

4-25-2016

## Senate Bill 2016.0003 Enacted

Student Government Association BBC, Florida International University

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# SENATE BILL

Florida International University ◇ Student Government Council ◇ Biscayne Bay Campus

**Agenda Item:** To dissolve the old SGC-BBC Statutes and to implement the attached Statutes.

**Author:** Allhan Mejia, President

**Sponsors:** Tonie Jean, Speaker Pro Tempore/ Arts & Science Senator  
Meredith Marseille, Finance Chair/ Lower Division Senator

**Committee:** Of the Whole

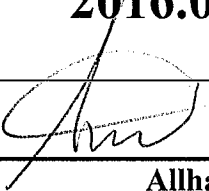
**Date:** April 25, 2016

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**Section 3:** This section of the bill shall be implemented immediately during the Spring semester of 2016 as soon as a Super Majority of the Senate passes it.

<input checked="" type="checkbox"/> Enact	<b>Senate Bill:</b>  <b>2016.0003</b>	<b><u>In Favor Of:</u></b> 9	<b><u>Opposed:</u></b> 0	<b><u>Abstained:</u></b> <u>0</u>
<input type="checkbox"/> Veto		<b><u>Date Signed:</u></b> 05/04/2016		
x		 <b>Allhan Mejia, SGC President</b>		





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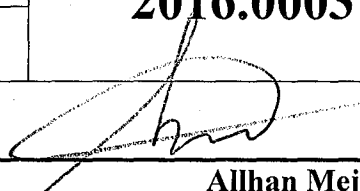
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**FLORIDA INTERNATIONAL UNIVERISTY  
STUDENT GOVERNMENT ASSOCIATION  
BISCAYNE BAY CAMPUS  
STATUTES**

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Through the Authority of the SGA Constitution, the Student Government Council – Biscayne Bay Campus hereby establishes its statutory policies and procedures.



**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION-BISCAYNE BAY CAMPUS  
ARTICLE I: SYSTEM OF STATUTES**

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**Chapter 100 Student Government Statutes**

**100.01** This chapter shall outline the statutes of the Biscayne Bay Campus student body, observed by the Senate in enacting legislation; as well as by the Chief Justice in exercising judicial review.

**100.02** Statutes will be organized into articles, each dealing with related and similar topics. Each article shall be composed of numerically designated chapters, as follows:

ARTICLE I	(Ch. 100-199)	System of Statutes
ARTICLE II	(Ch. 200-299)	Membership, Powers and Purpose
ARTICLE III	(Ch. 300-399)	General Statutes
ARTICLE IV	(Ch. 400-499)	Executive Branch
ARTICLE V	(Ch. 500-599)	Legislative Branch
ARTICLE VI	(Ch. 600-699)	Finance Code
ARTICLE VII	(Ch. 700-799)	Judicial Branch
ARTICLE VIII	(Ch. 800-899)	Governing Councils

**100.03** Each article shall be divided into chapters, which shall be divided into sections marked by a decimal place system. Each section shall be composed by the containing chapter number, with each tenth decimal place specifying the section's number, as Section 100.01, is the first section within the first article.

- (i) Each section shall be divided in subsections, organized with lowercase roman numerals.
- (ii) Each subsection shall be divided in sub-subsections, organized with Latin numerals.
- (iii) Each sub-subsection shall be divided in paragraphs, marked in outline form with the alphabet.
- (iv) Each paragraph shall be divided in sub-paragraphs, marked with lowercase roman numerals.
- (v) Each sub-paragraph shall be divided in clauses, marked in outline form with Latin numerals.

**100.04** The Senate has the authority to enact laws and the Judicial Branch has the authority to nullify such laws which are not in accordance with the Student Body Constitution, national, state, local and university laws.





**100.05** There shall be one official copy of the SGC-BBC Statutes. These Statutes shall be maintained by the Office Assistant and be kept in the SGC-BBC offices.

**100.06** The Senate President's designee or Speaker of the Senate shall make sure copies of the laws are made available to those interested. These publications shall be titled the year of print and publication, e.g., SGC-BBC Statutes of 1974-1975 shall reflect the Statutes of the academic and election year of April 1974- April 1975.

- (i) A codification of the Student Government Council-Biscayne Bay Campus Statutes shall be located on the SGC-BBC website.

**100.07** All legislation and resolutions presented to the Student Senate shall be retained and archived according to University Library policies at the end of each legislative session.

### **Chapter 101 Compliance with the SGC-BBC Statutes**

**101.01** All Student Government Officers shall comply with the Student Government Statutes. Any willful or deliberate disregard of any Statute may be considered as cause for impeachment in accordance with the Student Government Association Constitution.

**101.02** All students serving in any capacity with Student Government must comply with the Student Government Statutes. Any willful or deliberate disregard of any Statute may subject that student for removal from their position in accordance with the Student Government Association Constitution and Statutes.

**101.03** The order of sovereignty shall be as follows:

- (i) Student Government Association Constitution
- (ii) Student Government Association University - Wide Statutes
- (iii) The Biscayne Bay Campus Statutes

### **Chapter 102 Amendments to the Statutes**

**102.01** The SGC-BBC Statutes can be amended by no less than (2/3) vote of the entire Senate membership.

**102.02** Senate bills to amend Statutes shall require two (2) readings if it involves changing only one article or chapter. Bills that amend more than two articles or chapters will require three (3) readings from the Senate.

**102.03** Senate bills adding new articles or chapters shall require three (3) readings from the Senate.

**102.04** All bills to amend the Statutes are subject to review by the judicial branch.

**102.05** All amendments to the SGC-BBC Statutes shall take immediate effect upon being signed by the SGC-BBC President or upon an override of a Presidential veto.



## **Chapter 103 Definitions of Terms**

**103.01** When a Senate Bill introduces new terminology to the Statutes, appropriate definitions shall be attached to the Senate Bill. Once the Senate Bill passes, the definitions shall be added alphabetically to the section below.

- (i) **Activity & Service Fee:** As defined by the Florida Statutes 1009.24 (10a-b). Each university board of trustees shall establish a Student Activity & Service Fee on the main campus of the university. The university board may also establish a Student Activity & Service Fee on any branch campus or center. Any subsequent increase in the Activity & Service Fee must be recommended by an Activity & Service Fee Committee, at least one-half of whom are students appointed by the Student Body Presidents. The remainder of the committee shall be appointed by the University President. A chairperson, appointed jointly by the University President and the Student Body Presidents, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the University President, after consultation with the Student Body presidents, with final approval by the University Board of Trustees. An increase in the Activity & Service Fee may only occur once every three (3) years and must be implemented beginning with the fall term. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.
  - (1) The Student Activity & Service Fees shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex or religion. The fund may not benefit activities for which an admission fee is charged to students, except for Student Government Association Sponsored concerts. The allocation and expenditure of the fund shall be determined by the Student Government Association of the university, except that the President of the university may veto any line item or portion thereof within the budget when submitted by the Student Government Association legislative body. The University President shall have 15 school days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the 15 school days. If any line item or portion thereof within the budget is vetoed, the Student Government Association legislative body shall within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the University President vetoes any line item or portion thereof within the new budget revisions, the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by Activity & Service Fees.
- (ii) **Ad-Hoc Committee:** A Senate Committee not established in the Senate Rules of Procedure, which is created by the Senate President or Speaker of the Senate for a



specific purpose, after which it shall be dissolved, and which may be comprised of both Senators and other students.

- (iii) **Bills:** Bills shall be legislative proposals to appropriate monies, approve Constitutional amendments and revisions, and adopt statutory amendments and revisions, and other binding acts. Such bills shall require two (2) readings before the Senate.
- (iv) **Broward Pines Center:** An organizational and budgetary entity of Florida International University governed by the Biscayne Bay Campus Student Government.
- (v) **Candidate for Student Government Office:** Any person running or applying to become a Student Government Officer
- (vi) **Capital Improvement & Trust Fund (CITF):** Florida Statutes 1013.74, funding used for building new student buildings. (FLS. 1013.74 [3]) No project proposed by a university, which is to be funded from Capital Improvement Trust Fund fees, or building fees shall be submitted to the Board of Governors for approval without prior consultation with the Student Government Association of that university. The Board of Governors may adopt rules, which are consistent with this requirement.
- (vii) **Conflict of Interest:** shall be defined as any business, professional activity, or direct or indirect financial interest that would place a person in a position where there is an opportunity to disregard the public interests of the Student Body for his or her own private interests.
- (viii) **Department:** An organization that receives its operating revenue directly from allocations within the Activity and Service Fee Budget and whose duties, composition and responsibilities are outlined in the Statutes. A Department shall provide auxiliary services to Student Government.
- (ix) **Emoluments:** A document which contains the stipends for respective SGA positions during an academic year. As well as the Governing Councils positions.
- (x) **Employee of Student Government:** Any person receiving remuneration from Student Government accounts, but is not a Student Government Officer.
- (xi) **Executive Board Committee:** Board comprised of the Student Body President, Student Body Vice-President, Comptroller, Chief of Staff, Speaker of the Senate, Speaker Pro-Tempore, and Chief Justice of the Supreme Court. The advisor shall serve as an ex-officio member.



- (xii) **Fee Increase Committee:** The student half of the committee required by State Law to raise the Athletics Fee, Health Fee and/or the Activity & Service Fee appointed jointly by both Student Body Presidents.
- (xiii) **Fiscal Year:** The Student Government fiscal year shall begin on every 1<sup>st</sup> of July and end the 30<sup>th</sup> of June the following year.
- (xiv) **Florida Law:** Any Statute, Executive Order, Injunction or otherwise officially recognized legal standing issued by the State of Florida Government.
- (xv) **Full Time Enrollment (FTE):** The number of enrolled undergraduate students taking 12 or more credit hours at FIU, and the number of enrolled graduate students taking 9 or more credit hours at FIU.
- (xvi) **Governing Councils:** An SGC-BBC entity that receives its operating revenue directly from allocation within the Activity & Service Fee Budget and whose duties, composition and responsibilities are outlined within SGC-BBC Statutes, which shall provide direct service to the student body. These positions are not considered an SGA Position.
- (xvii) **Incompetence:** The state or fact of being unable or unqualified to do something.
- (xviii) **Judicial Capacity:** Of or related to the duties of the Student Government Supreme Court as outlined in Article V.
- (xix) **Judicial Recusal:** The removing of oneself from a Supreme Court proceeding due to a conflict of interest with the pending matter.
- (xx) **Majority Vote:** A majority vote shall be defined as a vote of greater than fifty (50) percent of those present at a meeting who have voting rights. \_\_\_\_\_
- (xxi) **Malfeasance:** Commission of a wrongful or unlawful act involving or affecting the performance of one's duties.
- (xxii) **Misfeasance:** Performance of a lawful action in an illegal or improper manner or with an improper or corrupt motive.
- (xxiii) **Nonfeasance:** Failure to perform an act that is either an official duty or a legal requirement.
- (xxiv) **Nonpublic Information:** Information that would be considered confidential under Florida Law.
- (xxv) **Quorum:** Number of members required for a formal Senate or General Meeting, fifty percent plus one (50% + 1) of the voting members.





- (xxvi) **Resolutions:** Shall be the formal expression of the opinion of the Senate or the Student Governing Council of the Biscayne Bay Campus, as voted on by the legislative branch.
  
- (xxvii) **Senate Rules of Procedure:** The Rules of Procedure (ROP) of the Senate shall be a separate document of the Student Government Statutes, to be amended by the same procedure as the Student Government Statutes, with the exception that the ROP are not subject to Executive veto. The Senate ROP shall serve to detail internal procedures and policies of the Senate and shall not conflict with the Student Government Constitution and Statutes.
  
- (xxviii) **SGA Position:** A person serving either in the Legislative branch as a Senator, Judicial Branch as a Justice or Court Clerk, and the Executive branch as an Executive officer, Director, or part of the Elections Board.
  
- (xxix) **Standing Committee:** A Senate Committee established in the Senate Rules of Procedure.
  
- (xxx) **Student Body:** All enrolled students at Florida International University.
  
- (xxxi) **Student Counselors:** Students representing other students before the Student Government Supreme Court.
  
- (xxxii) **Student Government Meeting:** Any gathering, whether formal or informal, of two or more members of the same committee, agency or branch, to discuss some matter on which foreseeable action will be taken.
  
- (xxxiii) **Student Government Officer:** Any member of the Student Government Association who is elected by the student body or confirmed by the Senate.
  
- (xxxiv) **Student Government Records:** All material, regardless of physical form or characteristics, made or received pursuant to law or in connection with transaction of official business by any committee, agency or branch of Student Government.
  
- (xxxv) **Student Representative:** Any student appointed by the Student Body President to serve on a University Wide Committee.
  
- (xxxvi) **Supermajority Vote:** A supermajority vote shall be defined as a vote greater than or equal to two-thirds (2/3) of those present at a meeting who have voting rights.
  
- (xxxvii) **University Wide Committee:** A committee established by University Policy for the benefit and/or pertaining interest of the whole student body.



(xxxviii) **University Wide Budget Committee:** Committee whose functions shall be to draft the annual budget of the SGA. Voting members are outlined in the Constitution.

(xxxix) **University Wide Council:** Responsible for representing student interests and addressing student needs on matters of University Wide, local, state, federal and international concerns and structured as outlined in the Constitution.

(xxxviii) **Vote of Reconsideration:** A vote held in order to reassess any prior vote conducted within the current legislative term.

(xxxix) **Writ of Mandamus:** An order by the court to force a Student Government Officer to perform his or her duties as outlined in Statutes.



FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION-BISCAYNE BAY CAMPUS  
**ARTICLE II: MEMBERSHIP, POWERS and  
PURPOSE**

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**Chapter 200 Compensation Policy, Senate Confirmation and Oaths of Office**

**200.01** No compensation shall be authorized for any officeholder whose appointment requires Senate confirmation until the officeholder has been confirmed.

**200.02** There must be proper notification to the upcoming member(s) of all of the paperwork and forms that must be submitted 2 weeks before nomination(s) regarding compensation.

**200.03** There shall be a reasonable amount of compensation to be paid for the duties performed and for the time allotted. The stipend shall be prorated for SGA positions and for the Governing Councils.

**200.04** Assumptions of Duties:

- (i) Duties, rights and responsibilities shall vest upon confirmation by Senate and upon taking the oath of office. The President of the Senate or Speaker of the Senate shall be responsible for administering the oath.

**200.05** The oath for all offices shall be as follows:

- (i) I, (officer's name), promise to abide by the Student Government Constitution and Statutes of Florida International University and honor the code of ethics as established, and I shall execute my position to the best of my ability as detailed to me, "so help me God."

**200.06** Oath for the President:

- (i) I, (officer's name), do solemnly swear that I will faithfully execute the Office of President of the Student Body, and will to the best of my ability preserve, protect and defend the Constitution of the United States, the State of Florida and Florida International University's Student Body, "so help me God."

**200.07** There shall be one inauguration ceremony held per year, following the Spring SGA election, on the date specified in the Student Body Election Code. The oath of office will be administered to all students who have been duly elected to office by the Chief Justice of the Student Supreme Court. If the Chief Justice is unavailable, then he/she may appoint an Associate Justice to administer the oath in his/her place. If no Justice to the Student Supreme Court is available, then the Supervisor of Elections shall choose any judge or justice who is currently serving on the bench in the State of Florida. The elected



candidates for the offices of Student Body President and Student Body Vice President must be administered the oath individually. All duties, rights, privileges and responsibilities of office shall be vested upon taking the prescribed oath of office.

**200.08** No Student Government Officer shall be required to take any oath, which would violate any personally held convictions.

#### **Chapter 201 Florida International University Student Government in the Sunshine Laws**

**201.01** A Student Government Meeting shall be defined as any gathering, whether formal or informal, of two or more members of the same committee, council or branch, to discuss some matter on which foreseeable action could be taken.

**201.02** In accordance with the State of Florida's Sunshine Laws, all Student Government meetings and Student Government funded clubs and groups must fulfill the following requirements:

- (i) Must be open to the public.
- (ii) Reasonable notice of meetings needs to be given.
- (iii) Minutes of the meetings need to be taken, archived and made available to the public.

**201.03** All Student Government Records shall be open to public inspection.

**201.04** To aid in the facilitation of keeping with the laws as established by the State of Florida, an SGC-BBC website shall be maintained.

**201.05** Posting on the Student Government website shall constitute a post in a public space and advertisement in a widely published fashion.

**201.06** Executive, Legislative and Judiciary Information:

- (i) Acts of the Student Body President including all executive orders, all appointments, all vetoes and all dismissals of Student Government officers must be posted on the website within 72 hours of any action being taken.
- (ii) The names of all filled positions, as well as any publicly available contact information for all officers in the Executive Branch, must be posted on the website within 24 hours of any changes.
- (iii) Acts of the Senate including a synopsis of all proposed statutory amendments, proposed allocations, actual statutory revisions, actual allocations, confirmations, impeachments, roll call votes, and the Senate Rules of Procedure must be posted on the website within 72 hours of any action being taken.





- (iv) The names and offices of all Senators and Officers of the Senate, as well as the committees on which they serve, and publicly available contact information must be posted on the website within 24 hours of any changes.
- (v) Acts of the Supreme Court including all Opinions and Advisory Opinions, all orders and writs, and a brief synopsis of all cases including the outcome thereof must be posted on the website within 72 hours of any action being taken.
- (vi) The names and offices of all Justices and Officers of the Court as well as their publicly available contact information must be posted on the website within 24 hours of any changes.

**201.07 Additional Required Information:**

- (i) A calendar of the Student Government Association events, as well as the Student Body Constitution and Statutes and a list of all vacant positions in the Student Government must be posted on the website within 48 hours of any action being taken.

**Chapter 202 Code of Ethics**

**202.01** This act shall be known as the “Student Government Code of Ethics” Act. The intent of this code is to strengthen the confidence and faith of the Student Body in the Student Government Association.

- (i) It is essential to the proper conduct and operation of the Student Body that its officials are independent and impartial, and that public office is not used for private gain. Student Body officers and employees hold their position for the benefit of the Student Body. Such officers and employees are bound to observe in their official acts the highest standards of ethics consistent with this code, recognizing that promoting the public interest and maintaining the respect of the Student Body in their Student Government must be the foremost concern.
- (ii) It is the intent of this act to protect the integrity of Student Government by prescribing conflicts of interest and unethical practices. It shall serve as the basis of discipline for those who violate its provisions.
- (iii) Any student has the right to file a complaint to the Student Supreme Court when they feel that a violation of the Code of Ethics has occurred.
  - (1) Any organization has the right to establish additional ethical criteria or penalties in its constitution and bylaws.

**202.02 Standards of Conduct**

- (i) In order to preserve the integrity of Florida International University Student Government Association, its officers and employees must disclose all potential or actual conflicts of interests.



- (ii) No officer or employee will judge or vote on any matter, which would affect his or her private gain.
- (iii) Any vote, action or judgment performed by an officer or employee who has a conflict of interest may be appealed with the Student Supreme Court. This must be done in a written, signed complaint submitted no later than three (3) days after the vote, act or judgment in which the conflict occurs.
  - (1) In the Student Senate, a written and signed complaint shall be filed; the Speaker of the Senate or designated Senator will investigate that matter within 48 hours of receipt of complaint. Upon cause, the Senator shall forward the complaint and findings and a recommendation for penalties to the Student Supreme Court. The Student Supreme Court shall assign penalties for any Senator or officer of the Senate who acts, judges or votes with a conflict of interest.

**202.03 Misuse of Student Government Property:**

- (i) No officer or employee will use or attempt to use Student Government property, facilities, resources or personnel to secure a gift, reward, privilege, benefit or exemption for anyone.
- (ii) No officer or employee will disclose information unavailable to the public for his or her personal gain, or for the personal gain of any other person and/or organization.

**202.04 Unlawful Compensation:**

- (i) No officer or employee shall solicit, accept, provide or attempt to provide any material items of value in cases that would influence or appear to influence any vote, action or judgment.

**202.05 Inducing to Act:**

- (i) No officer or employee shall knowingly aid, advise, encourage or threaten another officer or employee of Student Government or student to act in violation of this chapter, Federal, State and local laws, the Florida International University Student Body Constitution and Statutes, the Student Code of Conduct or Academic Honor code.

**202.06 Fraud in the Student Government Association:**

- (i) No officer or employee will willfully misrepresent himself or herself while acting in his or her official capacity.
- (ii) No officer or employee will withhold information or documentation when mandated or provide false or misleading information or documentation.



- (iii) No officer or employee will bring false charges or provide false or misleading evidence against another officer, employee or student.

**202.07 Anti-Discrimination Policy:**

- (i) No officer or employee will practice any discrimination as defined in the University's Anti-Discrimination Policy.
- (ii) No officer or employee will deny any student rights guaranteed by the Federal and State Constitution, or the Florida International University Student Body Constitution and Statutes.
- (iii) No officer or employee will deny any student the right to due process or the right to an impartial hearing or trial.

**202.08 Protection Clause:**

- (i) No officer or employee of Student Government will dismiss, discipline or take adverse action against a Student Government Officer or employee for disclosing information pursuant to the provisions of this section.

**202.09 Procedures:**

- (i) Enforcement of the SGA Code of Ethics shall be the jurisdiction of the SGC-BBC Supreme Court. All ethics complaints shall be heard by the SGC-BBC Supreme Court.
- (ii) Upon receipt of a written and signed complaint of any student, the SGC-BBC Supreme Court shall hear the complaint within 48 hours of receipt.
- (iii) The court may issue any writs necessary.

**202.10 Penalties:**

- (i) Upon finding a violation(s) of this SGA Code of Ethics, the Student Supreme Court shall assign penalties. Such penalties shall consist of, at the Court's discretion: suspension, recommendation to begin impeachment proceedings or recommendation to the Senate to freeze an organization's funding.
- (ii) Violation(s) of the Code of Ethics does not preclude prosecution under the Student Code of Conduct or Academic Honor Code.
- (iii) Any violation of this chapter may be grounds for impeachment, suspension or dismissal from employment.
- (iv) Any person found guilty of violating two (2) or more provisions of this Code shall not be allowed to hold a Student Government office in the future.



**202.12** In accordance with the laws of the State of Florida, any elected or appointed officer of the Student Body who has been convicted of a felony shall be immediately dismissed from Student Body office, and shall be prohibited from ever holding a Student Body office again, unless his or her conviction is vacated in a court of law, or upon pardon by the Governor of the State of Florida or the President of the United States of America.

**Chapter 203 Grounds for Removal & Order of Succession**

**203.01** Student Government officers may be removed from office based on the guidelines as expressed in the Constitution, Article VI, which includes but is not limited to:

- (i) Malfeasance
- (ii) Misfeasance
- (iii) Incompetence
- (iv) Nonfeasance
- (v) Permanent inability to perform official duties
- (vi) Conviction of a felony
- (vii) Violations of the SGA Constitution and Statutes

**203.02** Permanent absences, resignation or removal of the SGC-BBC President, then the proper order of succession shall be followed as expressed in the SGA Constitution, Article IV.

**Chapter 204 Official Seal of the SGA of Florida International University**

**204.01** This chapter shall define the Official Seal of the Florida International University Student Government Association.

**204.02** The Official Seal for the Student Government Association of Florida International University shall be as follows:







**204.03** This will be the universal seal for the Student Government Association and shall appear on anything and everything deemed necessary.

**204.04** Changes to the Official Seal shall require a supermajority vote of the Judicial, Senate and Executive Committee, prior to being voted on in the form of a bill by the Senate.

**Chapter 205 Official Logo of Student Government**

**205.01** This chapter shall define the Official Logo of the Florida International University Student Government Council at the Biscayne Bay Campus.

**205.02** The Official Logo for the Student Government of Florida International University-Biscayne Bay & Pines Center shall be as follows:



**205.03** This will be the universal logo for the Student Government Council at the Biscayne Bay and Pines/Broward Center and shall appear on anything and everything deemed necessary.

**205.04** Changes to logos, that doesn't require FIU External Relations approval, shall require a supermajority vote of the Judicial, Senate and Executive Committee, prior to being voted on in the form of a bill by the Senate.



**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION-BISCAYNE BAY CAMPUS  
ARTICLE III: GENERAL STATUTES**

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**Chapter 300 Constituency Responsibility**

- 300.01** Surveys must be filled out and collected by each Senator and Chairperson, excluding the Comptroller, every fall and spring Semester. The surveys must be composed of at least 25 percent of the total students to which each Senator was elected to serve. The Speaker of the Senate shall also conduct such surveys on the constituents he/she was originally elected to represent.
- 300.02** Senators, Committee chairs, Cabinet members and Directors will be responsible for the typing and presenting of a fall and spring report to the Council setting their goals for the Semester.
- 300.03** Cabinet members and Directors, excluding the Comptroller and Chief of Staff, are required to type and turn in a bi-weekly report, containing all goals accomplished and updates on ongoing projects, to their immediate supervisor. Cabinet members to the Chief of Staff and Directors to the President.
- 300.04** Senators and Committee chairs, excluding the Speaker of the Senate, are required to type and turn in a weekly report, containing all goals accomplished and updates on ongoing projects, to the Speaker of the Senate. The Speaker of the Senate shall report to the Vice President of his/her accomplished goals and updates on projects for the constituents they were originally elected to represent.
- 300.05** All Senators (excluding Lower Division Senator, Senator At-Large, Housing Senators and) are required to meet with their college's Dean every other month, and a minimum of twice (2) per Semester. Lower Division Senators, and Senators At-Large shall arrange to meet with appropriate University administrator(s) and personnel every other month.
- 300.06** The Biscayne Bay Campus Housing Senator will be required to attend Executive Committee meetings held by the Bay Vista Hall Council (BVHC) at least once per month. This shall count towards their SGC-BBC attendance requirements unless the absence is excused by the BVHC.
- 300.07** All officials of the SGC-BBC shall conduct their prescribed office hours during business hours, from 8:30 A.M. to 5 P.M. Monday through Friday.
- (i) At least half of all office hours shall be conducted during the above prescribed time.
  - (ii) All office hours for the Executive Branch, with the exception of the president, vice president, comptroller and chief of staff must be solely completed during business hours.



- (iii) Out of office hours shall be composed of all dean, and administrator meetings. Any event or office duty completed in an official capacity shall also count as an out of office hour.
  - (1) The out of office hours form must be filled with all out of office hours done which are not already documented in the time card. Proper proof documenting the work claimed must be attached to the form and submitted with the weekly time card.

### **Chapter 301 Meetings and Absences**

**301.01** Student Government Council (SGC-BBC) general meetings shall take place on the last Wednesday of every month at 3:30 P.M. in a location to-be-determined by the President. All SGC-BBC members must schedule around this time. Meeting will last a maximum of two (2) hours.

- (i) In the event the university is closed on the last Wednesday, the meeting will take place on the last Wednesday of that month while the University is still open.
- (ii) No SGC-BBC General meeting shall count towards office hours.
- (iii) An emergency meeting can take place if deemed necessary by the SGC-BBC President.
  - (1) A forty-eight (48) hour notice must be given before any emergency meeting can be called.
- (iv) Regular and emergency meetings must meet a quorum of voting members.
- (v) If an emergency meeting is called but fails to reach quorum, then the failure to attend such a meeting will not be counted against any member of SGC-BBC. But attendance at such meetings shall be counted in favor of the present SGC-BBC member(s) when determining overall attendance.

**301.02** Senate meetings shall take place on Mondays at 3:30 P.M. in a location to-be-determined by the Speaker of the Senate or Speaker Pro Tempore. All Senators must schedule around this time. Meetings will last a maximum of two (2) hours.

- (i) During the Summer Semester, the Speaker can decide to hold meetings bi-weekly if there is no business to discuss.
- (ii) No SGC-BBC Senate meeting shall count towards office hours.

**301.03** For the purpose of scheduling committee meetings, official academic school schedules of Council members shall be taken into consideration. The location of such committee meeting shall be determined by that committee's respective Chairperson or Vice



Chairperson. The time and place of committee meetings must be submitted to the Vice President no later than two (2) weeks prior to the beginning of the Semester to allow for adequate planning. Meetings will last a maximum of one (1) hour.

(i) Finance Committee meetings shall last a maximum of two (2) hours.

**301.04** Cabinet meetings shall take place on Wednesdays at 3:30 P.M. in a location to-be determined by the President or Chief of Staff. All Cabinet members must schedule around this time. Meetings will last a maximum of two (2) hours.

(i) During the Summer Semester, the President can decide to hold meetings bi-weekly if there is no business to discuss.

(ii) No SGC-BBC Cabinet meeting shall count towards office hours.

**301.05** The Student Government Council shall not count absentee ballots for either quorum or voting purposes.

**301.06** Student Government Officials who do not show up for meetings or fulfill their office hours will not be compensated.

**301.07** SGA officials can be excused from Summer semester meetings by properly submitting a "Leave of Absence" form and turning it in to the Chief Justice. Leave of absence is only valid for the Summer semester.

**301.08** SGC-BBC members cannot miss no more than three (3) unexcused General meetings or two (2) consecutive unexcused General meetings for both Fall & Spring semesters combined. Missing more than the stated number of unexcused absences will result in an automatic dismal from the council.

**301.09** Senators cannot miss no more than three (3) unexcused Senate meetings or two (2) consecutive unexcused Senate meetings per Fall and Spring semesters. Missing more than the stated number of unexcused absences will result in an automatic dismal from the council.

**301.10** Cabinet members cannot miss more than three (3) unexcused Cabinet meetings or two (2) consecutive unexcused Cabinet meetings per Fall and Spring semesters. Missing more than the stated number of unexcused absences will result in an automatic dismal from the council.

**301.11** If an SGA official is removed due to having too many absences, refer to Article VII Judicial Branch in these statutes to find the appeals process.

**301.12** To be counted as present in any meeting, SGC-BBC members must be present for a majority of the meeting (over 50%).

**301.13** All meetings shall be run according to the latest edition of Robert's Rules of Order.





- (i) A copy of the agenda for all meetings shall be kept in the SGC-BBC office.
- (ii) A copy of the minutes for all meetings shall be kept in the SGC-BBC office.

### **Chapter 302 SGA Council Member Accountability and Deadlines**

- 302.01** Any council deadline will be an official benchmark. Violation of which will lead to disciplinary actions and removal of a council member if the violation is repeated.
- 302.02** Deadlines are to be set by SGC-BBC President or Vice President or the Speaker of Senate or Speaker Pro-Tempore in the absence of the Speaker. Upon creation of the deadline, it must be approved by majority Senate vote in order to be put into action and recorded in the meeting minutes.
- 302.03** Any events or tasks that individual council members set as their agenda, will be recorded as an official deadline they will be accounted for. The amount of events and tasks council members will be assigned will be set by SGC-BBC President, Vice President, Speaker and Chief Justice in their respective branches and must be approved by a majority Senate vote.
- 302.04** If a council member fails to abide by established deadline, he/she will be issued a warning at the meeting. The Chief Justice will then add the member's name to the nonfeasance list. If the council member fails to meet the deadline a third time, they will be removed by the Chief Justice or a majority of the Senate vote.
- 302.05** The removed council member will be ineligible to apply to the Student Government Council until the new council elections/appointments occur the following scholastic year.
- 302.06** In case the council member missed the deadline because of leave of absence and was not present when the deadline was issued, he/she will not be held accountable to that deadline. However, if they have taken a leave of absence when having an assigned deadline, they will be responsible to meet it on time.
- 302.07** A council member may be pardoned by the President in case they miss the two deadlines prior to any impeachment process. A pardon must be issued during a council meeting and recorded in meeting minutes.
- 302.08** The President will set annual benchmarks/goals in the beginning of fall and spring Semesters, dividing them into appropriate branches.

### **Chapter 303 Dissolution**

- 303.01** These Statutes shall be dissolved upon two-thirds (2/3) ratification of all voting members of the Student Government Council for a new set of SGC-BBC Statutes.



**FLORIDA INTERNATIONAL UNIVERSITY  
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ARTICLE IV: THE EXECUTIVE BRANCH**

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**Chapter 400 Executive Branch**

**400.01** The purpose of this legislation is to define and outline the structure of the Executive Branch within the Student Government Association. This act provides the framework and body, within which the entities of the Executive Branch operate, and its provisions are considered fully binding to the aforementioned entities.

**400.02 Composition of the Executive Branch**

- (i) Executive Officers (Chapter 403)
- (ii) Executive Cabinet (Chapter 404)
- (ii) Elections Board (Chapter 405)

**Chapter 401 Authority of the Executive Branch**

**401.01** The Executive Branch shall be responsible for the planning and execution of programs, projects and services provided to the students through the Student Government Association.

**Chapter 402: General Guidelines**

**402.01** Qualifications for all Undergraduate Student Government Executive Branch members:

- (i) Must maintain no less than a 2.5 cumulative grade point average and a 2.0 term grade point average to be appointed and to maintain their position.
- (ii) Must maintain a minimum of nine (9) undergraduate credit hours.
- (iii) No one person shall hold more than one SGA position at a time.
- (iv) May not be under academic or disciplinary sanctions, as detailed in the Student Code of Conduct, when appointed or anytime during their time in office.

**402.02** Qualifications for all Graduate Student Government Executive Branch members:

- (i) Must maintain a 3.0 cumulative grade point average and 2.5 term grade point average to be appointed and to maintain their position.
- (ii) Must maintain a minimum of six (6) graduate credit hours.



- (iii) No one person shall hold more than one SGA position at a time.
- (iv) May not be under academic or disciplinary sanctions as detailed in the Student Code of Conduct when appointed or anytime during their time in office.

**402.03** Office Hours are required and will be logged in the SGC-BBC office on a time card between the hours of 8:30am and 5:00pm (Monday through Friday).

**402.04** The Office Assistant will be custodian of all records.

**402.05** Members who complete hours outside of the office, as allowed by the Constitution, must fill out the required Out of Office form and provide substantial documentation to the Chief of Staff.

- (i) Work completed out of office shall include, but is not be limited to meetings with University Administrators, Deans, faculty, etc., on behalf of SGA.

**402.06** Officials will be paid the maximum amount of hours allowed according to the Constitution or as established in A&S budget deliberations on a Semester basis only.

**402.07** The SGC-BBC Executive Committee shall meet at a time and place as decided by the members who make up the Executive Committee.

- (i) There shall be a minimum of one meeting per month conducted with the full SGC- BBC council.

### **Chapter 403 Executive Officers**

**403.01** All executive powers shall be vested in the President and assisted by the Vice President Comptroller, and Chief of Staff.

**403.02** The President shall:

- (i) Maintain a minimum of fifteen (15) hours per week.
- (ii) Administer and ensure that all provisions of the SGA Constitution and SGC-BBC Statutes are faithfully executed.
- (iii) Appoint or create positions not provided for in the Constitution or SGC-BBC Statutes. All appointments shall still require Senate approval as prescribed in Article III Section 5 of the Constitution.
  - (1) Remove any officer whom he/she has appointed to a position in the Executive Branch.
  - (2) Preside over the SGC-BBC Executive meetings and make all necessary arrangements for those meetings, including setting the agenda and conducting the business of the meeting in accordance with the current



edition of Robert's Rules of Order and all provisions of the SGA Constitution and SGC-BBC Statutes.

- (3) Have the power to veto or sign acts of the Senate.
  - a) Such exercise of power must be completed within five (5) business days of presentation to the President.
    - i) In the event of a veto, the President must submit a formal and written memo to the Speaker of the Senate explaining the reasoning behind the veto.
  - b) If the President waives his/her right to sign after five (5) business days, this will result in an automatic passage of legislation.
- (4) Make recommendations for legislation to the Student Senate.
- (5) Address the Senate at the beginning of each Semester and at other times upon invitation by the Senate.
- (6) Represent the interest of the students on campus to the administration and faculty.
- (7) Instruct and require reports from Cabinet members and approve all policies made from them.
- (8) Prepare the budget of the Executive Branch with the assistance of the Comptroller.
- (9) Require the written interpretation of the SGC-BBC Supreme Court of any provision of the Constitution, Statutes or any law of the Student Body or Senate Act.
- (10) The President shall have any other duties as expressed in the Constitution and/or by an act of legislation by the legislative branch.

**403.03 The Vice President shall:**

- (i) Maintain a minimum of ten (10) hours per week at the office.
- (ii) Assume the duties of the President in his or her absence or upon his or her request.
- (iii) Serve as ex-officio President of the Senate.
  - (1) Oversee the duties and responsibilities of committee chairs in accordance with the Speaker of the Senate.





- (2) Be responsible for serving as an intermediary officer between the Legislative and the Executive branches.
- (iv) Aid the President in coordinating the efforts of the Cabinet and shall serve as presiding officer for the formulation and completion of Cabinet projects.
- (v) Chair meetings of the President's Council, serving as an intermediary officer between the SGC-BBC President and Governing Council Presidents.
- (vi) The Vice President shall have any other duties as expressed in the Constitution and/or by an act of legislation by the legislative branch.

**403.04** The Comptroller shall:

- (i) Maintain a minimum of ten (10) hours per week at the office.
- (ii) Serve as Chief Financial Officer for SGC-BBC and SGC-BBC funded entities.
- (iii) Administer and ensure that all laws as expressed in Article III of the University-Wide Finance Code are faithfully executed and enforced.
- (iv) Host a Treasurer's workshop, at the beginning of each Semester, providing information and support to all SGC-BBC funded organizations outlining SGC-BBC finance rules and obligations.
- (v) Shall have the power to request meetings with executive officers of A&S funded departments, organizations and other affiliated SGC-BBC funded entities to submit monthly expenditures statements for review.
- (vi) Address questions and/or concerns, and upcoming funding opportunities alongside the finance committee.
- (vii) Review all A&S expenditures prior to being submitted to the SGA Accounting Office.
- (viii) The Comptroller has forty-eight (48) hours to approve or reject any expenditure, after forty-eight (48) hours the expenditure may be considered without approval of the Comptroller.
- (ix) Rejected expenditures must have the approval and signature of the SGC-BBC President.
- (x) Prepare and defend the budget of SGC-BBC.
- (xi) Be responsible for relaying budget deliberation documents to the Senate after it is passed by the University Wide Budget Committee and Campus Specific Budget Committee and upon receipt from the A&S office.



- (xii) The Comptroller shall have any other duties as expressed in the Constitution and/or by an act of legislation by the legislative branch.

**403.05** There shall be a Chief of Staff; who shall aid the President and Vice President in the supervising of members within The Cabinet.

**403.06** The Chief of Staff shall:

- (i) Maintain a minimum of seven (7) hours per week in the office.
- (ii) Supervise the execution of office policies set forth by the Executive committee.
- (iii) Shall conduct a screening process to determine the most qualified candidate(s) upon the receipt of applications for a vacant position in the Student Government Executive Branch.
- (iv) Ensure that cabinet members fulfill required office hours.
- (v) Prepare and verify timecards for SGC-BBC cabinet members.
- (vi) Complete tasks as assigned by the President and/or Vice President.
- (vii) Maintain records and ensure members complete their bi-weekly reports.
- (viii) Oversee timecard and payment policies for the Executive Branch.
- (ix) Work with the Speaker of the Senate and the Chief Justice to facilitate inter-branch cooperation and communication.
- (x) Shall chair cabinet and executive officer meetings at the discretion of the President.

#### **Chapter 404 The Cabinet**

**404.01** The Cabinet shall serve as the means through which the President and Vice President can execute their constitutional powers and carry out their administration's programs, projects and agenda. The purpose of the Cabinet and its divisions is to provide information and assistance to the President and Vice President in a particular area or field of expertise and to advise the President on any subject he/she may require relating to the duties of each member's respective office.

**404.02** The Cabinet shall derive its authority from the President and will have no authority to act or exercise power unless specifically granted by the President or Vice President or as enacted by the Student Senate.



**404.03** Legislation that is enacted by the Student Senate that pertains to a certain Cabinet members is binding, provided that the President signed the legislation into law or receives a legislative override.

**404.04** Cabinet members are advisory in capacity and may not issue any binding resolution or act. Head officials must make proper recommendations to the Student Senate in enacting resolutions and any form of Senate bills on behalf of their offices.

**404.05** The President may organize The Cabinet, as he/she deems necessary and proper within the limits imposed upon him/her by these Statutes therefore, the composition of the Executive Cabinet is at the discretion of the President and Vice President.

**404.06** The Cabinet members of the President shall be comprised of:

- (i) Director of Administrative Services
- (ii) Director of Public Relations
- (iii) Director of Events
- (iv) Director of Campus Services
- (v) Director of Lectures
- (vi) Director of International Student Affairs
- (vii) Director of Marketing & Social Media
- (viii) Director of Governmental & Community Relations
- (ix) Director of Governing Councils
- (x) Director of Civic Engagement
- (xi) Director of Elections

**404.07** If a Cabinet position is created, the President must notify the Senate in writing of its creation and its duties.

**404.08** Director of Administrative Services shall:

- (i) Maintain a minimum of five (5) hours per week in the office.
- (ii) Aid the Executive Committee members with clerical duties and internal communication material.
- (iii) Serve as the record keeper of minutes and agendas for SGC-BBC Cabinet meetings.
- (iv) Aid the President and Vice President with their respective schedules.
- (v) Carry-out tasks assigned at the discretion of the Executive Officers and Chief of Staff.



- (vi) Shall assist the Press Secretary and Recording Secretary of the Senate in maintaining the SGC-BBC website.
- (vii) Assist the Graduate Assistant in the recruitment of membership into the SGC-BBC Internship Program.
- (viii) Ensure that the Interns receive leadership training.
- (ix) Report to the executive team and cabinet about the status of the Internship program.
- (x) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.09** Director of Public Relations shall:

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Be responsible for notifying the student body and FIU community of SGC-BBC activities and programs.
- (iii) Conduct all candidate searches for any open position, ensuring proper and timely notification of open positions to the student body.
- (iv) Be responsible for ensuring that the SGC-BBC website remains updated.
- (v) Be responsible for collecting all minutes and agendas from all SGC-BBC meetings.
- (vi) Serve as liaison to Student Media (i.e., the Beacon, *FIUSM.com*, Radiate, etc.) in relating SGC-BBC information.
- (vii) Create all press releases, memorandums, and position statements as required.
- (viii) Publish the monthly SGC-BBC newsletter to inform the student body of SGC-BBC activities.
- (xi) Shall assist in the posting of SGC-BBC events calendar in the SGC-BBC website, and ensure that they are made within the allotted time.
- (xii) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.10** Director of Events shall:

- (i) Maintain a minimum of five (5) hours per week in office.





- (ii) Coordinate events including, but not limited to, those arranged by Cabinet members, Executive Office Directors, Senators and the Executive Committee.
- (iii) Represent the SGC-BBC on any event-planning committees, as sanctioned by the SGC-BBC President & Vice President.
- (iv) Oversee the SGC-BBC Events Calendar.
- (v) Plan the Town Hall Meeting at least once per Semester.
- (vi) Plan the High Achiever's Award.
- (vii) Aid in the planning of 'Day on the Bay' in conjunction with the Office of Environmental Affairs.
- (viii) Help other Directors conduct events relevant to their positions
- (ix) Plan SGA signature events including but not limited to; "SGA Kick-off", "SGA Week", "SGA Wrap Up event".
- (xiii) Plan and execute further events as specified in the SGC-BBC Statutes and as sanctioned by the SGC-BBC President & Vice President.
- (xiv) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.11 Director of Campus Services shall:**

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Develop a relationship with residence hall life, business services, facilities management, and campus bookstore, WUC, parking, CAPS, Healthy Promotions, Rec & Wellness and other auxiliary services.
- (iii) Serve as a member of the Wolfe Day committee.
- (iv) Plan and execute the Safety Walk with administrators.
- (xv) Serve as a liaison between FIU Police Department and SGA.
- (xvi) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.12 Director of Lectures shall:**

- (i) Maintain a minimum of five (5) office hours per week in office.
- (ii) Recommend an Assistant Director to the SGC-BBC President with notification the Senate.

- (iii) Make recommendations for the creation of additional officers within this office.
- (iv) Set meeting times at a minimum of twice a month.
- (v) Report bi-weekly to the Senate or full Student Government Council on the activities of the office.
- (vi) Have recorded minutes and agendas to be turned in to the Press Secretary and SGC-BBC Clerk for documentation.
- (vi) Perform other related functions as directed by the SGC-BBC President.
- (vii) Make recommendations to the Student Senate in passing legislation on pertaining issues to the office.
- (viii) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.13 Director of International Student Affairs shall:**

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Attend general meetings of all student organization whose focus is on engaging international students.
- (iii) Facilitate town hall meetings at least once per semester for International Students.
- (iv) Meet with University Administrators in the Office International Student and Scholar Services at least once a month.
- (v) Meet with the International Students and Scholar Services (ISSS) Office at least once a month.
- (vi) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.14 Director of Marketing & Social Media shall:**

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Develop and execute a yearlong marketing strategy designed to promote SGC-BBC.
- (iii) Assist the Chief of Staff with recruitment.

- (iv) Design all promotional materials.
- (v) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.15** Director of Governmental & Community Relations shall:

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Attend and facilitate FIU Day in Tallahassee.
- (iii) Meet with University Administrators in the Office of Governmental Relations at least once monthly.
- (iv) Work with the Press Secretary to create position statements with regard to pressing local, state and national articles of legislation that affect FIU students.
- (v) Create registration drives for students.
- (vi) Collaborate with on-campus and external organizations for community service project partnerships. External partners include the City of North Miami, Miami-Dade County, State of Florida, and local area independent school districts.
- (vii) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.16** Director of Governing Councils shall:

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Ensure that departments and councils are following proviso languages and giving both the President and Comptroller updates on those findings.
- (iii) Inform the cabinet of issues that students are facing and what SGC-BBC can do to help as well as bridge the gap between students and SGC-BBC.
- (iv) Serve as the liaison between SGC-BBC and SPC, SOC, Panther Power, BVH, and all other councils it oversees.
- (v) Ensure that that there is proper communication between student groups on campus and SGC-BBC.
- (vi) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.17** Director of Civic Engagement shall:

- (i) Proactively address environmental and sustainability concerns and policy issues
- (ii) Develop relationships with and meet regularly with leaders from all the environmental and sustainability related student organizations
- (iii) Develop a working relationship with the Campus Sustainability Office, and other related environmental and sustainability offices
- (iv) Outreach to and recruit students to participate in environmental and sustainability issues.
- (v) Attend, as often as possible, environmental and sustainability student organization's events, meetings, and programs
- (vi) Coordinate planning, logistics, and execution of monthly and annual community service projects for all SGA officers.
- (vii) Plan Day on the Bay at least once a semester in the Fall and Spring.
- (viii) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**404.18** Director of Elections shall:

- (i) Maintain a minimum of five (5) hours per week in office.
- (ii) Oversee SGC-BBC elections.
- (iii) Chair the Meet the Candidates' forums and debates.
- (iv) Be responsible for faithfully upholding and enforcing the Election Codes as outlined in Article VII of the SGC-BBC Statutes.
- (v) Oversee the Student Elections Board, which shall be in charge of SGC-BBC general and special elections.
- (vi) Work with the Director of Governmental & Community Relations to manage year-round voter registration drives.
- (vii) Any other duties assigned by the President, Vice President, and/or Chief of Staff.

**Chapter 405: Elections Board**

#### **405.01 Purpose**

- (i) The Student Elections Board shall be in charge of all general and special elections and are thereby established for that purpose on the Biscayne Bay Campus.

#### **405.02 Requirements**

- (i) The Elections Board of the Biscayne Bay Campus will be subject to the requirements specified in the SGA Elections Code and to all other applicable provisions in the SGC-BBC Constitution and Statues.
- (ii) All members of the Student Elections Board shall maintain a 2.5 cumulative Grade Point Average to apply for and hold office and not be under any academic or disciplinary sanctions by the University.

#### **405.03 Composition**

- (i) The SGC-BBC shall be governed by the provisions set forth in this Elections Code.
- (ii) The Student Elections Board shall consist of seven (7) members, one (1) of whom shall be the Elections Board Commissioner. The remaining individual board members will be selected to oversee online campaigning, elections marketing, monitoring candidate campaigning on voting days, and campaign financing.
  - (1) The Elections Board Commissioner shall serve as the Chairperson of the Board and shall faithfully execute those duties and responsibilities designated by law.
  - (2) The Elections Board Commissioner shall maintain seven (7) weekly office hours, five (5) of which must be in the SGA Office itself. All hours must be logged and accounted for in accordance with set standards.
  - (3) The Elections Board Commissioner shall attend all cabinet meetings of their corresponding SGC in order to discuss business and keep the SGC apprised of changes to and/or difficulties with the elections process.
  - (4) The Elections Board Commissioner shall present a report to their corresponding SGC Legislative and Executive Branch following each Student Elections Board meeting. In his/her absence, a Student Elections Board member should present a report.
  - (5) The Elections Board Commissioner shall present a comprehensive report on the elections process to the Senate of their corresponding SGC no more than two (2) weeks after a general election.
  - (6) The members of the Student Elections Board shall select an internal Vice Commissioner who shall assist the Elections Board Commissioner in his/her duties, should he/she be unable to fulfill them.

- (7) To avoid a conflict of interest, each Elections Board member may only hold the Elections Board position and no other SGA position.

#### **405.04 Selection**

- (i) The initial selection of the Elections Board Commissioner and Student Elections Board members shall be by appointment by the SGC President following an open application process and must be confirmed by a simple majority vote of the SGC Senate, at a meeting where there is quorum.
  - (1) The Elections Board Commissioner and the remainder of the Student Elections Board members shall be nominated no later than the end of the Summer A Semester as designated by the University calendar, and shall serve until the last day of the Spring Semester.
    - a) Any members filling vacancies will also hold office until the last day of the Spring Semester, regardless of when the member was appointed.

**FLORIDA INTERNATIONAL UNIVERSITY  
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ARTICLE V: LEGISLATIVE BRANCH**

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**Chapter 500 Legislative Branch**

- 500.01** The Legislative power of the Student Government Councils shall be vested in the Student Senate hereinafter referred to as the Senate.
- 500.02** We, the Legislative Branch, enact laws reviewed by the Judicial Branch and carried out by the Executive Branch.

**Chapter 501 Powers of the Legislative Branch**

- 501.01** Enact and diligently carryout all legislation necessary and proper for the general welfare of the Student Body.
- (i) Provide for the compilation and publication of legislation.
- 501.02** Enact constitutional Statutes to be known as the Student Government Statutes with a 2/3 vote of the Senate.
- 501.03** Determine its own rules, and procedures with 2/3 vote of the senate; provided that quorum is met.
- 501.04** Approve and allocate all Activity and Service Expenditures; subject to the provisions of the chapter 1009.24 (10b) of the Florida Statutes.
- 501.05** Audit student organizations and entities directly funded by SGA through A&S Fee funds.
- 501.06** Senate will advise, and approve of both appointments and recommendations of the SGC-BBC President, especially university campus specific committees. This will be done by a majority of the senate, providing that quorum suffices.



**501.07** The Senate shall be able to summon members as well as records of the Executive Branch of the SGC-BBC, Governing Councils and College Councils for hearings on the information or Officials.

- (i) The hearings will be held during Senate meetings and be used to investigate the actions of the Official.
- (ii) In order to summon an Official or records, a Senator must petition the Senate in a motion to summon a particular individual, group of individuals or records that are part of the Executive Branch. A simple majority vote of the Senate is required for the motion to pass.
- (iii) The Speaker must then notify the individuals or record holder of the summons and inform them that their presence or submission of information is mandated at the next Senate meeting.
- (iv) In cases of summons of records, the designated record keeper of the summoned document must provide the records to the Senate within five (5) business days of the notification.
- (v) Failure to comply with a summon amounts to nonfeasance of duties.

**501.08** The Senate has the power to impeach all SGC-BBC officials elected or appointed for misfeasance, malfeasance and/or nonfeasance of duties, or action contrary to or in violation of the constitution, the Statutes and the university wide Statutes of Florida International University.

- (i) Any Senator may motion for impeachment of any SGC Official, after which the Senate will enter into debate on the motion.
  - (1) During debate, the Senator or Committee motioning for impeachment may present evidence to support their reasons for instigating impeachment. (ii)
- (ii) Following debate on the motion of impeachment, impeachment shall be instigated by a three-fifths (3/5) vote of the entire Senate membership.
- (iii) Following the instigation of impeachment of the SGC Official, the SGC-BBC Internal Affairs Committee shall be ordered to compile a report of the Official in question's Official actions. This Committee report shall be submitted to the SGC Official being investigated five (5) business days prior to the trial. This report shall be presented to the Senate as evidence during the impeachment trial. The Official in question has the right to rebut any evidence presented against them, provide witnesses to present testimony on their behalf, and direct questions at the Chair presiding over the trial to rebut witness testimony.
  - 1) Should any member of the Internal Affairs Committee be the subject of this investigation, they shall recuse themselves from the Committee until the investigation has been concluded.

- (iv) The trial shall take place two (2) weeks after the formal impeachment.
- (v) The SGC-BBC Chief Justice shall preside over the impeachment.
  - (1) Should the Chief Justice from one SGC be impeached, the Chief Justice from the other SGC shall preside. Should both Chief Justices be impeached, the Senate shall choose a member of either Supreme Court to preside over the trial.
  - (2) Should the office of Chief Justice be vacant, the Chief Justice of the other SGC shall preside over the proceedings.
- (vi) Immediately following the impeachment trial, the Senate shall vote on whether to remove the impeached SGC Official on charges of misfeasance, malfeasance, or nonfeasance as presented in the original motion of impeachment.
  - (1) A two-thirds (2/3) vote of the entire Senate membership shall remove the impeached Official from office. If the Senate fails to remove the impeached SGC Official, the Official in question may continue the duties of his or her office.
  - (2) If the Senate removes an SGC-BBC Official after the impeachment trial, said individual shall be ineligible to hold office in any capacity within the Student Government Association for one (1) calendar year from the date of removal.

**501.09** The Senate shall establish means for active participation in the formulation of policies for the student body.

**501.10** Overturn a presidential veto by a 2/3 vote of not less than quorum of that respected SGC-BBC Senate.

**501.11** The Senate shall be able to make emolument recommendations at the beginning of the annual budget process, after receiving an Emoluments Proposal from the President.

- (i) All recommendations must be approved by a two-thirds (2/3) majority vote of the Senate.

**501.12** The senate shall have the power to create any committee necessary for the operation of the Senate and appoint and remove any committee chair by a majority vote. No member of the Senate may chair more than one committee nor hold office in any other branch of Student Government.

- (i) All Senators shall serve in at least two (2) committee.
  - (1) The Speaker of the Senate and Speaker Pro Tempore shall be exempt from the above requirement.

**501.13** Expand the jurisdiction of the Supreme Court, expand the number of Justices of the Supreme Court, and create lower courts for the Judicial Branch; the number of Justices on any court shall be an odd number.

- (i) Lower court Justices and clerks shall not be considered SGA officials for the purposes of emolument.

### **Chapter 502 Senate Sessions**

**502.01** Summer sessions of Senate shall begin on the first day of summer classes and shall end at the end of the summer Semester.

**502.02** Summer sessions shall have the entitlement as well as the same authority and powers as fall and spring Semesters.

**502.03** Fall sessions of Senate shall begin on the first day of fall classes and shall end at the end of the fall Semester.

**502.04** Spring sessions of Senate shall begin on the first day of spring classes and shall end at the end of the spring Semester.

**502.05** Senate sessions shall not be called into session during holidays, breaks or when the University is closed.

**502.06** Each SGC-BBC shall convene as prescribed by Sunshine State Laws.

**502.07** A special session can be called on by the Speaker or Speaker Pro Tempore with a 48 hour notice given to the Senators, and as long as there is sufficient quorum.

### **Chapter 503 Apportionment of the Senate**

**503.01** The Senate shall be composed of twenty one (21) Senators; Eleven (11) Senators will represent different Colleges/ Schools within the Biscayne Bay campus. The other ten will be known as Divisional Senators and will represent each of the divisions within the Biscayne Bay campus.

- (i) Colleges/School Senators:
  - (1) Arts and Sciences (3)
  - (2) Business Administration (1)
  - (3) Education (1)
  - (4) Honors College (1)
  - (5) Hospitality and Tourism Management (2)
  - (6) Journalism and Mass Communication (2)

- (7) Nursing & Health Sciences (1)
- (ii) Divisional Senators:
  - (1) Graduate Student (1)
  - (2) Lower Division (4)
  - (3) Housing (1)
  - (4) Broward Pines center (1)
  - (5) Senators at Large (3)

**Chapter 504 Officers of the Senate**

**504.01** The Vice President shall serve as President of the Senate in an ex-officio manner. As President of the Senate, he or she will chair the Senate, until a Speaker of the Senate is elected by a majority of the Senate members in office.

**504.02** The President of the Senate shall only vote in the case of a tie. Once a Speaker of Senate is selected; the Vice President shall serve as liaison between the executive and legislative branch.

**504.03 Speaker of the Senate**

- (i) The Speaker of the Senate, hereinafter referred to as the “Speaker”, shall chair all Senate meetings, and be the chief administrative office of the Senate.
- (ii) The Speaker shall be a Senator, and shall be elected as Speaker by a simple majority of the Senate.
  - (1) The Speaker shall serve from the beginning of the Summer semester to the last day of the Spring Semester.
- (iii) The SGC-BBC Vice President shall be ineligible to serve as the Speaker.
- (iv) The Speaker shall report on the Senate’s business to the SGC-BBC Executive Committee.
- (v) The Speaker shall be the voice of the Senate and shall represent the Senate in all Official matters, including, but not limited to, University functions.
- (vi) The Speaker shall serve as a member of the University Wide Council, University Wide Budget Committee, and BBC Campus Budget Committee.
- (vii) The Speaker of the Senate shall have the power to call additional meetings as necessary with forty-eight (48) hours’ notice. As long as quorum is met, attendance in these cases is mandatory.

- (viii) The Speaker shall retain his/her voting powers.

#### **504.04 Speaker Pro Tempore**

- (i) The Speaker Pro Tempore shall assist the Speaker in his/her duties and shall assume the role of the Speaker in the event of the Speaker's absence or dismissal.
- (ii) The Speaker Pro-Tempore shall be a Senator, and shall be elected as Speaker Pro Tempore by a simple majority of the Senate.
  - (1) The Speaker shall serve from the beginning of Summer to the last day of Spring Semester.
- (iii) The SGC-BBC Vice President shall be ineligible to serve as the Speaker Pro Tempore.
- (iv) In the absence of the Speaker, the Speaker Pro Tempore shall chair all Senate meetings and shall report all Senate business to the Executive Committee.
- (v) In the absence of the Speaker, the Speaker Pro Tempore shall be the voice of the Senate and shall represent the Senate in all Official matters, including, but not limited to, University functions.
- (vi) The Speaker Pro Tempore shall serve as a member of the University Wide Council.
- (vii) The Speaker Pro Tempore shall serve as the liaison between the SGC-BBC Senate and the SGC-MMC Senate and shall report to the SGC-BBC Senate on new legislation and initiatives being put forth by the SGC-MMC Senate on a bi-weekly basis.
- (viii) The Speaker Pro Tempore shall retain his/her voting powers.

#### **504.05 Committee Chairpersons**

- (i) All Committee Chairpersons shall serve as the chief administrative officers of their respective Committees.
- (ii) A Chairperson may be removed from their chairmanship by a majority vote of the Senate, or by Judicial Order.
- (iii) Committee Chairpersons shall be expected to present a report to the Senate following each meeting. In their absence a Vice Chairperson or any other member should present the report.
- (iv) No Senator shall chair more than one (1) Committee.

- (v) The SGC-BBC Vice President, Speaker, and Speaker Pro Tempore shall be ineligible to serve as the Chairperson of any committee.
- (vi) Finance Committee Chairperson.
  - (1) The Finance Committee Chairperson shall be the third in line in Senate Leadership.
- (vii) Rules, Legislation, and Judiciary Committee Chairperson.
  - 1) The Rules, Legislation and Judiciary Committee Chairperson shall be the fourth in line in Senate Leadership.
- (viii) Operational Review Committee Chairperson.
  - 1) The Operational Review Committee Chairperson shall be the fifth in line in Senate Leadership.
- (ix) Internal Affairs Committee Chairperson.
  - 1) The Internal Affairs Committee Chairperson shall be the sixth in line in Senate Leadership.
- (x) Student Advocacy Committee Chairperson.
  - 1) The Student Advocacy Committee Chairperson shall be the seventh in line in Senate Leadership.

#### **Chapter 505 Terms of Office & Vacancies**

**505.01** Elected Senators shall be elected by plurality votes for a term of one (1) year, starting the first day of the Summer A Semester and ending the last day of the Spring Semester.

**505.02** In the case of absences, removal or a vacancy of a Senator, the Senate may appoint a substitute to serve until the next special election is called or a special session in Senate is called by the Speaker of the Senate or 2/3rd of the Senate membership; but subject to the qualifications and terms enumerated in Chapter 406 of these Statutes.

#### **Chapter 506 Requirements**

**506.01** Qualifications for the Student Senate are as follows:

- (i) The individual must be a student of Florida International University and attending no less than fifty percent (50%) of his/her classes at the Biscayne Bay Campus.
  - (1) If the individual has online classes, fifty percent (50%) of those classes must fall under colleges on the Biscayne Bay Campus.

- (2) Colleges under the Biscayne Bay Campus shall be all colleges represented in the Senate.
- (ii) Senators of specific schools, colleges or class levels must be accepted students of that school, college or class level.
  - (iii) The individual may run for only one position in Student Government Association, during any general or special election.
  - (iv) May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office.
  - (v) Must maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average to run for and hold their position on their SGC-BBC.
  - (vi) The individual must maintain a minimum of nine (9) undergraduate credit hours.
  - (vii) Senators in their Semester of graduation are exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours.
  - (viii) The Housing Senators must reside in their respected University on-campus housing in order to be eligible to run for and hold that office.
  - (ix) Graduate students shall be eligible to run for Housing, Graduate and Broward Pines seats only.
    - (1) Graduate students:
      - a) May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office.
      - b) Must maintain a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on their SGC-BBC.
      - c) Must maintain a minimum of six (6) graduate credit hours.
      - d) In their Semester of graduation, are exempt from the six (6) graduate credit hour requirements, but must maintain at least three (3) credit hours.

**506.02** Senators must meet qualifications prior to running and holding office.

### **Chapter 507 Duties**

**507.01** The Senate has the duty to attend weekly Senate Meetings that are held every Monday at 3:30 p.m., unless it conflicts with Chapter 402 of these Statutes. The Senate has to meet

quorum in the Student Government Association General Meetings in order for the meeting to proceed.

- (i) During the Summer Semester, the Speaker can decide to hold meetings bi-weekly if there is no business to discuss.

**507.02 Arts and Sciences Senator(s):**

- (i) Communicate with advisors and faculty of Arts and Sciences persistently through each year and inform students of academic requirements and changes.
- (ii) Make it a priority to publicize requirements for admission into Arts and Sciences program.
- (iii) Organize tutorial sessions for Arts and Science majors.
- (iv) Encourage involvement in clubs.
- (v) Inform students of internships and scholarships.

**507.3 Business Administration Senator:**

- (i) Highlight the core curriculum for Business Administration majors.
- (ii) Organize and attend forums that will benefit the College of Business Administration.
- (iii) Inform students of academic requirements for admission into the College of Business Administration.
- (iv) Inform students of internships and scholarships within the College of Business Administration.
- (v) Inform students of any changes relating to the College of Business Administration.

**507.4 Education Senator:**

- (i) Highlight the core curriculum for Education majors.
- (ii) Inform students of academic requirements for admission.
- (iii) Inform students of internships and scholarships.

**507.5 Honors College Senator:**

- (i) Research student achievements and acknowledge academic excellence.
- (ii) Encourage recruitment of high achieving students into the FIU Honors Program.



- (iii) Inform students of internships and scholarships.

**507.6 Hospitality and Tourism Management Senator(s):**

- (i) Assist with maintaining the involvement in scholarship granting festivals such as South Beach Festival.
- (ii) Inform students of internships and scholarships.
- (iii) Inform students of academic requirements for admission.

**507.7 Journalism and Mass Communication Senator(s):**

- (i) Create pamphlets with updated information on schools, for example, inform students on the elimination of the Television major.
- (ii) Inform students of internships and scholarships.
- (iii) Inform students of academic requirements for admission.

**507.8 Graduate Student Senator:**

- (i) Create informational brochures on higher level educational programs, such as the new medical school.
- (ii) Research and lobby for scholarship availability to Graduate students.

**507.9 Lower Division Senator(s):**

- (i) Highlight Undergraduate Core Curriculum Requirements for all Undergraduate students.
- (ii) Create individual brochures, identifying lower division requirements for each major.

**507.10 Housing Senator:**

- (i) Communicate with the Housing Council on all housing affiliated issues, while financially assisting in the upgrading of damaged facilities to the best of the Senates financial capability.

**507.11 Broward Pines Center Senator:**

- (i) Represent the Broward Pines Center in the Senate.
- (ii) Serve in the affiliation between the Senate and the Broward Pines Center in decision making.
- (iii) Inform the council of issues of pertinence to the Pembroke Pines Center

**507.12 Senator(s) at Large:**

- (i) Communicate with the student body via surveys, brochures, meetings and organized events to better meet students' needs.
- (ii) Periodically meet with Dean and Associate Deans of FIU's schools for constant updates and adjustments of programs twice a Semester.
- (iii) Assist Senators and duties mentioned in 407.3- 407.13.

**507.13 Nursing and Health Sciences Senator:**

- (i) Inform the student body of the benefits the Nursing and Health Department has to offer.
- (ii) Organize and market the year round Health and Wellness events and holidays.
- (iii) Highlight the core curriculum for Nursing and Health Sciences majors.
- (iv) Inform students of internships and scholarships.
- (v) Inform students of academic requirements for admission.

**507.14 All Senators are expected to complete a minimum of seven (7) office hours per week.**

- (i) A minimum of five (5) hours are to be completed in the office.
- (ii) Special arrangements can be made to accommodate special circumstances
  - (1) The Speaker shall approve all exceptions to these rules

**Chapter 508 Senate Committees**

**508.01 Standing Committees**

- (i) The Standing Committees of the SGC-BBC Senate shall be: Finance Committee, Rules, Legislation and Judiciary Committee, Student Advocacy Committee, Operational Review Committee, and Internal Affairs Committee. It shall be the duty of these committees to present items for discussion and present solutions to the SGC-BBC Senate. These committees are to be chaired by SGC-BBC Senators.

**508.02 Committee Requirements**

- (i) All SGC-BBC Senators must serve on at least one Standing Committee.
- (ii) Each committee will be responsible for the selection of a Vice Chairperson who is voted upon by the individual members of each committee during its first meeting.

- (iii) Committees shall meet at least twice a month to conduct business. Attendance and minutes shall be recorded by a member of the committee chosen at the start of the Semester.
  - (1) Committees shall be able to hold hearings on specific topics. These hearings shall count towards the committee meeting requirement.
- (iv) Committee size, excluding the Finance Committee shall be determined by the SGC-BBC Speaker.
- (v) Any official decisions and/or projects, initiatives and measures made by a Committee must be brought before the Senate for approval.

### **508.03 Finance Committee**

- (i) Purpose and Responsibilities
  - (1) The purpose of the Finance Committee (FC) is to allocate the Finance Committee Appropriations Budget and the Graduate Student Appropriation Budget.
  - (2) It is the responsibility of the Finance Committee to review and make recommendations to the Senate for the expenditure of all reserve and unallocated funds of the SGC-BBC budget, as well as the Finance Committee Appropriations budget, and the Graduate Student Appropriation Budget, including any line item transfers in the completed budget.
- (ii) Structure
  - (1) The Finance Committee shall be composed of a chairperson and five (5) members as outlined in the University Wide Finance Code.
  - (2) Any matter being presented to the Senate by the Finance Committee must have two (2) sponsoring Senators.
    - a) All appropriations must first be approved by the Finance Committee. This is to be done with a majority vote of Committee membership, given quorum.
    - b) Once the Finance Committee approves any appropriation of over \$400, the proposal is then brought before the Senate. The appropriation is to be approved with a majority vote of the Senate.
    - c) If not approved by the Finance Committee, the proposed appropriation shall be reported to the Senate at the next regularly scheduled meeting.

- d) If a Senator wishes the appropriation to be reconsidered by the Finance Committee, he/she must gain a majority vote of the SGC-BBC Senate. This is to be done with a 'Motion to Reconsider Proposed Appropriation'.
- e) If the Finance Committee does not approve an appropriation after reviewing it for the second time, they must provide a summary paragraph to describe why the appropriation was not approved and the Senate may overturn the Committee's decision with a two-thirds (2/3) vote.

#### **508.04 Rules, Legislation and Judiciary Committee**

##### **(i) Purpose and Responsibilities**

- (1) The purpose of the Rules, Legislation and Judiciary Committee (RLJ or Rules Committee) is to keep and maintain the Senate Rules of Procedure, ensure the proper passage of legislation in the Senate, and serve as a liaison between the Legislative and Judicial Branches.
- (2) The Rules Committee is charged with the responsibility of preparing and submitting the protocols, formats and rules to allow for efficient working of the Senate and its committees.
- (3) The Rules Committee shall prepare and maintain the Senate Rules of Procedure and submit them for approval by the Senate.
  - a) These Rules of Procedure shall be amended by the same procedure as the Student Government Statutes, but shall not be subject to Presidential veto.
  - b) The Senate Rules of Procedure shall serve to detail internal procedures and policies of the Senate and shall not conflict with the Student Government Association Constitution and Statutes.
  - c) Each session, the Rules Committee shall review the Senate Rules of Procedure, and submit recommendations, if necessary for the improvement of the document.
  - d) All amendments to the Senate Rules of Procedure must be presented to the Rules, Legislation, & Judiciary Committee for its approval by a simple majority.
    - i) After legislation is referred to the committee, once approved, it shall be presented to the Senate.
    - ii) The procedural legislation may be approved with a majority vote of the Senate.

- iii) Shall a proposal be rejected by the Committee, and a Senator wish that the legislation be reconsidered by the Rules Committee, he/she must gain a majority vote of the SGC-BBC Senate. This is to be done with a 'Motion to Reconsider Proposed Procedural Legislation'.
    - iv) If the Rules Committee does not approve a piece of legislation after reviewing it for the second time, the Senate may overturn the committee's decision with a two-thirds (2/3) vote of its members.
  - (4) The committee shall have the responsibility of reviewing legislation to ensure the legality, proper format, spelling, grammar, references and syntax, when submitted to the Committee prior to the legislation reaching the Senate floor.
  - (5) The committee will verify that all legislation is signed by the President.
  - (6) Once legislation becomes law, it is the responsibility of the Rules Committee to update the SGC-BBC Statutes.
  - (7) Upon the request of a simple majority of the Senate, the Rules Committee can prepare and provide a report for applicants to the Supreme Court.
  - (8) The Committee, by request of a simple majority of the Senate, can also review the performance of the Chief Justice and Associate Justices, to then submit a positive or negative report to the Senate.
    - a) If the committee submits a negative report, the report can be considered grounds for instigation of impeachment against a member of the Judiciary, in accordance with the SGA Constitution.
  - 9) The Rules Committee will work in coordination with the Supreme Court to suggest updates and amendments to the Student Government Association Constitution and Statutes.
  - (10) All judicial hearing reports may be reviewed by this committee, ensuring the legislative oversight over the Chief Justice and Associate Justices.
  - (11) The RLJ shall be responsible of representing the Senate before the Judicial Branch in cases where there is a grievance against the Senate.
- (ii) Structure
  - (1) The Rules, Legislation, & Judiciary Committee shall be composed of a Committee Chairperson and a number of Senators as determined by the Speaker.

## **508.05 Operational Review Committee**

### **(i) Purpose and Responsibilities**

- (1) The purpose of the Operational Review Committee (ORC) shall be to audit student organizations and entities that are directly funded by the Student Government Association through the student Activities and Services (A&S) fees to ensure that they are being used properly in accordance to the Student Government Finance Policy.
- (2) This committee holds the power and responsibility to investigate all organizations and/or entities, including the SGA that are questioned and/or challenged by Student Government officials as well as the entire FIU student body concerning the use or misuse of A&S monies.
- (3) This committee shall have the power to write legislation about an already investigated organization or entity in regards to how the entity used or misused A & S monies. It will then be used as a guide or piece of evidence for the budget hearings at the end of the spring Semester.
- (4) The ORC shall also have the power to check the Finance Committee when allocating A&S fees improperly in accordance with the SGA Finance Policy as well as any other necessary document.
  - a) This shall include, receiving and reviewing bi-weekly reports from the Finance Committee, in addition to working with the Comptroller on the legalities of every request for A&S funds submitted to the Finance Committee.
  - b) This committee shall also handle all post event, post travel forms and all other documents necessary when requesting and obtaining information about an entity appropriated money by the Finance Committee. The documents along with a recommendation by the Committee on whether to increase, decrease or keep funding at the same level, will then be presented to the entire Senate in an Expenditure Analysis Report, as a form of review and guide for appropriating future A & S monies to the same entity.

### **(ii) Structure**

- (1) The Operational Review Committee shall be composed of a Committee Chairperson and a number of Senators as determined by the Speaker.

## **508.06 Internal Affairs Committee**

### **(i) Purpose and Responsibilities**

- (1) The purpose of the Internal Affairs Committee (IAC) is to ensure Senator compliance with all requirements as well as ensuring compliance by SGC-BBC officials with the Ethics Code.
- (2) The IAC shall have the responsibility of maintaining the Ethics Code. All amendments to the Ethics Code must be first approved by this Committee.
  - a) After legislation is referred to the committee, once approved, it shall be presented to the Senate by two members of the committee.
  - b) Shall a proposal be rejected by the Committee, and a Senator wish that the legislation be reconsidered by the Internal Affairs Committee, he/she must gain a majority vote of the SGC-BBC Senate. This is to be done with a 'Motion to Reconsider Proposed Internal Affairs Legislation'.
  - c) If the Internal Affairs Committee does not approve a piece of legislation after reviewing it for the second time, the Senate may overturn the committee's decision with a two-thirds (2/3) vote of its members.
- (3) The committee will keep an active check on minutes, and ensure that legislation records are kept, minutes are maintained and maintain records of compliance with the Statutes.
- (4) The committee will work with all of the members of the Executive branch to ensure that the Chief of Staff keeps track of office requirements for each member of the Executive Branch.
- (5) The committee will provide oversight over Executive Branch compliance with the Statutes and assure that the Executive Branch is fulfilling its duties.
- (6) The committee will create compliance reports on individuals whose fulfillment of duties may be questioned by the committee or Senate as a whole.
- (7) The committee Chairperson will act as representative of the Senate in all impeachment trials.
  - a) In the case that the Chairperson of the committee is being impeached, the Vice Chairperson of the Committee shall act as representative.
- (8) The committee will be responsible for investigations pertaining to impeachment proceedings.

- (9) The committee will be responsible for submitting grievances against officials in cases of direct violations of the statutory requirements of the official's position.

(ii) Structure

- (1) The Internal Affairs Committee shall be composed of a Committee Chairperson and a number of Senators as determined by the Speaker.

**508.07 Student Advocacy Committee**

(i) Purpose and Responsibilities

- (1) The purpose of the Student Advocacy Committee is based upon the ideal of maximizing representation of the student body. This committee shall investigate student concerns and make recommendations as deemed appropriate.
- (2) To ensure prompt responses to student issues, this committee stands dedicated to working diligently with all Senators on legislation directly impacting student advocacy.
- (3) To gather information on Senator's meetings with Deans, this committee shall collect the two reports required of each Senator per Semester from the Clerk of the Student Government Association.
- (4) The Student Advocacy Committee shall be responsible for filing a report at the end of each Semester outlining students concerns that were found from survey data and meetings with Deans.
- (5) This committee shall maintain record of current contact information for each of the Executive Board members of each Governing Council so as to be readily available to any Student Government Association member as well as to any student when necessary.
- (6) This committee will be responsible for direct communication with each of the Governing Councils of the Student Government Association. This includes but is not limited to contact via email and attendance at each meeting held by each Governing Council.
- (7) Each member of this committee shall be assigned accordingly to a Governing Council(s) for the purpose of regulating contact.
- (8) The Student Advocacy Committee will maintain contact with the Student Government Association Cabinet by specifically meeting with Cabinet members whose purpose directly correlates with student concerns and by



requesting weekly Council meeting minutes from the Student Government Association Clerk.

- (ii) Structure
  - (1) The Student Advocacy Committee shall be composed of a Committee Chairperson and a number of Senators as determined by the Speaker.

### **Chapter 509 Limit & Prohibitions**

**509.01** The Senate shall not enact a Bill or Resolution that conflicts with or violates any Federal laws, State laws, Local laws or ordinance. The SGC-BBC Judicial Branch shall negate and remove, if presented for Judicial Review, any existing SGA law that conflicts with this provision.

**509.02** No SGC-BBC Senate can enact a Bill or Resolution that affects the SGC-MMC, unless a proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require a 2/3<sup>rd</sup> vote of not less than quorum.

**509.03** The Senate shall convene as prescribed by the Sunshine State Laws.

### **Chapter 510 Senate Procedures**

#### **510.1** Legislature Introduction

- (i) Any bills, resolutions, appropriations and amendments presented to the Senate for the purpose of a vote must first have two (2) Senators as sponsors in order to be brought before the Senate as new business.
- (ii) All legislation must be submitted to the Rules, Legislation, and Judiciary Committee prior to the Senate meeting during which the legislation will be considered.
- (iii) Each bill, resolution and appropriation shall be require two readings which shall take place at two (2) different meetings, at which there is quorum, in order to be eligible for a vote by the Senate.
  - (1) The Senate may vote to override the second reading with a two-thirds (2/3) vote in order to proceed with legislation during the same meeting.
- (iv) Any such issue to be voted on must be classified as an appropriation, resolution, or bill, and drafted on the appropriate forms to allow for proper archival record.

**FLORIDA INTERNATIONAL UNIVERSITY**  
**STUDENT GOVERNMENT ASSOCIATION BISCAYNE BAY CAMPUS**  
**ARTICLE VI : FINANCE CODE**

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**Chapter 600 Finance Code General**

**600.01** It is the goal of the SGA Finance Code to provide clear, concise policies for the SGC in financial management and budget planning. This policy and other such guides set forth by the SGA shall be the foundation from which monetary decisions are based in answering the needs of the student body. While many of the considerations made by the SGA rest in individuals' judgments, such actions should bear the support of fair and consistent understanding of the SGA Finance Code. The finance code may be amended by a 2/3 vote of the SGC Senate.

**600.02** The administration of this code shall be supervised by the SGC-BBC Finance Committee on behalf of the Student Government Council - Biscayne Bay Campus and its membership. Duly constituted by the SGA Constitution and SGC Statutes, the Senate' Finance Committee shall provide for the enforcement of this policy through its in-depth consideration and supervision of the receipt and disbursement of Activity and Service Fee funds from the respective Senate Finance Committee Funds.

**Chapter 601 Purpose, Authority and Leadership**

**601.01** The purpose of the Finance Code is to provide a procedure which:

- (i) Assures full implementation of Florida Statutes governing the Activity and Service Fee 1009.24(10)(b).
- (ii) Facilitates positive and effective interaction between the university administrators and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A&S) Fee funds periodically collected and deposited at Florida International University.
- (iii) Defines and outlines the standards of financial accountability and fiscal management.
- (iv) Is applicable to all A&S Fee funds recipients, Governing Councils, and registered student organizations which are affiliated with the Student Government

Association. Funds that are not from the A&S Fee shall be exempt from the Finance Code.

**601.02 Authority**

- (i) The allocation and expenditure of these funds shall be determined by the SGA through the University-Wide Council and the individual Student Government Councils. The SGA University-Wide Council is responsible for allocating for “University-Wide” expenses, and the SGC-MMC and SGC-BBC respectively are responsible for the allocation and expenditure of A&S Fee funds for each corresponding campus.

**601.03 Leadership**

- (i) The following are the roles of the administrators that are involved in the budgeting process:
  - (1) University President: Statutory authority is vested in the University President. The University President has delegated authority and accountability to the Vice President for Student Affairs as his/her representative in administration and management of the A&S Fee funds.
  - (2) Vice President for Student Affairs (VPSA): It shall be the responsibility of the VPSA or his or her designee to evaluate the recommendations of allocations of A&S Fee funds, proposed changes in matters, which deserve the attention of the University President.
  - (3) Campus Life Office Accountant: It shall be the responsibility of the Campus Life Office Accountant to evaluate the recommendations of allocations of A&S Fee funds, proposed changes in matters, which deserve the attention of the VPSA. This official will be held responsible for the updating of ASBO on a weekly basis

**Chapter 602 Definitions**

**602.01 Activity & Service (A&S) Fee**

- (i) The fee collected as a component of tuition which is to be expended for lawful purposes to benefit the Student Body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The fund may not benefit activities for which an admission fee is charged to students, except for Student Government Association sponsored concerts.

**602.02 Budget**

- (i) Plan of financial operation embodying an estimate of proposed expenditures for a given period or purpose and the proposed means or sources for financing such.

**602.03 Fiscal Year**

- (i) The fiscal year of the Student Government of Florida International University shall be from July 1 to June 30.

**602.04** Campus Life Office Accountant – The office services the accounting, budget process, travel, and /or purchasing needs of A&S Fee funded organizations. The Campus Life Office Accountant is part of the Division of Student Affairs of FIU.

- (i) The Campus Life Office Accountant will coordinate training regarding fiscal procedures for all student organizations and any A&S Fee funded entity.
- (ii) The Campus Life Office Accountant will be responsible for publishing a Policies & Procedures Financial Manual for A&S Fee budgeting and expenditures. This should be made available online through a link provided on the ASBO Web-Interface.
- (iii) The Campus Life Office Accountant will be responsible for creating and distributing the annual budget process timeline and sending all related correspondence to account managers of A&S Fee funds.

**602.05** Student Organization

- (i) Any organized student group registered with the Florida International University Division of Student Affairs.

**602.06** Program

- (i) Defined as an entity which receives its operating revenue directly from allocation within the A&S Fee Budget. A program shall provide direct service to the Student Body of Florida International University. Programs may include, but are not limited to: Student Programming Council, Student Organizations Council, Panther Power, and other entities coordinated and overseen by Student Affairs but paid by A & S Fees.

**602.07** A&S Fee Funded Departments

- (i) A Student Affairs department that receives its operating revenue directly from allocation within the A&S Fee Budget and whose duties, compositions, and mission are outlined in statute.

**602.08** Senate Finance Committee

- (i) The Senate Finance Committee is the Committee composed of Senators at each SGC that shall be charged with the distribution of funds at their corresponding SGC.

(i) Signatory Authorities

- (i) Any university official who must sign off on any expense, including advisors.

## **Chapter 603 Florida Statutes**

**603.01** Florida Statutes - 1009.24 State University Student Fees

- (i) Student fees shall be expended for lawful purposes in accordance with F.S 1009.24

**603.02** The Activity and Service Fee is established by the FIU Board of Trustees on the Modesto A. Maidique Campus and the Biscayne Bay Campus per Florida Statute 1009.24(10)(a).

**603.03** Any increase in the Activity and Service Fee must be recommended by an Activity and Service Fee Committee, at least one-half of whom are students appointed by each SGC President. The remainder of the Committee shall be appointed by the University President.

- (i) An increase in the Activity and Service Fee may occur only once each fiscal year and must be implemented beginning with the Fall term.

- (ii) A chairperson, appointed jointly by the University President and the Student Body Presidents, shall vote only in the case of a tie.

(iii) The recommendations of the Committee shall take effect only after approval by the University President, after consultation with the SGC Presidents, with final approval by the FIU Board of Trustees.

**603.04** The student Activity and Service fees shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts.

(i) The allocation and expenditure of the fund shall be determined by the Student Government Association of the University, except that the President of the University may veto any line item or portion thereof within the budget when submitted by the Student Government Association legislative body.

(ii) The University President shall have fifteen (15) school days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the fifteen (15) school days.

(1) If any line item or portion thereof within the budget is vetoed, the Student Government Association legislative body shall within fifteen (15) school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the University President vetoes any line item or portion thereof within the new budget revisions, the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by Activity and Service Fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP).

## **Chapter 604 Budget Process**

### **604.01 Budget Approval Process Chronology**

(i) The chronological process for preparing the annual SGA fiscal budget shall be as follows:

- (1) The Office of Financial Planning and Strategic Development submits to the Student Government preliminary projected figures of enrollment as well as fee revenue for the next year. These figures are only projections.
- (2) The Finance Committee will make available budget request forms for any interested parties wishing to request funds of the A&S Fee fund. These forms, along with a deadline, will be advertised and also distributed to any existing funding entities, as well as any entity that had received funding within the past three (3) years.
- (3) The Finance Committee will schedule a meeting with individuals and entities requesting funds following the deadline for request forms. The purpose of this hearing is to give an opportunity for requesters to make presentations and to be able to respond to questions from representatives. This hearing will also be advertised and open to the public; groups making requests should be expected to attend.

- (4) After the start of the Spring semester, the University-Wide Budget Committee will finalize its budget at one of its regularly scheduled meetings and then present the budget to the University-Wide Council. A rejected budget shall be returned to the University-Wide Budget Committee for revision.
  - (a) The University-Wide Budget must be proposed to the MMC and BBC Senate by the first Monday of March.
  - (b) Upon approval of the University-Wide Budget Committee, the University-Wide Budget shall be voted on by the MMC and BBC Senate and passed with a two-thirds (2/3) vote of each senate. A rejected budget shall be returned to the University-Wide Budget Committee for revisions.
    - (i) Shall a University-Wide Budget not receive two-thirds (2/3) approval of the MMC and BBC Senate by the last Monday of March, the original University-Wide Budget proposal shall be adopted.
      1. The University-Wide Budget Committee must submit a revised budget at the following regularly scheduled Senate meeting from the meeting that the budget was denied by either SGC Senate.
- (5) The finalized budget will be submitted to the University President via the Vice President of Student Affairs for approval or it can be vetoed. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.
  - (ii) Once the budget has been finalized and the University President has signed it into effect, the newly elected SGC President and Comptroller will have the duty to authorize individual budgets. This should be done by July 1, whereas after that date no disbursements will be allowed if a budget has not been authorized.
    - (1) The designee from Campus Life Office Accountant and/or the Comptroller will inform all funded entities of approved allocations within ten (10) days of the budget being approved by the Vice President of Student Affairs, and thus request an itemized budget from each entity by a certain deadline to be established by the Comptroller and/or the President.
    - (2) The Campus-Specific Budget Committees will then review individual budgets. The University-Wide Council will grant ultimate approval of University-Wide allocations.
      - (a) Each Campus-Specific Budget must be proposed to their respective Senate by the Monday following the approval of the University-Wide Budget.
      - (b) Upon approval of the Campus-Specific Budget Committee, the Campus-Specific Budget shall be voted on by respective SGC Senate and passed with a two-thirds (2/3) approval of that senate.
        - (i) Each respective Senate has the power and ability to modify any line items on their campus-specific budget with a two-thirds (2/3) vote of the respective Senate.

(ii) Shall a Campus-Specific Budget not receive a two-thirds (2/3) approval of its respective Senate by the last regularly scheduled senate meeting the original Campus-Specific Budget proposal of that campus shall be adopted.

1. The Campus-Specific Budget Committee must submit a revised budget at the following regularly scheduled Senate meeting from the meeting that the budget was denied by the SGC Senate.

(3) No disbursements will be allowed for any groups or entities that have not received proper authorization.

### **Chapter 605 Funding Procedures**

**605.01** All transactions will be facilitated, monitored, and reviewed by each SGC Senate Finance Committee, Comptroller, and the Campus Life Office Accountant.

**605.02** Each SGC's Senate Finance Committee shall have a given amount to distribute to the Student Body per request. All Senate Finance Committee Appropriations must be approved by a majority vote of the Senate.

(i) All Finance Committee Requests shall be processed requested by filing a Finance Committee Request Form. The Finance Committee Request Form for both campuses shall be the same document requiring the same basic information required by the Finance Code.

(1) Each request for funding submitted to the Finance Committee must be submitted at least one (1) month prior to the date the funds are needed.

(2) All Finance Committee requests may only be granted if they benefit more than one (1) student.

(3) All Graduate requests may only be granted if they benefit one (1) or more students.

(4) No student or organization may request funds more than one time per semester

(5) No student or organization may engage in double dipping of A&S Fee Funds from the Finance Committee and another A&S Fee funded organization.

(ii) The SGC Senate Finance Committee must adhere to the following stipulations when appropriating funds:

(1) All requesting entities must provide proof of outside fundraising or intent to fundraise.

(2) All disbursements shall have the approval by signature of the Comptroller and/or the SGC President, as well as the A&S Business Office designee of the Vice President of Student Affairs.

(3) For disbursements of \$3,000 or more, three (3) signatures are required: the Comptroller, the SGA President, and the SGA Advisor.

(4) Appropriations or transfers of any contingency shall be approved by the SGA President and the Comptroller.

(5) Monthly financial reports shall be made available to the SGC President, as well as the SGC, to review, detailing any disbursements and money transfers by the A&S Business Office.

a) This report is to be completed by the Comptroller of each SGC.

**605.03** If a request is not approved by the SGA-BBC Finance Committee, the applicant shall have the right to file once (1) per fiscal year a written appeal stating his/her reason for the appeal and should have submitted all required documents in a timely manner with the Senate Speaker within 14 days upon the decision of the Finance Committee.

(i) If a conflict of interest occur with the Senate Speaker, the order of succession shall be as follows:

- (1) Speaker-Pro Tempore
- (2) Rules, Legislation, and Judiciary Committee Chairperson
- (3) Operational Review Committee Chairperson
- (4) Internal Affairs Committee Chairperson.
- (5) Student Advocacy Committee Chairperson.

(ii) Should the Speaker approve the written appeal, the applicant shall present their case before the Senate.

(iii) It is important that the applicant be present during the Senate Meeting and/or Session.

**605.04** If the speaker decides to hear the appeal, the Senate will review the request and decide whether or not the Request should be funded.

(i) With a majority vote during a Senate Meeting and/or Session, where there is a quorum, the Senate can approve or deny the request.

(ii) All proper documentation should be available to all Senators in order for them to review. If the request is approved, the speaker will assign a Senator to write the appropriation and ask for two sponsoring Senators.

- (1) The appropriation will then be written and submitted to the SGC-BBC President.

**605.05** In order to receive funding, a student organization must be recognized for the fiscal year by their sponsoring Governing Council. No student organization shall be allowed to access any funds allocated to them without both the Organization's President and Organization's Treasurer attending a mandatory annual Financial Training Seminar hosted by the Campus Life Office Accountant and the SGA Comptroller. The training will adequately cover expenditure transactions, SGA Finance Code, good business policies and procedures. The workshop will be offered in each Fall and each Spring semester of each year announced by the SGC Comptroller's Office. No organization may use their funds without attending this program.

**605.06** In order for a student organization to receive funds, the following guidelines must be adhered to:

- (i) The organization must be officially registered with the Council for Student Organizations or Student Organization Council.
- (ii) Organizations must re-register each Fall and each Spring semester to complete eligibility requirements.
- (iii) The President and Treasurer of each student organization are required to sign the Statement of Understanding.



- (iv) New organizations must be registered with the Council for Student Organizations before receiving funds.
  - (v) All signatory authorities receiving Student Government funds must complete the annual Financial Training Seminar. Violations of this rule will result in organizational funds being frozen until the organization is in compliance.
- 605.07** Upon the allocation of A&S Fee Funds, the President and the Treasurer of each entity shall be required to sign the Statement of Understanding and have a copy of the most recent SGA Finance Code on record at all times. Disregard of this requirement can be considered sufficient cause to freeze present funds and denial of further funding.
- (i) The Statement of Understanding shall contain the following statement:
    - (1) The undersigned herein designated as (Name of Organization) fully understands the Student Government Association Finance Code which applies to all funds allocated from the Student Government Budget. Furthermore, the undersigned will adhere to all applicable procedures for expending funds allocated from the Student Government Budget. Any clarification required in regards to the laws and procedures of these funds shall be requested from the respective SGC Comptroller. Finally, the undersigned understands that any violations of this Finance Code will be prosecuted to the full extent of the law.
- 605.08** All signatory authorities having approval of financial transactions must complete an annual Financial Training Seminar and/or SGA Online Financial Certification. Violation of this rule will result in penalties from SGA such as organizational funds being frozen into the organization comes into compliance.
- 605.09** All signatory authorities will be held responsible to the adherence of Florida statutes pertaining to A&S Fee funds, FIU Policies and Procedures and the SGA Finance Code. Violation of this rule may result in a review and due diligence process by the FIU administration.

### **Chapter 606 Spending Regulations**

- 606.01** All expenditures of A&S Fee funds shall be conducted through regulations, policies, and procedures of Florida International University and follow all applicable State of Florida guidelines.
- 606.02** The allocation and expenditure of student A&S Fee funds shall be determined by the SGA University-Wide Budget Committee and by the MMC and BBC Senate Finance Committees under the applicable provisions of the laws of the State of Florida, the rules of the Board of Regents (BOR), and the applicable provisions of this Finance Code.
- 606.03** A&S Fee funds may not benefit activities for which an admission fee is charged to students except for SGA sponsored concerts pursuant to Florida Statutes 1009.24(10)(b). A&S Fee funded events that generate revenue must return revenue funds to the A&S Fee account from which the event originally received funds from to offset the event costs. If ticket revenue is not used within the fiscal year it is generated, the money will revert to SGA Reserves as stipulated in the Accumulated Cash Balance Policy.
- 606.04** No A&S Fee monies may be deposited by any entity into an off-campus bank account.
- 606.05** The officers of any A&S Fee Funded organization must be elected according to their constitutions or statutes.
- 606.06** No A&S Fee account nor budget line item may go into deficit.

- 606.07** All meetings of A&S Fee funded organizations must be open to the public, in addition to being publicized in a timely manner, with a minimum of forty-eight (48) hours of public notice.
- 606.08** All A&S Fee funded organizations are required to be fiscally responsible as outlined in the SGA Finance Code.
- 606.09** The SGC governance shall allocate funds for student programs and activities that will benefit the student population. Those funds allocated to SGC services and programs shall be administered according to this policy and other such guides. The SGC Senate Finance Committee shall monitor these funds.
- 606.10** Seeking the optimum use of SGC funds, the following criteria shall be considered by the Finance Committee when determining the appropriateness and priority of allocations:
- (i) Whether or not this is a type of organization or activity that can be supported by the SGC funds under current financial policies.
  - (ii) The number of students being served by the group's program.
  - (iii) The general values and scope of services provided to the student population.
- 606.11** The Student Government Association Finance Code is governed by University and state regulations and directives. Student Activity Fees are public funds, which must be administered in a manner consistent with the educational purpose of Florida International University.
- 606.12** The Senate Finance Committee and SGC Senate may place stipulations on the use of funds or recommend guidelines in the operations of a new SGC program or established organizations. All stipulations shall be binding.
- 606.13** Honorariums or stipends shall not be appropriated to resource people who are on the University payroll as staff or faculty.
- 606.14** All student organizations, standing councils, and Governing Councils receiving A&S Fee monies must sign a Statement Of Understanding to be prepared and administered by the SGC Comptroller before funds are released.
- 606.15** No A&S Fee funds allocated to any Student Government funded organizations are to be expended on any of the following:
- (i) Any fund-raising entities, except for Student Government approved events, including but not limited to:
    - (1) Alternative Breaks
    - (2) Dance Marathon
    - (3) All Nighter for the Poor
    - (4) Relay for Life
    - (5) First Generation Scholarships
    - (6) Any other events or organizations must be approved by the University-Wide Council.
  - (ii) Per Diem expenses for any club or organization.
  - (iii) Monetary prizes.
    - (1) Exceptions may be made on a case by case basis by the University-Wide Council.
  - (iv) Support for or in behalf of any political campaign.
    - (1) Political campaigns shall be defined as any person or party running for any position in: Student Government elections or any campus election; local elections; state elections and / or national elections.

- (v) Alcoholic beverages or product with alcohol content and any related items or services such as bar tending, both on and off campus.
  - (vi) Tobacco, firearms, and any form of illegal drugs or contraband.
  - (vii) Subsidizing membership dues of any organization.
    - (1) FIU required memberships (i.e. the BMI License) and SGA required memberships (i.e. FSA, USSA) shall be exempt from this clause.
  - (viii) Personal gifts and personal use items.
  - (ix) Decorative items for offices.
  - (x) Subsidizing in whole or in part of any private corporation.
  - (xi) Tips and/or gratuities.
  - (xii) Food may not be purchased for executive board meetings, or any meeting or event with an expected attendance of fewer than ten (10) students.
  - (xiii) Items or services that go directly to community programs instead of the FIU community. This includes contributions and donations to community programs.
  - (xiv) Gift cards, raffle tickets and material prizes.
  - (xv) Rental of or expenditures towards functions hosted in private residences.
- 606.16** Any SGA funded entity may apply for the funding of publications. All publications must be stored in the University library or in the Department of Campus Life. Any exceptions must be approved by each SGC's Senate Finance Committee.
- 606.17** Any A&S Fee funded events that will be open to the community must give admission priority to the students of Florida International University.
- 606.18** The Student Organizations Council (SOC) constitution and point systems must be approved by its respective SGC Senate.
- 606.19** Student organizations cannot charge membership fees unless national dues are charged (i.e. Honor Society).
- 606.20** Organizations receiving A&S Fee funds shall provide a monthly reconciliation report detailing the use of the monies allocated to them to be submitted to their respective SGC Comptroller within 2 weeks of the end of each month.

### **Chapter 607 Student Government Advertising**

- 607.01** Printed or publicity materials shall include, but not be limited to, brochures, pamphlets, posters, advertisements, programs, handbills, stationery, and letters.
- 607.02** SGA shall be said to sponsor any organization or program to which SGA allocates funds and/or office space.
- 607.03** All events and projects funded partially or totally with SGA funds must use the word "SGA" in speaker introductions, must publicly acknowledge their connection with the Student Government Association, and must use the SGA logo in all printed advertising.
- 607.04** All organizations and programs which are sponsored by SGA and which advertise with fliers, posters, or other printed media, must include the SGA logotype (symbol) at the bottom of such advertising. The logotype shall read: "Paid for by the SGA" or "Sponsored by the SGA."
- 607.05** Each standing council or programs funded by the Student Government Association shall be held responsible for including the SGA logotype and logo in all of its advertising.

- 607.06** In the event that there is little or no room to include the logo on printed media (e.g., an advertisement smaller than one-eighths [1/8] of a page), the SGA logo may be omitted with the approval of the SGC President.
- 607.07** Publication of any and all printed or publicity materials bearing the SGA/Student Government Association logo do not necessarily reflect the views of Student Government or the Student Body.
- 607.08** Permission to invoke the endorsement of the Student Body by any group must have written authorization by the Student Body President.
- 607.09** Any organization not receiving funds from SGA that wishes to invoke the SGA logo, or a statement invoking the support or endorsement of Student Government, on any printed or publicity materials must have written authorization from the SGC President where the publicized event is being hosted.
- 607.10** A copy of all printed materials bearing the SGA logo shall be submitted to the corresponding SGC in order to receive approval.
- 607.11** Upon the first violation of these prerequisites, the Student Government Office will notify the organization's President, faculty advisor, and the SGA Comptroller, the Senate Speaker and the Chief Justice of the corresponding SGC where the violation occurred. Upon the second violation in a fiscal year, the organization's funds may be frozen for thirty (30) days under the authority and action of the Comptroller. Upon the third violation in a fiscal year, funds may be frozen for seventy-five (75) days. Upon the fourth violation in a fiscal year, A &S funds may be closed to the organization for the remainder of the fiscal year. All notifications regarding violations and actions toward the organization's account must be made in writing and kept on file in the Comptroller's office.
- (l) Both SGC-MMC and SGC-BBC must use the same Student Government Association logo on all advertisements sponsored by either SGC.

## **Chapter 608 Fiscal Accountability**

- 608.01** All entities receiving A&S Fee funding shall be subject to audit by the Student Government Association at any time. A deadline will be set by the SGC-BBC Comptroller for the submitting of file for funds.
- 608.02** The SGC Senate may request an audit by majority vote on any student organization or club receiving A &S Fee funds. Once requested, the Operational Review Committee shall be charged with performing the audit, and submitting a report by the deadline specified in the motion to audit made in the Senate floor.
- 608.03** During the period of April 1st through June 30th of each fiscal year, the Student Body President and the Comptroller together may exercise the powers of either freezing or reverting unused funds remaining in student organizational accounts, standing councils, and Governing Councils in order to prevent excessive expenditures by student organizations at the end of the fiscal year. If both the President and the Comptroller of the Student Body deem it appropriate, they may revert excess funds over the twenty-five (25%) percent limit immediately.
- 608.04** Misuse of Funds
- (i) Types of Misuse
- (1) Budget deficits

- a) Budgets deficits shall be defined as when any entity funded by SGA has incurred in expenses that total an amount greater than the allocation made to that entity for that fiscal year.

(2) Overspending

- a) Overspending shall be defined as when any entity funded by SGA incurs in expenses for a particular event, project, or program that total an amount greater than what was stipulated in the budget allocated to that entity in its budget.
  - i) Overspending of line items is prohibited. Organizations which receive line item budgets or special requests are solely responsible for not overspending their line item amounts as allocated.
- b) The SGC is not obligated to fund any outstanding obligations of an organization that has overspent A&S Fee funds. The only permitted retroactive funding from Student Government is for outstanding obligations of an organization which overspent Student Government funds and that has an approved payment plan.
  - i) The payment plan must be approved by the respective SGC Senate before being put into effect.
- c) Future funding of any organization that has overspent SGA funds will be contingent on the performance of the conditions stated in the established payment plan. The SGC Senates shall be the exclusive judges of such performance.

(ii) Penalty measures

- (1) If an entity is found to be in violation of the Finance Code, the following actions may be taken as penalty measures by the Comptroller or President of the SGC:
  - a) On a first offense, an organization's funds will be frozen.
    - i) An account shall be frozen for a period not to exceed ten (10) school days. Two (2) school days prior to such freezing, the SGC President or the Comptroller must notify in writing to the Treasurer of the entity whose funds are being frozen and to the Senate, the reason of such action and the duration of the account freeze.
    - ii) If the violation is due to overspending, the entity shall be responsible for reimbursing the Student Government Association that amount. The amount overspent shall be taken from the organization's:
      - 1. Outside revenue.
      - 2. Existing line items of its current fiscal year budget or special requests.
      - 3. If the organization is unable to meet the obligation from the funds described, the organization's President and Treasurer must meet with the Comptroller to draft a payment plan and a definite timetable.

- b) On a second offense, during the current fiscal year, impeachment and removal proceedings may be initiated by the Senate against the President and Treasurer of the organization. The organization shall also be placed on probation if the violation is a deficit for a period of sixteen (16) weeks or until the violation is corrected, whichever happens sooner.
  - i) During the probation period the organization shall:
    - 1. Be required to eliminate the deficit by self-generated funds, or transfer of funds as recommended by the Comptroller.
    - 2. Not be eligible to receive additional funding without a two-thirds (2/3) approval vote of the Senate.
    - 3. Notice of probation and removal from probation shall be given in writing by the Comptroller to SGA A&S Business Office, Senate, and the Student Body President.
    - 4. Failure of an organization that has overspent Student Government funds to draft a payment plan within three (3) weeks of the occurrence, excluding summers, will constitute an additional violation of the Finance Code.
  - c) If the organization, while on probation, violated the Finance Code, the Senate may bring proceedings to restructure or disband the organization.
  - d) Should a group violate any law within the statutes of the SGCs or Finance Code, the Comptroller has the discretion to ask for a written explanation of the circumstances.
  - e) Should a group violate any law within the statutes of the Florida International University Student Government Councils or Finance Code twice within a fiscal year, the Comptroller will have the discretion to suspend privileges of the individual or organization making requests until the Student Government Finance Committee can meet to determine further course of action in the violation.
  - f) No Activity and Service Fee money shall be appropriated for any organization that has been found responsible for misuse of Student Body funds twice within one (1) fiscal year, for a period of up to one (1) calendar year from the date of the violation

## **Chapter 609 Senate Finance Committee**

### **609.01 Purpose**

- (i) The Senate Finance Committee shall serve as the treasurer for each SGC's Finance Committee budget. There shall be one (1) Senate Finance Committee at SGC-BBC.
- (ii) The purpose of the SGC Senate Finance Committee is to assure that the funds of the SGA are properly handled for the benefit of all students.
- (iii) All SGC appropriations must be referred to the Senate Finance Committee.

- (1) Graduate funding requests under four hundred dollars (\$400) shall be exempt from the approval of the entire Senate.
- (2) Appropriations over four hundred dollars (\$400) require the approval of a simple majority of the SGC Senate.
- (3) Appropriations under four hundred dollars (\$400) may be approved or denied by the SGC Senate Finance Committee.
  - a) The Senate Finance Committee Chair must report all appropriations to be approved under four hundred dollars (\$400) to the Senate during their report.
  - b) The Senate Finance Committee may bring requests under four hundred dollars (\$400) to the full Senate for consideration with a simple majority vote of the committee.
  - c) The Senate may request the Finance Committee to bring an appropriation under four hundred dollars (\$400) to the full Senate for a consideration with a simple majority vote of the Senate.
  - d) Each SGC Senate reserves the right to remove or alter funding requests from the Senate Finance Committee upon a two-thirds (2/3) vote by the Senate.
- (iv) The SGC may create further procedural statutes for their respective Senate Finance Committee, but these may not supersede the BBC Campus Specific Finance Code nor alter place more restrictions on the funding policies.

#### **609.02 Composition**

- (i) The SGC Finance Committee shall consist of five voting members plus the SGC Comptroller, who shall be a non-voting *ex-officio* member. Each member shall have one (1) vote.

The committee will consist of the following:

- (1) One Graduate Student Senator
  - a) Should no Graduate Student Senator be able to serve on the committee due to time constraints, the Senate delegation shall, by majority, vote on the appointment of another senator from the entire senate body.
    1. Should the candidate decline then another representative shall be chosen by the Senate delegation until a representative is successfully chosen.
  - b) This candidate must still be confirmed by majority approval of the senate.
- (2) One Lower Division Senator
- (3) One At Large Senator
- (4) Two Senators from the remaining members of the Senate
- (ii) All members of the committee shall be elected via a nomination and approved by a simple majority of the Senate.
- (iii) If a finance committee member has been removed, the Senate shall nominate a new member of the Senate to fill the vacancy.
- (iv) The Finance Chairperson shall be elected by a simple majority voted of the Senate at a regular meeting of the new term prior to July 1.

- (v) The Finance Chairperson shall preside over all Finance Committee meetings. The Finance Chairperson is responsible for receiving, preparing and distributing all materials required for the meetings, and for notifying the Senate and Finance Committee members of the time and location of the meetings.
- (vi) The Campus Life Office Accountant, the VPSA, and the SGC President shall serve in an advisory capacity to the Finance Committee.

**609.03 Duties and Responsibilities**

(i) Duties

- (1) The Senates' Finance Committees are responsible for handling all financial matters of the SGC Finance Committee Budget. This includes receiving, analyzing, and reviewing all budgets and financial requests dealing with SGC funds, examining requests from the SGC Finance Committee Budget, and ensuring that funds are spent appropriately in accordance with SGC and University Financial policies.
- (2) The Senate Finance Committee shall receive all Finance Committee Request Forms and examine these requests for compliance with the Finance Code.
  - a) All requests that are in compliance with the Finance Code and are approved by the Committee shall be brought up to the SGC Senate where the request is taking place in the form of an Appropriation, and may be approved with a simple majority of the SGC Senate.
  - b) If after the approval of an appropriation by the Senate and the signature of the SGC President and/or Vice President of Student Affairs when applicable, the funds are not claimed within a period of one (1) month, and no notification is provided to SGA and the Campus Life Office Accountant explaining why the funds haven't been claimed, then the appropriation shall be voided, and the funds opened up for use in other appropriations.
- (3) The Finance Committee shall hold weekly meetings, shall consider all financial matters promptly, and must take a vote on all financial matters presented in the meetings. Quorum must be met to vote on any proposals.
- (4) During the course of the year, the Finance Committee shall make recommendations to the SGC Senate regarding new financial policies, or possible statute and guideline revisions.

(ii) Responsibilities

- (1) Each member of the Senate Finance Committee shall be responsible for attending all Finance Committee meetings and voting on all financial matters presented in the meetings by the Senate Finance Committee Chairperson. If absent three (3) times per semester, the Senator will be removed from the Senate Finance Committee and an alternate shall be elected by the SGC Senate to replace the member.
- (2) Each SGC Finance Committee Chair shall make all documentation relating to each committee request available to the public upon request. Personal information relating to those making said request shall not be provided.

**609.04 Comptroller**

- (i) The Comptroller shall be in charge of carrying out the distribution of the budget and the auditing and advising of the SGC.



- (ii) The Comptroller shall attend all Executive meetings
- (iii) The Comptroller shall be a non-voting *ex-officio* member of the Finance Committee. As such, he/she shall serve an advisory role within the Committee, working to ensure compliance with all protocol and regulations of the University and SGC in allocating funds.
- (iv) The Comptroller shall not chair the Finance Committee. He/she shall provide to the Committee detailed reports of budgetary requests. The Comptroller shall work with the Finance Committee Chairperson to adequately process budgetary requests in compliance with budgetary policy.
- (v) The Comptroller shall attend the annual SGC Retreats to become familiar with SGC and its operations, and to receive instructions regarding the policies, financial goals and proviso language of the SGC budget allocated for the upcoming year.

### **Chapter 610 Accumulated Cash Balance Policy**

**610.01** All remaining A&S Fee funds at the end of year sweep must be allocated and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP) document.

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ARTICLE VII: JUDICIAL BRANCH**

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**Chapter 700 Purpose**

**700.01** The purpose of the SGC-BBC Supreme Court is to serve as the judicial body of the Student Government Council – Biscayne Bay Campus

**700.02** The Supreme Court shall receive *writs of certiorari*, for cases of petitions for legal review or grievances against SGC-BBC officials and entities, and shall decide whether to hear them, and if accepted for a hearing, shall rule on the *writ*.

**Chapter 701 Structure and Leadership**

**701.01** The SGC-BBC Supreme Court shall be composed of one (1) Chief Justice, four (4) associate justices and two (2) Court Clerks.

- (i) The SGC-BBC Chief Justice shall be the chief administrator of the Supreme Court and a member of the Executive Committee.
- (ii) The SGC-BBC Chief Justice shall serve as the SGC-BBC Parliamentarian.
  - (1) In absence of the SGC-BBC Chief Justice during a given SGC meeting, any Associate Justice may serve as the SGC-BBC Parliamentarian.
- (iii) The Court Clerk is responsible for the following:
  - (1) Naming and assigning a citation to petitions received by the Supreme Court.

- a) In crafting the name of the case, the plaintiff shall be listed first, followed by the defendant (e.g., Soviet Union v. U.S.)
  - b) In assigning a citation to the case, the Supreme Court designation shall be listed first, followed by the Semester and year in which the petition was adjudicated (i.e., S.C. 001 (Fall 2010))
- (2) Making available, for public consumption, the vote and the majority and dissenting and relative concurring opinions, as well as the name and citation of the case.
- a) A hard copy of the opinions relative to each petition shall be filed in a binder in the SGC-BBC office, located in Wolfe University Center, Room 301.
  - b) The opinions shall be published at the SGC-BBC website.
- (iv) The Chief Justice is expected to complete a minimum of five (5) office hours per week, Associate Justices and Court Clerks are expected to complete three (3) office hours per week.

## **Chapter 702 Court Procedures**

**702.01** All writs of certiorari must be validated or declined within ten (10) business days of being submitted to the Court Clerk.

**702.02** All writs of certiorari must be heard within ten (10) business days of being validated, unless the writ is a complaint or grievance filed against an SGC-BBC Official. If the writ is a complaint or grievance filed against an SGC-BBC Official, the Judiciary must hear the writ within fifteen (15) business days of validating the Writ.

**702.03** The Supreme Court shall have the power to enforce injunction and/or Writs of Mandamus to enforce the purposes of this chapter.

**702.04** No SGA official shall be subject for the same offense to be twice put in jeopardy (double jeopardy).

**702.05** Any SGC official can be referred for judicial hearing for misfeasance, malfeasance, or nonfeasance as stated in the SGC- BBC Statutes. This review shall be instigated by a written grievance, filed as a writ of certiorari, which may be submitted by any member of the student body to the Supreme Court.

- (i) Upon the decided validity of the grievance, the SGC-BBC Chief Justice and the SGC-BBC Advisor will inform the charged SGC Official of the allegations, charges, student's rights, and an explanation of the judicial hearing process. The

charged student's academic schedule should be taken into account for consideration of their later scheduled hearing.

- (ii) Once the judicial hearing is scheduled, the SGC official under investigation shall be notified within five (5) business days by the SGC-BBC Chief Justice of the time, date, and location of the SGC-BBC judicial hearing, and notice of witnesses who will be called to testify against him/her.
- (iii) Prior to the hearing, the plaintiff shall compile all evidence of the official actions of the SGC Official in question; this evidence shall be used during the hearing. The evidence shall be submitted to the SGC official being investigated five (5) business days prior to the hearing.
  - (1) In the case that the plaintiff is the Senate Internal Affairs Committee or the Department of Justice, the committee or department shall prepare a report containing all the applicable information regarding the official.
  - (2) In the case that a student presents the *writ of certiorari*, that student is entitled to present the case and evidence or request and allow the Department of Justice to take up the plaintiff role, by presenting the evidence and presenting the argument in the hearing.
    - i) The Department of Justice has the prerogative to accept or deny the student's request to present a case on the student's behalf.
- (iv) Should the charged official not present himself at the hearing, the hearing will take place and a decision will be rendered in *absentia*.
- (v) The hearing will be recorded for documentation purposes, will be chaired by the SGC-BBC Chief Justice, and will proceed as follows:
  - (1) Opening statement by the SGC-BBC Chief Justice.
    - i) At any point throughout the proceedings any justice may interrupt to ask a question
  - (2) Opening statement by the plaintiff.
    - i) Present any Evidence/Witness
  - (3) Opening statement by the defendant.
    - i) Present any Evidence/Witness
  - (4) Closing statement by the plaintiff.
  - (5) Closing statement by the defendant.
  - (6) SGC-BBC Chief Justice brings hearing to closure.

- (vi) Upon conclusion of the hearing, the SGC-BBC Supreme Court will move into deliberations. The Supreme Court's determination of "guilty" or "not guilty" will be based solely on the information presented at the hearing using the standard of "clear and convincing". Determination may be made by a simple majority vote of the SGC-BBC Supreme Court.
- (vii) The SGC official under investigation will receive written notice within five (5) business days regarding the outcome of the hearing.
- (viii) The SGC official under investigation has the right to challenge the inclusion of any Supreme Court member in the hearing. This challenge must be submitted at least three (3) business days prior to the scheduled hearing. The challenge must be in writing, and be based on cause, which clearly provides evidence of a conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing.
- (ix) If any SGA official is being impeached by the Senate the Chief Justice shall preside over the hearing and a recommendation from the court shall be made to the Senate after the hearing.

**702.06 Appeal:**

- (i) Both plaintiff and/or defendant have the right to appeal the decision of the Student Supreme Court to the Vice President for Student Affairs. Appeals must be submitted within three (3) days of the decision of the Supreme Court.
- (ii) If any SGA official is automatically removed due to missing too many meetings, they can appeal to the Judicial branch and the same appeal procedure will apply.

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ARTICLE VIII: GOVERNING COUNCILS**

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**Chapter 800 SGC-BBC Governing Councils**

**800.01** Governing Councils under SGC-BBC jurisdiction are as follows:

- (i) Bay Vista Hall Council (BVHC)
- (ii) Student Organizations Council (SOC)
- (iii) Student Programming Council-Biscayne Bay Campus (SPC-BBC)
- (iv) Panther Power (PP)

**800.02** Governing Council Presidents or designees shall be required to attend SGC-BBC Executive meetings or attend Governing Council meetings as designated by the SGC-BBC President to facilitate cooperation between organizations.

**800.03** Governing Council Presidents or appointed designee shall provide a timely report to the Senate as prescribed by the SGC-BBC Constitution and SGC-BBC Statutes.

**800.04** Governing Council Executive Committee members shall be elected by their respective organizations and maintain organizational constitutions.

**800.05** Governing Councils shall abide by the SGC-BBC Constitution and Statutes.

- (i) Governing Councils shall not have any provisions in their constitution that supersedes SGC-BBC laws and guidelines.

### **Chapter 801 Bay Vista Hall Council**

**801.01** The purpose of the Bay Vista Hall Council (hereafter referred to as BVHC) shall be to coordinate social, recreational, educational, and service programs for the residents of Bay Vista Housing (hereafter referred to as BVH) located on the Biscayne Bay Campus of Florida International University.

**801.02** The responsibilities given to BVHC include, but shall not be limited to, further promoting a favorable environment for study, relaxation and fellowship for BVH residents. BVHC shall also represent the collective interests of the residents in BVH, and serve as a channel of communication by acting as a liaison between residents, the community and the university at large.

### **Chapter 802 Student Organizations Council**

**802.01** The purpose of the Student Organizations Council (hereafter referred to as the SOC) shall be to serve as the governing body of all undergraduate and graduate student clubs/organizations.

**802.02** The responsibilities given to SOC include, but shall not be limited to, providing funding for its clubs through its budget allocations, coordinate events such as monthly general meetings and club fairs, and oversee operations of its clubs to promote the academic, social, artistic, religious, cultural, political and athletic interests of the students at FIU's Biscayne Bay Campus while building a stronger sense of community on campus.

### **Chapter 803 Student Programming Council-Biscayne Bay Campus**

**803.01** The purpose of the Student Programming Council-Biscayne Bay Campus (hereafter referred to as SPC) shall be to program and administer events and activities that will contribute to the social, educational and cultural enrichment of the student body, faculty and staff at Florida International University. SPC will also contribute to student

development and enhance opportunities for student leadership at Florida International University.

**803.02** The responsibilities given to SPC include, but shall not be limited to, helping serve as an information and programming resource for other campus organizations and leaders and to support their programming efforts as deemed appropriate by the SPC Executive Committee. SPC will also promote student activities, pride and school spirit.

#### **Chapter 804 Panther Power**

**804.01** The purpose of Panther Power (hereafter referred to as PP) shall be to promote athletic events at Florida International University. They shall also sponsor events that will raise attendance at athletic events and support FIU athletic teams.

**804.02** The responsibilities given to PP include, but shall not be limited to, maximizing FIU's student body involvement and awareness of all FIU Athletic events and maintain effective communication with the Athletics Department.