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Bylaws 2002-2003

Student Government Association BBC, Florida International University

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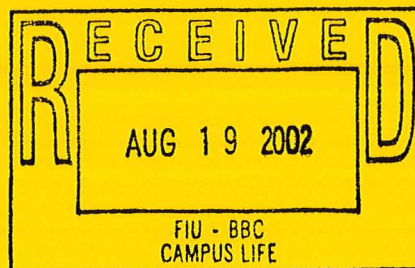
Student Government Association By Laws

Florida International University
Biscayne Bay Campus



Student Government Council
Biscayne Bay Campus
WUC 363
(305) 919-5804

Campus Life
(305) 919-5804



BYLAWS
Student Government Council
Biscayne Bay Campus

SECTION I - BUDGET

A. A&S FUND The State of Florida has established a separate Activity & Service 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. AUTHORITY The allocation and expenditure of these funds shall be determined by the Student Government Association through the University Wide Council and the individual Student Government Councils. The SGC University Wide Council is responsible for allocating funds for "University Wide" expenses, and the Biscayne Bay Campus Student Government Council (BBC SGC) is responsible for the allocation and expenditure of A&S Fees for its campus.

C. FISCAL YEAR The fiscal year for the SGA will be July 1 to June 30.

D. CHRONOLOGY The process for preparing the annual fiscal budget shall begin in earnest no later than August 15 of the previous academic year. This process will include:

1. The Office of Budget Planning and Analysis submits to the Student Government preliminary projected figures of enrollment as well as fee revenue for the next year. It will be understood that 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 Fund. These forms along with a set deadline will be advertised and made available to any existing funded entities, as well as any groups that have received funding within the past three years.

3. The Finance Committee will schedule a budget hearing no later than one week 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 Finance committee Representatives. This hearing will also be advertised and open to the public; groups making requests are required to attend.

4. University Council will first prepare a budget draft to determine fixed expenses for University Wide expenses to include but not be limited to the Student Media, Greek Councils and Honors Council.

5. The Finance Committee will then prepare a budget draft for the Biscayne Bay Campus, once the University Wide figures have been decided and the remainder of fees split according to the Full Time Enrollment (FTE's) on campuses.

6. The Office of Budget Planning will update FTE projects as necessary during the course of the year. It is the responsibility of both the University Council and Finance Committee to make any necessary adjustments due to any discrepancy between budgeted figures and projects to ensure a balanced budget.

7. A budget hearing for the purpose of public opinion on the budget drafts will be held prior to the last week in March. This forum, as well as the drafts, will be advertised and publicized, and all beneficiaries of A&S fees should be present.

8. After the start of the Spring semester, but prior to February 15, the University Council will finalize its budget at one of its regular meetings. At the same time, the Finance Committee will submit its

draft for approval by the Council at a regularly scheduled meeting, by a two-thirds vote and amended by a two-thirds vote. A rejected budget shall be returned to the Finance Committee for revision.

9. The finalized budget will be submitted to the University President for his approval or veto via the Vice-President of Student Affairs in accordance with State Statute. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.

10. 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.

SECTION II - BUDGET AUTHORIZATION

Once the budget has been finalized and the SGC President has signed it into effect, the newly elected Council and Finance Committee 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.

A. SGC Accounting and/or the Finance Chairperson will inform all funded entities of approved allocations by June 1 and thus request a categorized budget from each entity by a certain deadline to be established by the Finance Chairperson and/or President.

B. Any entity requesting funds from the SGC BBC shall first go to the Finance Committee for its recommendations. Such requests must be in writing.

C. The Finance Committee and University Council will then review individual budgets. University Council will grant ultimate approval of University Wide allocations and the BBC Finance Committee will submit recommended budgets to the full Council for approval.

SECTION III - DISBURSEMENTS

A. All transactions will be facilitated, monitored and reviewed by the SGC Finance Committee, Finance Chairperson and SGC Accounting Office.

B. All disbursements shall have the approval by signature of the Finance Committee Chairperson or the SGC President, as well as either the SGC Accountant or the designee of the Vice President of Student Affairs.

C. The SGC President and SGC Finance Chairperson, as well as the SGC Accountant or designee of the Vice President of Student Affairs shall approve appropriations or transfers of any contingency reserves.

D. Monthly financial reports shall be made available to the SGC President, Finance Chairperson, as well as one copy for the Council to review, detailing any disbursements and money transfers.

SECTION IV - COMMITTEES

The Standing Committees of the SGC shall be the Finance Committee, Student Services Committee, Academic Affairs Committee, Student Union Board Committee, International Student Services Committee and Campus Life Committee. It will be the duty of these committees to present items for discussion and solutions to the Student Government Council.

A. All SGC Representatives must serve on at least one Standing Committee.

B. Committee Chairpersons will be chosen through an application process and appointed by a simple majority of the entire SGC. A Chairperson may be removed from office by a two-third vote of the SGC.

C. Committees will meet at least twice a month to conduct business. Attendance and minutes will be recorded, distributed and filed in the SGC office within 48 hours of the meeting by a designated committee member.

D. Each Standing Committee shall have the power to form sub-committees to address a specific idea, issue or concern. Sub-

committees may conduct research and make recommendations, and shall report their progress at regular Standing Committee meetings.

E. For all committees, excluding the Finance Committee, the committee size will be determined by the SGC and are not limited to Representatives serving as members. Any additional members must be included on a roster and have personal information on file in the SGC office.

F. Committee Chairpersons will be expected to present a report to the Council following each meeting. In their absence a Vice-Chairperson or member should present a report.

G. Committees are only a working group of the Student Government Council. Any official decisions and/or projects, initiatives and measures must be brought before the Council for approval, by way of a resolution or an appropriations bill.

H. Any matter being presented to the SGC in the form of a resolution or appropriation bill by a standing committee must be sponsored by two representatives.

I. Each Standing Committee shall have such authority as necessary to conduct research and make recommendations concerning areas under the authority of that Committee.

J. All Standing Committees, excluding the Finance Committee, will be allocated a budget.

K. Each Standing Committee shall hereby be empowered to allocate any funds budgeted to that Committee by a simple majority vote in any meeting where there is a quorum.

L. All Standing Committees, excluding the Finance Committee, shall allocate their budget by way of an appropriations bill sponsored by two representatives.

1. Only approved appropriations of more than three-hundred dollars (\$300) will be brought before the

SGC. With a majority vote, the appropriation shall be approved.

M. The SGC President and Vice President are ex officio non-voting members of all Standing Committees.

N. Standing Committee Chairpersons will be required to put in ten (10) hours a week as office hours, five (5) of which must be in the office itself.

SECTION V - SELECTION OF STANDING COMMITTEE OFFICIALS

A. The Chairpersons of each of the Standing Committees will be elected by simple majority vote of the Council at a regular meeting.

B. To be eligible, all candidates will submit proper applications and platform for review of Council.

C. Vote will be by secret ballot.

D. Each Standing Committee shall appoint a vice chair and secretary by way of a majority of the standing committee members.

1. In the absence of the chair, the vice chair shall assume the duties of the chair.

2. The secretary shall be the official record keeper of the Standing Committee and will file the minutes of each meeting within 48-hours.

3. The vice chair and secretary may not hold such a position on another standing committee, but is limited to only being a member.

E. Standing Committee Vice-Chairs and Secretaries may be removed from office by a majority vote of the Committee, or by a majority vote of the SGC.

SECTION VI - FINANCE COMMITTEE

A. The Finance Committee will be comprised of the Finance Chairperson and

four SGC Representatives appointed through a majority vote of the SGC.

B. The Finance Committee is charged with the responsibility of preparing and submitting a complete budget draft to the SGC based on the projected budget from the SGA University Council.

C. It is the responsibility of the Finance committee to review and make recommendations to the SGC for the expenditure of all reserve and unallocated funds of the SGC budget, as well as any line item transfers in the completed budget.

1. All appropriations must first be approved by the Finance Committee.

2. Only approved appropriations by the Finance Committee of more than five-hundred dollars (\$500) will be brought before the SGC. With a majority vote, the appropriation shall be approved.

3. If not approved by the Finance Committee, this will be reported to the Council at the next regularly scheduled meeting.

4. If a Representative wishes for the Finance Committee to reconsider an appropriation, he/she must gain a majority vote of all voting members.

D. In regards to the disbursement of unallocated funds to entities not already funded by the Student Government Council.

1. Expenditures over one hundred dollars (\$100) and up to five hundred dollars (\$500) must be approved by a regular meeting of the Finance Committee.

2. Minor expenditures up to one hundred dollars (\$100) must be authorized by the Finance Chair and the SGC President or Vice President in the President's absence.

E. Any appropriations bill being presented to the SGC by the Finance Committee must have two sponsoring Representatives.

F. The Finance Committee's procedure for accountability of the SGC budget expenditures and reserve appropriations is justified through making requirements deemed necessary to assure that budget expenditures and reserve appropriations have been disbursed and spent per the SGC's original allocation intent.

G. The Finance Committee may specify criteria's associated with the allocation of funds, including but not limited to timing, standards, levels of accountability and specific instructions as stated in Finance Code and Bylaws.

SECTION VII - ACADEMIC AFFAIRS COMMITTEE

A. The purpose of this committee is to review and evaluate academic issues and make necessary recommendations that will represent students' views on issues.

B. Should the SGC undertake a program of faculty evaluations, the committee will oversee this project.

C. This committee shall also oversee the operations and services of the Library.

D. This committee shall host an annual scholarship fair.

SECTION VIII - STUDENT SERVICES COMMITTEE

A. This committee shall also recommend services to be provided and evaluate current services being offered to ensure that they are serving student needs.

B. This committee shall also have representation on the Student Health Advisory university wide committee.

SECTION IX - STUDENT UNION BOARD

A. The purpose of the Student Union Board is to facilitate a working relationship between the SGC and the Wolfe University Center.

B. The Board shall serve in assisting in the allocation of the Wolfe University Center's Fiscal Budget. Prior to a budget request being submitted to the Finance Committee,

the SUB will recommend a draft to the Finance Committee.

C. The SUB shall serve as SGC's voice in the decision-making process of room and space allocation and operating hours, as well as discerning and addressing student's concerns in order to improve services.

D. In the event that the Student Center is granted a CITF Allocation, the SUB will analyze the needs of the building and, working with the WUC staff, prepare a request to present to the Vice-President of Student Affairs.

E. Throughout the year, the SUB will also be charged with the responsibility of supervising the expenditures of WUC funds.

SECTION X - CAMPUS LIFE COMMITTEE

A. This committee will facilitate a working relationship between the Student Government Council and the department of Campus Life as well as the Student Programming Council, Student Organizations Council, Bay Vista Hall Council, the Honors Council, Panther Power and any other A&S funded activity entities.

B. The purpose of this committee will be to serve as a research and recommending body. By studying and proposing ideas, the goal of this group will be to enhance Campus Life at the University and within the resources of the aforementioned groups and departments as well as other entities within the University.

SECTION XI – INTERNATIONAL STUDENT SERVICES COMMITTEE

A. The purpose of this committee shall be to investigate international student concerns and make recommendations as deemed appropriate.

B. This committee shall also recommend services to be provided and evaluate current services being offered to ensure that they are serving the international student needs.

SECTION XII – EXECUTIVE COMMITTEE

A. The purpose of the Executive Committee is to assemble all Standing Committee

Chairs and Cabinet Members to discuss, analyze and suggest methods of action and strategies toward the end of forwarding the agenda of the Student Government Council.

B. The SGC President or Chief of Staff will chair this meeting.

SECTION XIII – HOUSE OF REPRESENTATIVES

A. The purpose of the House of Representatives (hereafter referred to as the House) is to assemble at least once a month to be presented and discuss legislations in the form of a resolution or an appropriations bill.

B. The House shall comprise of all Representatives. The SGC Vice President shall serve as chair of the House meetings until the appointment of the Speaker of the House.

1. The Speaker of the House shall be a representative appointed through a majority vote. The Speaker of the House shall chair the House meetings.

2. The House shall appoint a Vice Chair through a majority vote. In the absence of the Speaker of the House, the Vice Chair of the House shall chair the meetings.

3. The House of Representatives shall appoint a Secretary by way of a majority vote. The Secretary shall be the official custodian and recorder of all House proceedings, including the minutes, which should be made available to public within 48 hours of the meeting.

C. The House shall have a set of bylaws in place for governance that may include additional roles and responsibilities for all members.

D. No provisions by the House bylaws shall be waived. Such provisions shall only be added, deleted, or altered through the amendment process.

SECTION XIV - CONSTITUENCY RESPONSIBILITY

A. One hundred (100) surveys must be filled out and collected by each Representative and Chairperson, excluding the Finance Committee, every fall and spring semester. The surveys must also be comprised of the students who those specific Representatives were elected to serve; for example, the Business Representative must collect surveys from those of his or her college.

B. Representatives will be responsible for typing and presenting a minimum of two reports per semester (fall and spring) to the Biscayne Bay Campus Council. These reports should contain all goals accomplished and ongoing projects.

C. All Representatives (excluding Lower Division and At-Large Representatives) are required to meet with their college's dean at least once a month.

D. All SGC members including the cabinet will be required to complete a binder containing their accomplishments and contacts made throughout the year. This binder is to be completed one week before spring break.

E. Failure to meet the above criteria's will result in automatic removal from office, with an opportunity to appeal to the Biscayne Bay Campus Student Government Council.

F. The BBC Student Government Council shall hold an annual program to be called The SGC Inaugural Address and Town Hall Meeting within one month of the start of each fall semester.

1. The purpose of the program is first, for the SGC President to give his/her inaugural speech to the student body. And second, for the student body to engage in dialogue by addressing issues of concern to the SGC and University administration.

2. The program shall run under the direction of the SGC President, hosted by the Chief of Staff, and coordinated by the Director of Special Events.

SECTION XV - STANDING COUNCILS

The Standing Councils of the Student Government Council shall be the Student Organizations Council (SOC), Student Programming Council (SPC) and the Bay Vista Hall Council (BVHC). Each will maintain a separate set of guidelines for operations known as a constitution, which will be approved by the Student Government Council. Each Standing Council Chair shall meet the academic requirements of a Standing Committee Chair.

A. The SOC, SPC and BVHC shall hold its elections the week following the SGC elections. Failure to hold elections during the stated time period will affect the annual budget allocation of the council not in compliance.

B. Each Council must maintain some form of meeting (Executive Board or general membership) at least twice a month. Minutes and attendance will be recorded, distributed and filed in the Student Government Council office within 48 hours of the meeting.

C. Each Council reserves the right to elect its own Chairperson, yet Student Government Council may remove the Chairperson for malfeasance, misfeasance and/or nonfeasance.

D. Each Chairperson will be required to present a brief report at least twice a semester to the Student Government Council and in addition, attend a Standing Council Round-table/meeting twice a semester with the Vice-President and President of the Student Government Council.

E. Within the structure of the Student Government Council, the Councils shall have all the rights and privileges of that of a Standing Council as stipulated in the Constitution.

F. Chairpersons will be required to put in 10 hours a week as office hours, five (5) of which must be in the office itself, and be paid through the emolument account.

SECTION XVI – STUDENT ORGANIZATIONS COUNCIL

- A.** The purpose of the SOC shall be to serve as the governing and representative body of the clubs registered under its name.
- B.** Among the SOC's responsibilities shall be to provide funding for its clubs, host activities and manage the operations of its clubs.

SECTION XVII – STUDENT PROGRAMMING COUNCIL

- A.** The purpose of the SPC shall be to serve as the programming body of student activities.

SECTION XVIII - BAY VISTA HALL COUNCIL

- A.** The purpose of the BVHC shall be to serve as the governing and representative body of the students living in housing facilities on campus.
- B.** Among the BVHC's responsibilities will be to provide for representation to the administration on issues of facilities, services, fees, security and general climate in housing facilities.
- C.** The BVHC will also provide for and manage any programming planned for the facilities through funding.
- D.** The Housing Representative shall serve as the BVHC Chair.

SECTION XIX - STUDENT ELECTIONS BOARD

- A.** The Student Elections Board shall be in charge of all SGC general and special elections and it's thereby established for that purpose. Any and all regulations pertaining to Elections and Referrals not contained herein or in the SGC Constitution are specified in the Biscayne Bay Campus SGC Elections Code.
- B.** The Elections Board will be subject to the requirements specified in the SGC Elections Code and to all other applicable provisions in the SGA Constitution and BBC Bylaws.

SECTION XX – MEETINGS

A regular meeting shall be any meeting of the SGC held to discuss the ongoing business of the SGC, to hear the reports of the Standing Committees, and to hear the report of Council members concerning the progress of their special projects.

A. For the purpose of regular meetings, the Council will meet on a Wednesday at 3:15 PM in WUC 159. All SGC Members must schedule around this. Meetings will only last a maximum of three (3) hours. The meeting time can be waived to accommodate the largest number of members with a majority vote of the voting members.

B. An emergency meeting is a meeting of the SGC held to address a specific issue or set of issues at which no other business may be placed on the table. The emergency meeting must be called with at least two day's notice.

C. Regular and Emergency meetings must meet quorum.

D. If an emergency meeting is called, but fails to reach a quorum, then the failure to attend such a meeting will not be counted against any member of the SGC, but attendance at such meetings shall be counted in favor of the SGC member when determining overall attendance.

E. Regular meetings shall not count toward SGC members' office hours.

SECTION XXI PROXY AND ABSENTEE BALLOTS

A. The Student Government Council shall not count proxies for either quorum or voting purposes.

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

SECTION XXII - ABSENCES

A. SGC members may not miss more than three (3) regular meetings or two (2) consecutive regular meetings in any semester.

B. SGC members who have missed a total of three (3) regular meetings or two (2) consecutive regular meetings shall automatically be removed from office. The removed SGC member may appeal before the SGC at the next regular meeting, and with a two-thirds (2/3) vote of the present members the removed member may be placed back on the SGC.

C. To be counted as present, Student Government Council members must be present for a majority of the meeting.

D. Excused absences. An SGC member absent from a regular meeting shall submit a written notice, officially stamped and dated by a Campus Life Staff member, to the SGC President within three (3) working days after the meeting in order to be excused. All such notices shall be placed in the public record. Reasons for which an SGC member shall be excused for an absence includes attending class, work, personal or family emergency.

E. The letter submitted by the absent member is subject to approval by the SGC President.

F. Any member of the Student Government Council may ask to be taken off quorum for a specified length of time, not to exceed four weeks during the Fall or Spring semesters, and without limit during the Summer semester, if that Council member is going to be unable to fulfill his or her requirements during that time due to work, travel, or personal problems. A Council member who has been taken off quorum shall receive no remuneration for that period, nor shall they be required to attend any SGC meeting(s) or penalized for failing to attend SGC meetings, nor shall they count towards the quorum or have a vote at any SGC meeting nor shall they be required to keep office hours during that period.

1. In order to be taken off quorum for any length of time, a Council member must submit a written notice, officially stamped and dated by a Student Activities staff member, to the SGC President at least six working days before he or she is removed from the roll.

SECTION XXIII - VOTING

A. All votes, unless otherwise stipulated in these Bylaws of the Constitution, will be a simple majority of members present at a meeting at which there is quorum.

B. Abstentions will not be taken into consideration for the purposes of voting. This is to say that they will not count in favor or against the vote in question.

SECTION XXIV - PROCEDURES

A. Any resolution or appropriations bill being presented to the Student Government Council for the purpose of a vote must first have two (2) Representatives as sponsors before being placed on the agenda of a meeting. This excludes a resolution proposed by the SGC President and/or Vice President.

B. Any such issue to be voted on must be classified as appropriations, resolutions, or a bill, and drafted on the appropriate forms to allow for proper archival record.

SECTION XXV - DUE PROCESS

A. The Student Government Council recognizes the need for due process in the removal, by the SGC, of any SGC Member. Representatives, Standing Committee Chairs, Commissioner of Elections, Executive Cabinet Members, and any other appointed or elected SGC officials shall all be considered SGC Members.

B. The basis for the removal of any SGC Member shall be malfeasance, misfeasance, and/or nonfeasance. All other violations will automatically default to the Student Code of Conduct.

C. For the removal of a/an SGC Member, the member must first be accused in the form of a motion or binding resolution passed by a majority (50% +1) vote of the SGC. Any discussion resulting from a motion or binding resolution to accuse a party of malfeasance, misfeasance, and/or nonfeasance will be open solely to the members of the SGC.

D. If such binding resolution or motion is passed, the chair will set a date for a special meeting to immediately follow a regular Council meeting no later than two (2) weeks from the meeting at which such binding resolution or motion was passed.

E. The accused party will then be given written notice by the SGC clerk of the accusations made against him/her; the time and place of the special meeting; notice of witnesses who will be called to testify against him/her; and a copy of the meeting minutes within one (1) week of the meeting's adjournment. Should the accused party not present him/herself at the special meeting, the accused party can and will be tried in absentia.

F. The special meeting will be chaired by the SGC President and will follow the following format:

1. *Opening statement by the accusing Council member(s).*
2. *Opening statement by the accused party.*
3. *Questions to the accused party from the SGC members.*
4. *Witnesses on behalf of the SGC will be questioned by the SGC and then by the accused party.*
5. *Witnesses on behalf of the accused party will be questioned by the SGC and then by the accused party.*
6. *Follow up questions to the accused party.*
7. *Closing statements from the SGC and then the accused party.*

G. If the SGC President is the accused party, the SGC Vice President shall serve as chair.

H. Immediately following the cessation of discussion, a Council member may choose to motion to remove the accused from office or the Council may choose to take no action. The SGC member(s) who originally brought about the allegations of misconduct cannot move, nor vote, on a motion to remove a member from office.

I. All accused parties will be given written notice of a decision by the clerk in the event that the Council votes to remove him/her from office.

J. The SGC President, Vice President, SGC representatives, Standing Committee Chair, Commissioner of Elections, Executive Cabinet Member, and any other appointed SGC official may be removed from office with no less than a two-thirds (2/3) vote of the SGC voting members present.

K. The SGC President may also remove Executive Cabinet Members from office if he/she deems it necessary and proper. The SGC President should keep a well-documented history of the Executive Cabinet Member's malfeasance, misfeasance, and/or nonfeasance in order to justify his/her removal. In such case, there will be no need for the process as outlined in the preceding sections.

L. Any accused party may appeal a decision to the Student Judicial Board on the grounds that due process was not followed. The Judicial Board may overturn the actions of the SGC, if and only if it finds, after a thorough investigation, that the SGC violated the accused party's due process rights as established above.

SECTION XXVI - OFFICE HOURS

A. Office hours as required by the Constitution will be logged in the SGC office on a sign-in sheet and will be conducted within the hours of 9:00 AM and 5:00 PM.

B. The SGC Clerk of Council or Chief of Staff will be the custodian of all records regarding office hours and will prepare time cards for verification by SGC officials on a bi-weekly basis.

C. Only hours logged in will be reflected in the official time card. Officials will receive pay only for hours worked. Once prepared and verified by the SGC official, they will be approved by the Associate Director of Campus Life to be sent to Payroll.

D. If hours are completed outside of the office, as allowed by the Constitution, substantial proof must be provided to the Chief of Staff and documentation placed on file.

E. Officials will only be paid up to the maximum hours allowed according to the

Constitution and within the course of a bi-weekly basis only.

F. The office hours of the SGC Cabinet members shall be decided by the SGC President and Vice President, but are not to exceed ten (10) hours.

G. Failure to fulfill the required amount of office hours will result in automatic removal from office, with an opportunity to appeal to the BBC SGC.

H. General Meetings shall not count as office hours.

I. A record shall be posted in public view in the Student Government Offices displaying the full name, position, Standing Committee membership; campus, University, or community committee membership(s); and special project assignment(s) of each member of the SGC,

J. All weekly office hours which are required to be held "in the office itself" must be held in the office at FIU Biscayne Bay Campus, during regular business hours (9:00 a.m. to 5:00 p.m.), unless other arrangements are made, and are approved by the SGC President.

K. Office hours mandated by the SGA Constitution beyond those that are required to be held "in the office itself" must be held on campus, in a time and place in which the person holding these hours shall either be available to their constituents or otherwise able to carry out work on behalf of the Student Government.

L. No weekly office hours may be held outside of the Biscayne Bay Campus except by the Broward Representative, who may keep his or her office hours at either of the Broward Centers, and by the Director of Student Lobbying, who may count time spent representing FIU Biscayne Bay Campus outside of Dade County or Broward County toward his or her office hours.

M. No weekly office hours may be counted before 7:15 a.m. (fifteen minutes before the starting time of the earliest class), or after 10:45 p.m. (fifteen minutes after the finishing

of the latest class), nor shall any office hours be counted on Sunday.

SECTION XXVII - BYLAW CHANGES

A. Bylaws may be amended, deleted and added by a majority vote of the entire Student Government Council.

B. All Bylaw changes passed by the Student Government Council shall become effective immediately, unless otherwise stated in the resolution.

Revised 6/26/02

A: sgcbylaw.02

Elections Code

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 old 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. Candidates for the offices of President and Vice President may choose to associate their campaign with one another, although the elections for these offices shall remain separate. Any Presidential candidate and any Vice Presidential candidate intending to campaign as a ticket must indicate their intention to do so when they register to run for office.

J. Each Presidential candidate may only associate his/her campaign with one Vice Presidential candidate, and each Vice Presidential candidate may only associate his/her campaign with one Presidential candidate. If either candidate on such a ticket withdraws, is disqualified, or becomes unable to run after the deadline to file a petition for candidacy, the other candidate on that ticket may not associate his/her campaign with any with any other candidate for the complimentary office.

K. At no time during the registration process or campaign may any candidate for any office other than President or Vice President associate himself/herself with any other candidate with the intent of running and being elected as a group.

L. 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.

M. No Representative can hold more than one voting seat.

N. Representatives who have run for more than one seat shall choose one within twenty-four (24) hours of being notified by the Student Elections Board of the election results.

O. The candidate with the next highest number of votes will fill the position made vacant by the representative who ran for more than one year.

SECTION II Student Elections Board

A. The Student Elections Board shall consist of seven students. The Representatives for the School of Hospitality Management, School of Journalism and Mass Communication, School of Nursing, College of Urban and Public Affairs, and the Broward Campus shall each appoint one student from their respective school or campus. The remaining two seats shall be appointed one by the SGC President and one by the SGC Vice-President, and all appointments to the Student Elections Board shall require approval by a vote of two-third of the Student Government Council members present at a meeting where there is a quorum.

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 be chosen from among the members of the Student Elections Board by the members of the

Board, and shall serve as the chairperson of the Board. The Commissioner of Elections 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 this 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 Commissioner of Elections 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 at least two weeks before the start of campaigning. 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. The Election Code policies for campaigning on campus may not violate the University Posting Policy or the posting policies for specific facilities.

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 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 ten (10) percent of students taking at least 50% of their classes on the Biscayne Bay Campus 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 or valid Photo Identification as an alternative.

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. Any complaints brought before the Elections Board should be made in writing no later than two (2) working days 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.