board will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s). The President will recommend two or more candidates to the Board.

5. The Trustees will consider long-range development and design plans for each campus in relation to long-range academic plans and any major amendments to these plans. They will approve consulting architects, landscape architects, executive architects, and the designs for major campuses, consistent with the authority vested in the Department of Capital Planning and Operations.

6. The Trustees will consider all policies concerning the University's relationship with local, state, and federal governments and all policies concerning public information. In this regard the Board will consider policies concerning the University relationship with other segments of higher education.

7. The Trustees will make the final selection of all honorary degree recipients and will name all buildings and facilities.

## B. PRESIDENT OF THE UNIVERSITY

1. The President is the principal academic and executive officer of the University. He/she will exercise executive authority over the campuses comprising the University subject to the direction of the Board of Trustees. He/she will serve as chief spokesman and interpreter of the University and represent it to the general public and its representatives.

2. The President will be responsible for presenting policy recommendations to the Board of Trustees and ensuring that the campuses develop ways of implementing Trustees' policy. He/she will develop, coordinate, and keep current a master plan of the University. He/she will be responsible for the coordination and preparation of the annual budget request and its

presentation to the Board of Trustees and to the Governor and the General Court. He/she will also be responsible for the allocation of the appropriated budget and all other funds.

3. The President will appoint, promote and grant salary adjustments to personnel in the President's office. He/she will supervise the operations of the officers and staff in the President's office.

4. The President will appoint the Vice Presidents with the concurrence of the Board of Trustees.

5. The President will appoint members of the faculty to tenure with the concurrence of the Board of Trustees.

6. The President will coordinate the work of all campuses of the University and promote the general welfare of the University as a whole and in its several parts. He/she will ensure as much campus autonomy as possible commensurate with achieving the central purposes of the University or fulfilling his/her duties as specified herein. The President will establish and maintain an effective communications system within the University that allows for the prompt identification of needs and problems and their analysis. In particular, the President, in concert with the Chancellors, will ensure that all appropriate components of the University have the opportunity to make recommendations prior to the establishment of policy.

7. The President may refer for investigation and report any matter of institutional concern to administrative staff, governing bodies, faculty, or students. The channel for official communications between the President and the various campus groups in such matter will be through the Chancellor.

### C. CAMPUS CHANCELLOR

1. The Chancellor is the chief academic and executive officer of the campus. He/she will exercise executive authority over the campus subject to the direction of the President. He/she will be responsible to the President for administering the various schools, colleges, divisions, departments, and other units on the campus.

2. In the formulation of policy the Chancellor will represent his/her campus to the President and the Board of Trustees, and upon the adoption of policy he/she will ensure its implementation on campus. He/she will develop, coordinate, and present to the President immediate and long-range plans for the campus. The Chancellor will also coordinate, prepare, and present to the President the annual budget request of the campus and oversee campus expenditures.

3. The Chancellor will appoint the Vice Chancellors, the Provosts, and the Deans of the campus upon delegation by the President, set their salaries, and periodically evaluate their performance. When appointing a Vice Chancellor with line responsibilities, a Provost, or a Dean, the Chancellor will seek nominations from a broadly representative search committee. The Chancellor and the appropriate governing body(s), representative and/or administrative,

will mutually agree upon the composition and the charge of the search committee. The Chancellor will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s).

4. The Chancellor will appoint, promote, and grant salary adjustments to professional and nonprofessional personnel on campus.

5. The Chancellor will coordinate the work of the various units of the campus and promote the general welfare of the campus as a whole and in its several parts. He/she will ensure as much autonomy as possible to the various units of the campus commensurate with achieving the central purposes of the campus and the University as a whole or fulfilling his/her duties as specified herein. He/she will assist the President in maintaining an effective communications system within the campus that allows for the prompt identification of needs and problems and their analysis. In particular, the Chancellor will assist the President in ensuring that all appropriate components of the campus have the opportunity to make recommendations prior to the establishment of policy.

6. The Chancellor may refer for investigation and report any matter of institutional concern to administrative staff, governing bodies, faculty and students.

#### D. CAMPUS GOVERNING BODIES

1. Faculty and students may be organized into governing bodies, such as senates and assemblies, departments, schools, and colleges. The constitutions of the major governing bodies must be approved by the Board of Trustees.

2. When appropriate, governing bodies shall have the privilege of recommending policies and procedures affecting the campus and the University as a whole, including, among other matters, academic matters, matters of faculty status, and student affairs. Also when appropriate, governing bodies will have the privilege of contributing to long-range planning, the preparation of the annual budget request, and the allocation of available resources.

3. The Chancellor, the President, and the Board of Trustees may approve recommendations from the campus representative governing bodies at any time. Subject to precedents established by components of each campus and/or the restraints and procedures specified in their constitutions, and in accordance with the preceding statements of primary responsibility (Section I.B of this statement), recommendations adopted by the campus representative governing bodies will become policy unless

(1) disapproved or sent back for reconsideration by the Chancellor within twenty working days of receipt of notification from the governing body; (2) disapproved, sent back for reconsideration, or deferred by the President within twenty working days of receipt of notification of the Chancellor's approval or within twenty working days following the expiration of the twenty working-day period for the Chancellor's

consideration; (3) disapproved by the President during a special thirty-working-deferral period (if the President chooses to defer his/her decision he/she will notify the governing body; the deferral period will begin at the end of the President's initial twenty-working-day period of consideration); (4) disapproved by the Board of Trustees within these specified time limitations. The governing bodies will notify the Chancellor, the President, and the Board of Trustees of their actions as soon as possible after their adoption. Any matter not acted upon within seventy-working-days of receipt of notification by the Chancellor of an action by a governing body will be taken as approved by the Board of Trustees. When a recommendation is disapproved, the governing body will receive written reasons in detail for the adverse decision.

### III. IMPLEMENTATION

Provision for implementing the foregoing policies and procedures of University governance shall be subject to the approval of the Board of Trustees.

### IV. APPROVAL AND EVALUATION

The Board of Trustees reserves the right to alter, amend or revoke the foregoing Statement on University Governance, in part or whole, at any time. The Board of Trustees will review the foregoing policies and procedures every five years.