

1992

## Bylaws 1992-1993

Student Government Association BBC, Florida International University

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**BYLAWS OF THE STUDENT GOVERNMENT  
ASSOCIATION  
FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT COUNCIL**

**SECTION I**

**Qualifications and Registration of Candidates**

- A. Any individual who wishes to qualify as a candidate for Student Government Council (hereafter referred to as SGC) offices must comply with the provisions of the Student Elections Board.
- B. In determining eligibility to run for or hold office in SGC, cumulative grade point average will be computed from courses attempted at FIU from the date of current acceptance. Transfer students and graduate students who have not completed any courses at FIU will have their cumulative grade point average computed from the transcript(s) used to gain admission to FIU.
- C. Candidates seeking office for a specific school/college representative position must be accepted in the school/college they wish to represent, or present a signed letter of eligibility from the appropriate Dean with his/her Petition of Candidacy.
- D. All candidates may qualify to run for office under the name by which they are registered at Florida International University or under a variation of that name, subject to the approval of the Student Elections Board. A nickname may appear in quotation marks with the approved name of the candidate. No person shall appear on the ballot under an assumed name. Any attempt to qualify as a candidate under an assumed name shall be a violation of the Elections Code, and shall be cause for immediate disqualification.
- E. It shall be the responsibility of the candidate to determine that all information regarding his/her eligibility to run for or hold office is correct prior to qualifying for candidacy. It is a further responsibility of the candidate to certify the accuracy of this information with the Registrar, and in all related University records and Petition for Candidacy documents, and to have any deficiencies corrected as provided for by the Student Elections Board.
- F. Each candidate must sign a waiver allowing the SGA to ascertain that each elected person continues to fulfill eligibility requirements for such office during his/her term of office.

- G. A candidate must file all Petition for Candidacy documents with the Commissioner of Elections on or before the deadline date and time designated by the Student Elections Board. No candidate shall be placed on the official ballot who has not fulfilled these requirements.
- H. A candidate may withdraw his/her Petition for Candidacy prior to the election by submitting a written notice to the Commissioner of Elections. The notice to withdraw candidacy must be filed two (2) weeks prior to the first election date to assure the candidate's name will not appear on the ballot. Otherwise, it is the responsibility of the Commissioner of Elections to insure that a candidate's name is struck from all ballots.
- I. At no time during the registration process or campaign may any candidate associate himself/herself with any other candidate with the intent of running and being elected as a group.
- J. Any student of Florida International University has the right to bring a complaint before the Student Elections Board alleging a violation of the requirements of the Petition for Candidacy.

**SECTION II**  
**Student Elections Board**

- A. The Student Elections Board shall consist of six members, one of whom shall be the Commissioner of Elections. The Commissioner of Elections and the members of the Elections Board will be chosen through an application process to the SGC and confirmed by a simple majority vote of the SGC at a meeting at which there is a quorum. Members of the Student Elections Board shall serve a one year term, commencing the first day of the spring semester.
- B. The Student Elections Board shall be in charge of all SGC general and special elections and is established for that purpose by the SGA Constitution and Bylaws. The Commissioner of Elections shall serve as the chairperson of the Board and shall faithfully execute those duties and responsibilities designated by law, or deemed necessary to the proper conduct of an election by the Board.
- C. No member of the Student Elections Board may hold or be a candidate for an officer or representative position in the SGC during his/her time of service on the Board.
- D. Members of the Student Elections Board shall not be actively identified with any candidate or campaign for an elective position in SGC, nor shall they act in any partisan manner while they are serving as members on the Board.

- E. A vacancy in the position of Commissioner of Elections shall be immediately filled for the duration of the term by appointment by the SGC President, subject to approval by two-thirds of the SGC present and voting.
- F. The Student Elections Board is responsible for preparing candidate packets which will include a Petition for Candidacy form, elections schedule and deadlines, SGA Constitution and Bylaws, the Election Code, posting rules, candidate fund raising and expenditure report form, and other relevant information.
- G. The Commissioner of Elections shall be responsible for distributing all necessary information and forms to the candidates and for receiving the Petitions of Candidacy and other required forms from the candidates. The Commissioner is responsible for giving written notification to all qualified candidates of their right to be present at election related events.
- H. The Commissioner of Elections may disallow any Petition for Candidacy that does not meet all requirements of the Election Procedures as established by the Student Elections Board. A candidate whose petition is disallowed may ask for a review of his/her petition by the Student Elections Board, where a majority vote of the Board will confirm or overturn the ruling of the Commissioner. The names of candidates whose Petitions of Candidacy have been disallowed shall be a matter of public record.
- I. The Commissioner of Elections shall conduct a meeting for all candidates following the deadline for registration and prior to the beginning of the campaigning period. This meeting will notify candidates of the requirements of the Election Code and other required election information. All candidates shall be responsible for all information presented at the above meeting.
- J. The Student Elections Board shall investigate the constitutional qualifications of all candidates. The Commissioner of Elections shall submit the preliminary list of qualified candidates to the Office of the Registrar, who shall certify to the Commissioner the names of candidates who meet all requirements for their chosen office as listed in the SGA Constitution and Bylaws. The Elections Commissioner shall strike from the list of certified candidates the names of all persons who have failed to qualify for their intended office and shall notify said candidates in writing.
- K. The Student Elections Board may declare any candidate ineligible to run for or hold office, or may declare void any winning candidate's office if a substantive error is found in

the candidate's qualifications, even if that error was not caused by the candidate.

- L. The Student Elections Board shall make all necessary arrangements for polling places and provide the ballots, ballot boxes and/or voting machines, and all other items required for the proper, efficient, and legal completion of the election.
- M. The Commissioner of Elections shall be responsible for the preparation of the ballot with the majority approval of the Student Elections Board.
- N. The Commissioner of Elections shall be responsible for instructing all election officials in the proper elections procedures.
- O. The Student Elections Board and SGA faculty or staff advisor(s) shall be responsible for supervising the tabulation and for certifying the results of any campus wide election or referendum.
- P. It shall be the responsibility of the Student Elections Board to hear and act upon complaints and charges of violations of the Elections Code.

### **SECTION III Election Rules**

- A. The election rules for all general and Special Elections, including referendums and Constitutional amendments, are set forth in the Elections Code, which may be amended by the Student Elections Board. The Commissioner of Elections shall submit amendments to the Elections Code to the SGC for approval by a two-thirds vote of SGC representatives present and voting at a meeting at which there is a quorum.
- B. Federal, state, and municipal laws shall apply to election procedures, and policies of the Elections Code may not contradict those laws.
- C. The Elections Code policies for campaigning on campus may not violate the University Posting Policy or the posting policies for specific facilities.
- D. The Elections Code policies for campaign expenses shall require a fund raising and expenditure report that must be completed, signed, and submitted to the Commissioner of Elections no less than 48 hours prior to the election.
- E. The Elections Code policies for balloting shall require the names of all qualified candidates to be listed on the ballot

in alphabetical order, by last name, and shall clearly indicate which office the candidates are seeking.

- F. With the unanimous vote of its membership, the Student Elections Board shall have the power to establish temporary, supplemental guidelines for the duration of the current election only. These guidelines will be effective within forty-eight (48) hours of the official notification to candidates, but cannot contradict existing regulations of the Elections Code or SGA Constitution and Bylaws.

**SECTION IV**  
**General, Special, and Referendum Elections**

- A. General elections are the annual elections held in order to elect SGC officers and representatives.
- B. The Commissioner of Elections, with a majority approval of the Elections Board, shall have the right to postpone or change the date of a scheduled election as they believe necessary in the case of a natural disaster, threats of natural disaster, acts of God, or other such threats to the safety and security of FIU students.
- C. No elections of any kind shall be held during Final Examinations Week(s).
- D. Each student is eligible to vote for the positions of SGC President, Vice President, and all at-large representatives for the appropriate campus SGC. Each student may also vote for all position(s) in one of the following SGC representative categories: lower division, a specific school/college, Broward, or graduate; in accordance with the students' registration status.
- E. The Student Elections Board will make provisions for run-off elections to occur when necessary to decide the outcome of general elections. Run-off election provisions will be stipulated in the Elections Code and dates for run-off elections will be included in the elections schedule.
- F. Special elections are elections called by two-thirds (2/3) of the SGC representatives present and voting at a meeting at which there is a quorum, or by five (5) percent of the student body of FIU signing petitions and filing said petitions with the SGC President. Such petitions must state the purpose of the special election. The Student Elections Board shall be responsible for conducting all special elections.
- G. A Referendum is the submission of a proposed public measure or actual statute to a direct popular vote of the student body.

- H. Referenda will be held during general elections or special elections and can be the cause for holding a special election.

**SECTION V  
Voting Procedures**

- A. The Student Elections Board shall select election poll locations and times and specify same in the Elections Code.
- B. Each student desiring to vote shall present to the poll workers his/her current validated student identification card.
- C. Students shall be eligible to vote only on the campus where they are currently enrolled in a majority of their classes. Campus voting lists will be produced through the Office of Registration and Records to be used at the polling locations. Students with equal course loads on different campuses shall be listed on a separate voting list and may vote only once at their choice of campuses.
- D. When a student votes, his/her name shall be clearly marked on the campus voting list as having voted, and his/her identification card shall be so marked.
- E. All eligible students waiting to vote at the time the polls close shall be permitted to vote.
- F. No voting records or ballots shall be destroyed until the time for contesting an election has expired, all complaints are resolved, and the election is certified by the Student Elections Board.

**SECTION VI  
Election Violations and Procedures for  
Contesting Elections**

- A. Any Florida International University student, including the Student Elections Board itself, shall have the right to contest an election or bring a complaint before the Student Elections Board alleging a violation of the Election Code. The complaint must be made in writing to the Commissioner of Elections no later than 48 hours after the election, and shall include: (a) the name(s) of the individual(s) against whom the complaint is brought, and (b) the specific section(s) of the Election Code which is (are) alleged to have been violated, (c) the specific nature of the alleged violation(s), and (d) the name and signature of the person(s) bringing the complaint.
- B. Violations of federal, state, and municipal laws are to be regarded as violations of election rules.

- C. If the number of ballots cast differs from the number of voters registered as having voted on the campus voting lists, the Student Elections Board shall investigate the discrepancy and determine appropriate action. If said difference exceeds five percent (5%) of the total vote, the election shall be declared invalid.
- D. Upon receipt of a complaint, the Student Elections Board shall make a determination as to whether a hearing is necessary based upon whether there has been shown probable cause that a violation has occurred. Both complainant(s) and defendant(s) must receive written notice from the Commissioner of Elections no less than twenty-four (24) hours before a hearing is conducted.
- E. The complainant(s) may withdraw the complaint prior to the Student Elections Board taking final action, however, the Student Elections Board may proceed with its investigation of the complaint(s).
- F. The Student Elections Board, upon finding a candidate guilty of committing an election violation(s), will decide the just penalty for the violation(s). Penalties for violations will be in the form of monetary fines, reprimands, and/or disqualification.
- G. Members of the Student Elections Board may not, at any time prior to the final determination of any matter before the Board, make comments or statements of any kind outside of Board meetings, concerning matters before the Board.
- H. Disputes involving members, actions of members, or decisions of the Student Elections Board shall be referred to the Student Concerns Committee.

**SECTION VII**  
**Budget and Finance**

- A. The University has established a separate Activity and Service (A&S) fee. This fee shall be collected as part of the student tuition as a dollar amount per credit hour and shall be retained by the University and paid into a separate A&S fund.
- B. The allocation and expenditure of these funds shall be determined by the Student Government Association, through the SGA University Council and the SGC. The SGA University Council is responsible for determining the fixed expenses within the SGA budget, as well as the operating budget of the SGA University Council. The SGC is responsible for the allocation and expenditure of A&S fees for its campus.
- C. The SGA University Council determines the initial allocation



of the SGA budget based on A&S fees from the annual projected enrollment. The office of Planning and Analysis submits to the SGA University Council the projected figures of enrollment, upon request.

- D. The Finance Committee will prepare a budget proposal for the SGC, as outlined in Section VIII.
- E. The fiscal year for the SGA will be July 1 to June 30.
- F. No funds shall be disbursed without the approval by signature of either the Finance Committee Chair or the SGC President; as well as either the SGC Accountant or the Director of Student Activities.

### SECTION VIII Committees

#### A. Standing Committees

- 1. The Standing Committees of the SGC shall be the Finance Committee, the Academic Affairs Committee, and the Student Services Committee.
- 2. All SGC representatives must serve on at least one Standing Committee.
- 3. Committee chairs will be chosen through an application process to the SGC and appointed by a simple majority of the SGC. A chair may be removed from office by a majority vote of the entire SGC.
- 4. Committee size, excluding the Finance Committee, will be determined by the SGC. Members will be chosen by an application and/or appointment process.
- 5. Minutes shall be taken at each committee meeting and submitted to the SGC office within forty-eight (48) hours of the meeting.

#### B. Finance Committee

- 1. The Finance Committee will be comprised of the Finance Committee Chair and four additional students appointed through a majority vote of the SGC.
- 2. The Finance Committee is charged with the responsibility to prepare and submit a complete budget proposal to the SGC, based on the projected budget from the SGA University Council.
- 3. The SGC may approve, reject, amend or refer back to the committee the proposed budget. A rejected budget shall be returned to the Finance Committee for revision.
- 4. The SGC may amend the proposed budget by a two-thirds vote.
- 5. When approved by the SGC, the budget will be submitted to the newly elected SGC President and Vice President for review, and then submitted to the SGA University Council to be combined with the SGC budget request of the other

- campus and the proposed SGA University Council Budget.
6. The total SGA budget shall be submitted by the SGA University Council to the Vice-President for Student Affairs, who will present it to the University President for his/her approval or veto. If no action is taken within fifteen (15) days following presentation to the President, the budget shall be deemed approved.
  7. The SGA University Council shall be responsible for determining all necessary adjustments to the SGA budget resulting from incorrect projections of A&S fees, based on fixed expenses and FTE enrollment figures.
  8. It is the responsibility of the Finance Committee to review and make recommendations to SGC for the expenditure of all reserve and unallocated funds of the SGC budget.

C. Academic Affairs Committee

1. The purpose of this committee is to review and evaluate academic issues and make the necessary recommendations that will represent student views on the issues.
2. Should the SGC undertake a program of faculty or course evaluation, this committee will oversee the project.

D. Student Services Committee

1. The purpose of this committee shall be to investigate student concerns and make recommendations as deemed appropriate.
2. This committee shall also recommend services to be provided and evaluate current services being offered to ensure that they are serving student needs.

**SECTION IX  
Proxy and Absentee Ballots**

Proxies and absentee ballots shall not be allowed by the SGC for either quorum or voting purposes.

**SECTION X  
Absences**

Officers or members of the SGC who have three consecutive absences for any reason from regular or special SGC meetings may be removed from their position and the SGC by a majority vote of the SGC members.

**SECTION XI  
Bylaw Changes**

- A. Bylaws may be amended, deleted and added by a two-thirds vote of the SGC.
- B. All Bylaw changes passed by the SGC shall become effective immediately unless otherwise stated in the resolution.

