

FLORIDA A&M UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION



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RATIFIED FALL 2018

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SYSTEM OF STUDENT BODY  
STATUTES

1920

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### *Ratification History:*

*Ratified Fall 2007*

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**TITLE I                    DEFINITIONS, INTERPRETATIONS, CONSTRUCTION AND COMPLIANCE WITH THE STATUTES**

**Chapter 1                System of the Student Body Statutes**

The following shall be the System of the Student Body Statutes which shall be observed by the Student Senate in enacting statutes and by the Attorney General in exercising statutory revision.

1.1                        There shall be sixteen (16) titles, each dealing with related and similar topics and each composed of a numerically designed chapter as followed:

Title I (Chapters 1-99)	Definitions, Interpretations, Construction and Compliance with the Statutes
Title II (Chapters 100-199)	Membership, Powers, and Purposes of the Student Government Association
Title III (Chapters 200-299)	The Executive Branch
Title IV (Chapters 300-399)	The Legislative Branch
Title V (Chapters 400-499)	The Judicial Branch
Title VI (Chapters 500-599)	Qualifications for Office
Title VII (Chapters 600-699)	Election Codes
Title VIII (Chapters 700-799)	Finance Codes
Title IX (Chapters 800-899)	The Campus Activities Board
Title X (Chapters 900-999)	Official Student Government Association Policies, Procedures and Actions
Title XI (Chapters 1000-1099)	The Florida A&M University Royal Court
Title XII (Chapters 1100-1199)	Student Government in the Sunshine Act
Title XIII (Chapters 1200-1299)	Student Government Association Web Content
Title XIV (Chapters 1300-1399)	Ethics Codes
Title XV (Chapters 1400-1499)	Activity and Service Fee Budget Office (ASFBO)
Title XVI (Chapters 1500-1599)	Homecoming Steering Committee

1.2                        Each chapter may be subdivided by means of a decimal arrangement. For instance, chapter 99 may be divided into sections 99.1, 99.2, 99.3, etc., and each section may in turn be subdivided by means of further decimal places so that as many subsections are obtained as necessary.

**Chapter 2                All students serving in any capacity whatsoever with the Student Government Association or as Student Body officers must comply with the Student Government Statutes and the Constitution. Willful and deliberate disregard of the Statutes or any section of the Constitution shall subject the student(s) to removal from office by proper procedure (pursuant to F.S. 1004.26).**

### **Chapter 3**

There shall be one official book, The Florida Agricultural and Mechanical University Student Government Association Official Public Record, adopted by the Student Senate to be compiled, maintained, and kept updated by the Attorney General under the authority of the Student Senate. There shall also be as many copies of the official statutes as is necessary for the student body use.

- 3.1 There shall be an official book containing the SGA Constitution, System of Student Body Statutes, and Senate Rules of Procedure to be compiled, maintained, and updated by the Attorney General under the authority of the Student Senate. This shall be the official governing document of the Student Government Association and the student body in accordance with related university, state, and federal laws, rules, and regulations.
- 3.2 Electronically manipulated changes to the System of Student Body Statutes shall take place on the second Tuesday of each month in the presence of the Attorney General, Student Senate Judicial and Rules Committee Chairperson, Senate Secretary and Solicitor General or their designee(s). They shall be entered by the Web Content Manager only as prescribed by Title XIV The SGA Website.
- 3.3 Unless otherwise stated in corresponding or related legislation, legislation shall take effect immediately after signature by the SGA President or an overriding vote by the Student Senate, unless it requires the approval of the Board of Trustees.
- 3.4 Pursuant to the Board of Governor's Regulation 6.014 Student Governments, upon adoption of the Student Government internal rules of procedures (i.e. the Student Body Constitution and Student Body Statutes), they shall be approved by the University Board of Trustees. Pending approval of a document ratification packet by the Board of Trustees/ Student Affairs Committee does not negate the authority of approved legislation pursuant to paragraph 3.3.

### **Chapter 4**

#### **The Public Record**

The Florida Agricultural and Mechanical University Student Government Association Official Public Record book shall be compiled and maintained by the Attorney General.

1. This book shall contain copies of all legislation, agendas, committee sessions and committee minutes that become property of the Student Senate body. It shall be the responsibility of the Senate Secretary to compile and present said information to the Attorney General no later than five (5) business days following the Senate meeting in which said items become Senate property.
2. This book shall also contain an official copy of vote totals from all student body elections and referendums, signed by the Electoral Commissioner and all SGA officials present for vote count. It shall be the responsibility of the Commissioner to prepare said document and provide it to the Attorney General no later than five (5) business days following each vote.
3. This book shall also contain the verdict and vote totals from all cases presented to the Supreme and Traffic Courts, a written majority opinion and a written dissenting opinion, any written minutes of court proceedings, and any other documentation that becomes property of the Supreme Court. It shall be the responsibility of the Clerk of the Supreme Court and the Chief Justice of the Traffic Court to provide information to the Attorney General no later than two five (5) business days following said action.

4. This book shall be kept in the Activity and Service Fee Budget Office.

The Public Record shall be organized in the following manner:

5. A volume shall contain information, documentation, and materials related to one academic school year. Volumes shall correspond, in numerical order, to years or groups of years, including Volume V, which shall be composed of items related to 1994.
6. A book shall contain information, documentation, and materials related to one academic semester. Book One shall be composed of Fall Semester information; Book Two shall be composed of Spring Semester information; Book Three shall be composed of Summer Semester information.
7. A chapter shall contain information, documentation and materials related to one branch of government in addition to other appropriate chapters as designed by the Attorney General. Chapter One shall be composed of Student Senate information, Chapter Two shall be composed of Executive Branch information. Chapter Three shall be composed of Supreme Court information and Chapter Four shall be composed of Traffic Court information.
8. A section shall contain the information, documentation, and materials organized as designed by the Attorney General.

Example: Volume V, Book 1, Chapter 1, Section 2 would refer to information related to 1994, Fall Session Student Senate, Minutes.

- 4.1 In the event of the inability of the Attorney General to perform any of the duties respectively prescribed in this chapter, they shall be assumed as follows:

1. Deputy Attorney General
2. Senate Secretary
3. Web Content Manager
4. Designated person selected by two thirds vote of the Student Senate

All duty assumption shall continue only until such time as they can be performed by the Attorney General.

- 4.2 The Attorney General shall create and/or maintain a library containing previous and current versions of the Constitution, System of Student Body Statutes, Rules of Procedure, Public Record, and any other designated information. This library shall be accessible for reference purposes to the general public during SGA operational hours.

- 4.3 The SGA President shall make available funds as necessary to perform the functions outlined in this chapter.

- 4.4 Updated and Certified Copies

1. Updated official physical copies of the System of Student Body Statutes and Student Body Constitution, signed by the SGA President, Senate President, Chief Justice of the Supreme Court, Attorney General, Senate Judicial and Rules Chairperson and Senate Secretary shall be made available as necessary to the general public and any SGA Official upon request. The SGA Director, SGA Office Manager, SGA Joint Operations Advisory Staff, Director of the Office of Student Activities, Vice President of Student Affairs, and University General

Counsel are to maintain updated official copies of the Student Body Documents, which can be requested from the SGA Attorney General.

2. All public records and documents shall be made available on the Student Government Association Website and shall serve as the official public record in lieu of and addition to a library to contain the mandated public records referred to in the above chapters.

4.5 Manipulations to the documents, electronic or otherwise, shall occur once monthly as necessary to remain in compliance with this chapter. During the Summer Semester when members of the Students Body may not have been appointed by the SGA President, the duties of upkeep shall follow the order of personnel according to Chapter 4.1.

4.6 Copies of the governing documents shall be prepared and made available in accordance with this chapter by the second Tuesday of the second month of the Fall and Spring semesters, and by the third Tuesday of the third month of the Summer semester.

*History: 46<sup>th</sup> Student Senate SB16SU-002, 46<sup>th</sup> Student Senate SB16SU-011, 47<sup>th</sup> Student Senate SB17FA-001, 48<sup>th</sup> Student Senate SB18FA-001*

## **TITLE II MEMBERSHIP, POWERS, AND PURPOSES OF THE STUDENT GOVERNMENT ASSOCIATION**

**Chapter 100** Membership of the Student Government Association complies with Article I, Section II of the Student Government Constitution.

**Chapter 101** The purpose of the Student Government Association complies with the Preamble of the Student Government Association Constitution.

### **Chapter 102 Presidential Cabinet Appointments**

The Student Body President shall submit a full roster of all cabinet position appointments to the Senate President and the Elections and Appointments Committee Chair by the first day of class of the Fall Semester.

102.1 In the event that an appointment receives an unfavorable recommendation with just cause by the Elections and Appointments Committee, that student shall not go before the Student Senate for Confirmation. This decision may be appealed by submitting a grievance to the Attorney General within five (5) business days, pursuant to Chapter 203.6.

1. Just cause shall be defined as any pertinent concern that leads the committee to believe that the candidate for appointment will not be the best representation for the student body in the role for which they will be vetted. This shall include but not be limited to lack of knowledge of the documents, incompetence on how to fulfil their prospective job duties, exhibiting behavior deemed unbecoming of a student leader and/or proven past or present breaches of the Student Body Documents.

- 102.2 If a Cabinet Appointment should fail to be confirmed by a 2/3 vote of the Student Senate for a second time, the appointee shall not be eligible to apply/ be appointed for any Executive Branch position within that school year. The Student Body President may not reappoint an individual to the same Cabinet position if the individual fails confirmation twice.
- 102.3 Immediately following an official resignation, termination, or failed second confirmation of the Cabinet Department Head, the Deputy of the Department shall assume the duties of the Department Head. If the Deputy declines the duties of the Department Head, the Student Body President shall have ten (10) business days to advertise the new vacancy. The Student Body President will then have five (5) business days after the completion of the advertisement period to recommend a new appointment to the Senate President and Elections and Appointments Committee Chair.
- 102.4 All Appointments and/or vacancies not made by the Student Body President within the allotted appointment time become the responsibility of the Elections and Appointments Committee Chairperson on the next business day after the allotted appointment time period has expired.
- 102.5 All Executive Branch Cabinet appointments by the Student Government President must be submitted to the Elections and Appointments Committee Chair of the Student Senate for vetting and confirmation by the Student Senate within five (5) business days after such appointment is decided. The Elections and Appointments Committee Chairperson shall act on appointments within two (2) business days of receipt in writing, via the University's official internal emailing system (i.e. @famuedu). These appointments shall not be effective until Student Senate approval by a two-thirds vote (2/3) has been obtained.
1. "Take action" in the paragraph above shall be defined as the act of making efforts to schedule committee interviews for the Cabinet appointments and/or notifying the Senate President of pending confirmations that should be added to the agenda for a Senate Meeting.
- 102.6 Students appointed to the Executive Branch Cabinet shall not be official members of Student Government Association until their confirmation. Any official actions taken, or plans made on behalf of Student Government by an appointed but non-confirmed student shall be sanctioned in writing by the SGA President and SGA Director. Any official actions to be taken or plans to be made which are pending approval of the SGA President, SGA Director, or Vice President of Student Affairs shall become null and void should the appointed student fail final confirmation by the Student Senate.
1. Actions taken, or plans made by an appointed but non-confirmed student shall be considered sanctioned after written approval is communicated via the University's official internal email system, i.e. @famuedu
  2. When the student is confirmed, approvals shall be communicated as normal, as prescribed by the SGA Director.
- 102.7 The SGA Chief of Staff shall assume all duties and responsibilities of the vacant or failed cabinet appointments. If a chief of staff has not been appointed or has failed final confirmation and thus cannot fulfil the responsibilities of the vacant appointments, the responsibilities shall be assumed by the Deputy Chief of Staff. If the Deputy Chief of Staff not been appointed or has failed final

confirmation and thus cannot fulfil the responsibilities of the vacant appointments, the responsibilities shall be assumed by the SGA President.

### **Chapter 103      Presidential Judicial Branch Appointments**

The SGA President shall submit a full roster of all Judicial Branch appointments to the Senate President, the Elections and Appointments Committee Chairperson, Judicial and Rules Committee Chairperson by the first week of the Fall Semester.

103.1      If an appointment receives an unfavorable recommendation with just cause by the Elections and Appointments Committee, the unfavorable recommendation shall be taken into serious consideration when the candidate proceeds to be vetted by the Judicial and Rules Committee. Should the candidate receive an unfavorable recommendation from the Judicial and Rules committee with just cause, the candidate shall not go before the Student Senate for Confirmation. This decision may be appealed by submitting a grievance to the Attorney General within five (5) business days, pursuant to Chapter 203.6.

1. Just cause shall be defined as any pertinent concern that leads the committee to believe that the candidate for appointment will not be the best representation for the student body in the role for which they will be vetted. This shall include but not be limited to lack of knowledge on how to fulfil their prospective job duties, proven past defaults of good character, and/or proven past or present breaches of the Student Body Documents.

103.2      If a Judicial Branch Appointment should fail to be confirmed by a 2/3 vote of the Student Senate for a second time, the appointee shall not be eligible to apply/ be appointed for any Judicial Branch position within that school year, with the exception of the Clerk of Courts.

103.3      Immediately following an official resignation, termination, or failed second confirmation of a Judicial Appointment, the Student Body President shall have ten (10) business days to advertise the new vacancy. The Student Body President will then have five (5) business days after the completion of the advertisement period to recommend a new appointment to the Senate President, Elections and Appointments Committee Chair and Judicial and Rules Committee Chair.

103.4      All Judicial Appointments and/or vacancies not made by the Student Body President within the allotted appointment time become the responsibility of the Elections and Appointments Committee Chairperson on the next business day after the allotted appointment time period has expired.

*History: 47<sup>th</sup> Student Senate SB17FA-002, 48<sup>th</sup> Student Senate SB18FA-001*

## **TITLE III      THE EXECUTIVE BRANCH**

### **Chapter 200      The President's Cabinet**

200.1 The President’s Cabinet shall be composed of the following departments:

Office of the Chief of Staff	Department of Student Lobbying
Office of the Comptroller	Department of Community Affairs
Office of the Attorney General	Department of Economic Development
Department of Student Welfare	Office of Surgeon General
Department of State	Department of Athletic Affairs
Department of Academic Affairs	Department of Graduate Affairs
Department of Communications	

200.2 All appointments to the Cabinet offices in the Executive Branch shall be made by the President of the Student Government Association and are subject to approval by the Student Senate.

200.3 Any cabinet member appointed by the Student Government President shall be, upon confirmation by the Student Senate, eligible for salary.

200.4 Each officer or department head may recommend to the SGA President any such appointment he/she deems necessary to carry out the functions of that office or department.

200.5 Department Deputies may be appointed by the SGA President and confirmed by the Student Senate to assist the department head in fulfilling the duties of the department

**Chapter 201 The Chief of Staff**

201.1 The duties of the Chief of Staff shall be:

1. To serve in an advisory capacity on the Student Government President’s Cabinet.
2. To coordinate all activities of the Executive Branch such as cabinet meetings and activities, rallies, lectures, appointments, etc.
3. To sit in all Executive Branch meetings and committees that requires or entails contractual negotiations.
4. Fulfill the responsibilities and duties of any vacant Executive Cabinet position until a student has been appointed to the position.

**Chapter 202 Comptroller**

202.1 The Comptroller shall serve as a financial custodian of the Executive Branch of Student Government Association

202.2 The Comptroller is responsible for compiling and submitting the annual Executive Branch Student Activities and Service Free Budget to the President of the Student Government Association to be

presented to the Activity and Service Fee Budget Committee during the Fall Semester as prescribed by the Budget timeline listed in Title XIII, The Finance Code.

- 202.3 Following verification by the Activity and Service Fee Liaison and proper written notice to the Organization and Finance Committee Chairperson at least three (3) business days prior to a request of a “Cease and Desist” order that may be issued by the Chief Justice, the SGA Comptroller may, with the approval of the Student Body President, work to stop any registered and certified organization from spending its budget or funds acquired through a special allocation if he/she can verify funds are being or will be misused... The Supreme Court may reverse or uphold this action upon appeal by the organization who has been issued the cease and desist order or an appeal by the Organization and Finance Committee Chairperson.
- 202.4 The Comptroller may make periodic audits of all Activities and Service Agency budgets. Refer to Chapter 713 of the Finance Codes
- 202.5 The Comptroller must work in conjunction with the Student Government Association Director and Coordinator of Budgets, or its equivalent position, to monitor all Activity and Service Accounts to ensure compliancy with Chapter 700 Finance Codes.

## **Chapter 203 Attorney General**

- 203.1 The Attorney General shall be the Legal Advisor to the President of the Student Government Association and shall hand down legal opinions concerning the Constitution and Statutes to any member of the Student Body who requests the same in writing.
- 203.2 It shall be the power, duty, and function of the Attorney General to undertake statutory revision. He/she will conduct a systematic and continuous study of the Student Body Statutes for consistency and clarity. He/she will prepare and submit to the Student Senate recommendations for revision.
- 203.3 The Attorney General shall also be responsible for representing the best interest of the Student Government Association and the governing documents before the Supreme Court.
- 203.4 The Attorney General shall be a Chief Law Enforcement Officer of the Student Government Association; however, his/her authority shall not exceed that of the Chief Justice and/or Student Supreme Court. It will be his/her duty and authority to enforce compliance of all Statutes by means of the sanctions prescribed in Chapter 408.1 as approved by the SGA President, with the exception of temporary restraining orders.
1. Any sanction handed down to an SGA Official, registered/certified organization, or member of the student body by the Attorney General may be overturned by an appeal to the Student Supreme Court
- 203.5 The Attorney General shall have the authority to bring suit against any individual and/or entity governed by the Student Body Constitution and/or Statutes; to be referred and summoned by the Student Supreme Court.

203.6 The Attorney General will intercept and investigate all complaints regarding the Student Government Association and any entity that is governed by the Student Body Constitution and/or Statutes. If the matter cannot be resolved, it will be referred and filed as a suit to the Supreme Court for adjudication.

203.7 The Attorney General has the authority to appoint and maintain Student Prosecutors, who shall be subject to confirmation by two-thirds (2/3) of the Student Senate.

**Chapter 204 Department of Student Welfare**

204.1 The Department of Student Welfare is specifically concerned with all projects and activities, which directly affect the student body.

204.2 The duties of the Secretary of Student Welfare shall be:

1. To assist the Career Center in finding and publicizing student employment and internship opportunities.
2. To handle problems relating to student matters and services of general welfare.
3. To research and advertise available private scholarships provided from within and outside of the university.
4. To serve as liaison between the housing governing associations and student government.
5. To coordinate activities that promote school spirit and student unity.
6. To coordinate entertainment activities to offset the day-to-day rigors of higher academia.

**Chapter 205 Department of State**

205.1 The Department of State is responsible for promoting goodwill for Florida A&M University and its Student Government Association in the Tallahassee area and throughout the State of Florida.

205.2 The duties of the Department of State shall be:

1. To aid in welcoming guests and visitors to the Florida A&M University Student Body campus.
2. To establish sound relationships between students and student visitors.
3. To establish a sound relationship between students and visiting dignitaries.
4. To serve as coordinator and official host of all Student Government Association social functions.
5. To aid the President of the Student Government Association in the appointment of members to the host bureau.
6. To serve on the advisory board to Mr. and Miss FAMU and their Court.
7. To interact with the student governments of other colleges and universities across the country, especially other HBCU's, and to relate all learned information to the FAMU SGA.

**Chapter 206 Department of Academic Affairs**

206.1 The Department of Academic Affairs is concerned directly with the Student Government Association's involvement in the educational process. The Secretary shall represent the Student

Government Association's role in the creation of a more intellectually and culturally aware student body.

206.2

The duties of the Secretary of Academic Affairs shall be:

1. To make an annual faculty evaluation where students can assess their professors.
2. To compile a report on his/her evaluation of the faculty and publish it on the SGA website so that the Student Body may utilize it.
3. To serve as a member of the University Curriculum Committee.
4. To be responsible for accepting and acting upon all complaints of students about their academic situation including class size, course fallacies, and teacher inadequacies.
5. To Publish findings by the last week of classes by the Fall and Spring classes
6. To attend faculty senate meetings and compile reports to be able added to the Executive branch report to be shared at senate meetings

## **Chapter 207**

### **The Department of Communications**

The duties of the Secretary of Communications shall

1. To provide publicity, press releases, and communications from the be: Student Government Association to the Student Body and the General Public, which include newly enacted senate resolutions to the Student Body, Staff, and General Public
2. To coordinate a minimum of two town hall meetings per semester that address concerns of the student body.
3. To submit a summary of all newly enacted legislation amending the Student Government Statutes, all proposed amendments to the constitution, and minutes from every senate meeting to the student published university newspaper as deemed necessary by the Student Senate.

## **Chapter 208**

### **Department of Student Lobbying**

The duties of the Department of Student Lobbying shall be:

1. To promote goodwill between Florida A&M University's Student Body and the Florida State Legislature, as well as the Board of Governors.
2. To organize a lobby group to represent the Florida A&M Student Body in matters brought before the Florida State Legislature and all other city, state, and federal governing bodies in compliance with the process outlined by the Florida Lobbyist Registration Office
3. To work with the Florida Student Association (FSA), and to attend the meetings as directed by the SGA President.
4. To be the student coordinator of the FAMU Day at the Capital

## **Chapter 209**

### **Department of Community Affairs**

209.1 The purpose of the Department of Community Affairs is to establish an entity that would allow volunteering to various service projects. It is to act as a nucleus for individuals, as well as groups, who would be able to participate in community service projects.

209.2 The Secretary of Community Affairs' duties shall be:

1. To administrate and delegate tasks to the volunteers.
2. To act as a spokesperson/liaison between the person(s) and SGA.
3. To research and provide opportunities for students to participate in community service events.
4. Coordinate at least one community service event for the entire Student Body with the collaboration of other campus entities for student participation

## **Chapter 210 Department of Economic Development**

210.1 The purpose of the Department of Economic Development is to enhance the economic situations of students and student organizations.

210.2 The duties of the Secretary of Economic Development shall be:

1. To coordinate sessions to help small clubs and organizations and A&S funded entities to put together productive fundraisers to supplement their budgets or accounts.
2. To implement programs that teach students how to create wealth and properly manage their assets (i.e. becoming an entrepreneur, investments, etc.).
3. To handle negotiations with public and private firms concerning economic advantages and incentives for students.
4. To expose the student body to networking opportunities, encourage entrepreneurship, and promote economic empowerment.
5. To foster and develop corporate relationships for the sponsorship pf major student government events (i.e. Be Out Day, State of the Black Student Summit, etc.)
6. Create a list of student entrepreneurs to be featured on the Student Government Association Website.

## **Chapter 211 Office of the Surgeon General**

The purpose of the Office of the Surgeon General is to provide leadership in promoting the awareness of health initiatives and exposing health disparities among our campus and community. It will strive to provide quality programming for students at Florida A & M University and to inform students on how to live a healthy lifestyle.

The duties of the Surgeon General shall be:

1. Protect and advance the health of students through education, research, programs, and activities.
2. To promote health awareness through workshops and seminars.
3. Assist the activities of the University Health Educator.
4. Work as liaison between health-related organizations on campus.

5. Play an integral role in the planning and facilitation of “Relay for Life.”
6. Compile and provide a list of health service professionals for health services not provided at the university health clinic (i.e. dentists).

**Chapter 212      Department of Athletic Affairs**

212.1      The purpose of the Department of Athletic Affairs is to establish a sound relationship between the athletic department and student government.

212.2      The duties of the Department of Athletic Affairs shall be:

1. To address the concerns of the athletes as it relates to their campus life.
2. To show support for all athletic teams.
3. To provide a monthly newsletter highlighting the academic accomplishments of various athletes.
4. To serve on the athlete advisory board.

**Chapter 213      Department of Graduate Affairs**

The Purpose of the Student Government Association Department of Graduate Affairs is to:

1. Provide means for responsible and effective student participation in planning and conduct of University affairs.
2. Work in conjunction with the existing Graduate Student Association (GSA) and the Graduate class.
3. Assist with the matriculation of incoming graduate students within the University
4. Assist with Graduate Student Orientation
5. Provide means of support for the many undergraduates contemplating a graduate level education.
6. Serve as a liaison between the Graduate students, faculty, administration and Student Government Association
7. To provide a report concerning the welfare of graduate students that is to include any monetary allocations needed for the upcoming year, academic progress of each graduate program and any upcoming major events being held by the graduate schools. This report is to be submitted to the student senate by the last senate meeting of the fall semester.

**Chapter 214      Cabinet Deputies**

214.1      These positions shall not be required; in the event these positions are appointed they shall be treated as cabinet officials for confirmation purposes.

214.2      To assume acting powers of the department/ office head upon the request of the SGA President.

214.3      To assist the department/office head in general policy and administration of the individual departments or offices.

*History: 34th Student Senate SB05SP-007, 46<sup>th</sup> Student Senate SB16SU-013, 47<sup>th</sup> Student Senate SB17FA-002, 48<sup>th</sup> Student Senate SB18FA-001*

**TITLE IV THE LEGISLATIVE BRANCH**

**Chapter 300 Organization of the Senate**

300.1 The Senate shall meet at least three times each month of the academic year

300.2 Senate Offices

The following shall be Student Senate Officers:

1. The Senate President shall be elected by the majority vote from within the membership of the Senate.
2. The President Pro-Tempore, elected by a majority vote of the Senate, shall assist the President in his/her duties and preside in the absence of the President.
3. The Chaplain/Parliamentarian shall be the chairperson of the Judicial and Rules Committee.
4. The Secretary of the Student Senate shall be appointed by the Senate President from outside the Student Senate membership.

300.3 Calling of Senate Meetings

All meetings shall be held as required by the Constitution; however, the President of the Senate may call special/emergency meetings given twenty- four (24) hour notice at his/her discretion. Special/Emergency Senate meeting notices must be announced through official university media outlets such as FAMUINFO or iStrike.

300.4 Parliamentary Authority

Robert's Rules of Order shall be the parliamentary authority for the conduct of the Senate except when in conflict with the Constitution and Statutes of the Student Body or Senate Rules of Procedure.

300.5 Majority and Two Thirds (2/3) Votes

A majority vote of the Senate shall be a majority of the members of the Senate present and voting. A two-thirds vote of the Senate shall be no less than two thirds (2/3) of the members of the Senate present and voting.

300.6 Quorum

A quorum for the purpose of holding a meeting and transacting business shall consist of a simple majority of half of the current senate membership plus 1 holding office at the time of the meeting.

300.7 The Senate may deem other committees necessary and establish such committees when they see fit.

300.8 Senate Executive Committee

1. To approve the proposed Activity and Service budget for the Senate presented by the Senate President.
2. To approve any expenditures outside of the budget above two percent of the entire budget.
3. To resolve issues of conflict between various senators, committees, and/or senate staff members within the Senate.
4. To prepare the platform of the Student Senate.
5. To spearhead Senate enrichment functions (i.e. banquet, retreats, information sessions, etc.).

300.9 Senate Officers

The powers and duties of the Senate President shall be:

1. To propose the Activity and Service budget of the Student Senate to the Executive Committee.
2. To act as the chief liaison and spokesperson of the Senate to outside agencies.
3. To oversee all expenditures of the Student Senate.
4. To provide direction for the Senate body in times of crisis and in situations where sudden decisions must be made.
5. To appoint and remove, with just cause, chairpersons of the standing committees with the consent of the majority of the Senate body.
6. To sign all measures and writs, issued by order of the Senate.
7. To appoint and remove, with just cause, all non-voting members of the Legislative Branch.
8. To serve as the chairperson of all Senate meetings.
9. To serve as a non-voting ex-officio member of all standing and ad-hoc committees.
10. To appoint ad-hoc, standing, and such committees as he/she deems necessary. Any committee appointment may be altered by a two-thirds (2/3) vote of the Senate.

The powers and duties of the Senate President Pro-Tempore shall be:

1. To perform periodic performance checks on all chairpersons and/or staff members.
2. To serve in an advisory capacity to the Senate President.
3. To ensure the efficient and rightful operation of the Senate Office and proper usage of office space.
4. To receive the official grade and hour check each semester for the entire Student Government Association from the Student Government Association Director, and to inform all branch heads in writing of any infractions.
5. To serve as chairperson of the Senate Executive Committee.
6. To assume the powers and duties of the Senate President at their request or in case of their inability to discharge his/her duties.
7. To serve as a voting ex-officio member of all standing and ad-hoc committees.
8. Shall be responsible for keeping the minutes of the Senate Executive Committee meeting and submitting the minutes to the Senate Secretary no less than forty-eight (48) hours prior to a regular Senate meeting.

## Financial Custodian

The financial custodians of the Legislative Branch of the Student Government Association shall be the Senate President and the Organization and Finance Committee Chairperson. Each custodian shall be kept abreast of all expenditures of the Student Senate.

## Senate A&S Liaison

The powers and duties of the Senate A&S Liaison shall be:

1. To sit as a voting member of the Senate OFC.
2. To call for an audit of an A&S agency with the approval of a majority of the Student Senate.
3. To review along with the Senate President fiscal reports submitted by A&S Agencies each month.
4. To attend the Senate A&S Agency and Small Club and Organization workshops.
5. To assign all Student Senators to an A&S Agency in order to aid with the A&S budgeting process.

## **Chapter 301      Numbering of Bills and Resolutions**

301.1      All bills and resolutions shall be assigned consecutive numbers by the Senate Secretary immediately upon approval by the Student Senate.

### 301.2      Filing of Legislation

The Senate Secretary shall keep a file, in numerical order, of all Senate legislation. Each piece of legislation shall have, attached to it, a statement signed by the Secretary attesting to the accuracy of the legislation as contained in the file and the following information: numerical designation, Senate Sponsor, date of passage, and vote.

301.3      Each Bill shall have attached to it:

1. A statement signed by the Secretary attesting to the accuracy of numerical designation, Senate Sponsor, date of second reading, date of passage by the Senate, and the vote.
2. A statement signed by the President of the Student Government Association by the Secretary to the effect that the President had failed to act within five (5) business days, or a statement by the Secretary that the veto had been overridden.

## **Chapter 302      Approval of Bills by the Student Body President**

302.1      The Senate Secretary shall forward a bill, as passed, to the Senate President for his/her signature within twenty-four hours of the passage of the bill. The Senate President shall sign the bill attesting to the accuracy of the bill, as passed, within twenty- four (24) hours of the receipt of the bill from the Senate Secretary.

302.2      The Senate Secretary of the Student Senate shall transmit to the President of the Student Government Association, for his/her approval or veto, accurate copies of all bills passed by the Senate as expeditiously as possible.

302.3 Before each session of the Student Senate, a written report shall be made by the Secretary to the Senate stating what actions or inaction has been taken by the Student Government President on bills passed by the Senate.

302.4 In the event that a bill is vetoed by the President of the Student Government, the Senate President shall reintroduce the bill to the Senate under unfinished business at the first meeting following this action, in order that the President's veto may be overridden by a two-thirds (2/3) vote of the Senate or the bill amended.

**Chapter 303 Publication of Senate Notes**

303.1 The Senate Secretary shall submit, to the Secretary of Communications, copies of all newly enacted legislation amending the Student Government Statutes, all newly enacted senate resolutions, all proposed amendments to the Constitution, and minutes of every Senate meeting.

303.2 A Senate Newsletter may also be published by the Student Senate to manifest the actions of the Student Senate on recent and current legislation.

**Chapter 304 Roll Call Votes**

The Senate Secretary shall record, upon request, all votes on resolutions, Constitutional Amendments, bills, and amendments to bills. Results of these votes shall be included in the minutes of each meeting.

**Chapter 305 Senator's Term and Vacancies in the Senate**

Terms of Office

1. The members of the Student Senate shall take office immediately upon being installed.
2. Senators shall terminate their offices at the installation of their successors.
3. The Summer Senate shall consist of those members of the regular Senate that are enrolled in school during the Summer Semester.

*History: 45<sup>th</sup> Student Senate SB16SP-005, 46<sup>th</sup> Student Senate SB16SU-001, 46<sup>th</sup> Student Senate SB16SU-008, 46<sup>th</sup> Student Senate SB16SU-017, 47<sup>th</sup> Student Senate SB17FA-004, 48<sup>th</sup> Student Senate SB18FA-001*

**TITLE V THE STUDENT JUDICIAL SYSTEM**

**Chapter 401 The Supreme Court**

The Supreme Court shall be the High Court of the Student Government Association. All infractions of rules, disciplinary problems, and issues amounting to constitutional controversies shall be presented to the Supreme Court for adjudication

## **Chapter 402      Sessions**

The sessions shall proceed as a modern court session, i.e.:

1. As the justices enter the courtroom, the bailiff commands, “all rise.” Individuals in the courtroom shall remain standing until the Chief Justice says, “be seated.”
  - a. In the event of the attendance of virtual justices, they will remain standing as the Chief Justice and physically present justices enter the courtroom
2. The Chief Justice and six Associate Justices sit during sessions and shall render decisions. In the event all of the justices cannot attend or sit during a given trial, at least five justices must be present in order to attain quorum. A trial cannot be heard in the absence of quorum.
3. Decisions rendered shall be determined by majority vote of the Associate justices.
4. Announcements and decisions shall be made by the Chief Justice. All decisions shall be published in public record with the statement of case and reason for decisions.
5. A defendant may select his/her own legal counsel from the student body or he/she may plead his own case. It is the counselor’s responsibility to be knowledgeable of courtroom practice and procedure.
6. The seats of the seven justices are arranged according to length of service on the bench: The Chief Justice in the center, flanked by the Associate Chief Justice on his right, the second ranking on his left, the third ranking justice on his right, the fourth ranking on his left, and continuing alternating in declining order senior of seniority.
  - a. In the event of virtual justices, the justices present in the courtroom shall be arranged according to the length of service, alternating the flanking as specified above, and the virtual justices shall stand in view of the monitor

## **Chapter 403      Officers of the Court**

403.1      The out-going Chief Justice shall recommend to the President of SGA one of the Associate Justices to become Chief Justice. The President can choose to accept or deny the outgoing Chief Justice’s recommendation. The appointment, however, is not legal until the prospective Chief Justice has been confirmed by the Student Senate

403.2      The Chief Justice shall preside at all court sessions and shall appoint all necessary officers not herein mentioned to assist him/her in performing his duties. He/she shall be addressed as “Your Honor” and such other legal terms commonly used in modem courts. This respect shall not be abridged.

403.3      The duties of the Associate Chief Justice shall include, but are not limited to:

1. Presiding over all meetings in the absence of the Chief Justice.
2. Presiding over at least one meeting per semester.
3. Have second speaking rights on all issues.
4. Overseeing the activities of all committees under his/her authority.

5. Preparing and presenting a report of his/her activities.
6. Reviewing all complaints and appeals with the Chief Justice.
7. Reviewing all Justice Absence excuse forms.
8. Any duties deemed necessary by a majority of the Supreme Court.

403.4 The six Associate Justices shall at least be of sophomore status. They shall perform all duties consistent with the duties of a judge and shall sit at all sessions (unless the justice disqualifies himself/herself from the proceedings because of a conflict of interest)

The duties of the Senior Associate Justice shall include, but are not limited to:

1. Presiding over all meetings, in the absence of both the Chief and Senior Justices.
2. Presiding over at least one meeting per semester.
3. Have third speaking rights on all issues.
4. Any duties deemed necessary by a majority of the Supreme Court

403.5 The Bailiff

Shall prepare the courtroom, initiate announcement of the session, and shall supervise the conduct of all personnel during the session.

403.6 Legal Counsel

The Legal Counsel shall be the chief legal advisor to the Student Judicial

403.7 System. The Solicitor General

1. The Solicitor General shall represent all student governing organizations officials and/or students-at-large who appear, as accused or appellant, before the Supreme Court He/ She shall be appointed by the Chief Justice of the Supreme Court and approved by a majority vote of the Student Senate
2. The Solicitor General shall:
  - a. Receive records of all cases brought to the Student Judicial System from the appropriate authorities
  - b. Counsel each defendant as to his/her rights under the law and appoint a Defense Counselor to the case.
  - c. Maintain and supervise a staff of defense counselors.
  - d. Docket each case in the appropriate court, notifying all parties as to time and place of trial.

**Chapter 404 Pre-Trial**

404.1 For the sake of brevity (e.g., elections violations, whereby a speedy trial is needed), all SGA trials shall be scheduled within three full working days after the offense has been filed with the Solicitor General.

404.2 Discovery Period

The three-day period between the date of filing and the actual date of the trial shall allow a period of discovery. The discovery period shall include data or documents that Any party involved in the legal action of a trial is compelled to disclose to all other parties. prior to the proceedings. In the event of an SGA trial, the parties are as follows: The Defendant and/or Defense Attorney, Chief Prosecutor (SGA Attorney General), and SGA Supreme Court Justices. Any discoveries shall, first, be verbally presented and then typewritten to all of the aforementioned parties. Any discoveries found after the proceedings have begun should also be reported. The discovery period for emergency trials shall last 24 hours, from the date of the filing to the time of the meeting. This discovery shall consist of all the aforementioned information

#### 404.3 Witnesses and Depositions

During the three-day preparation period, time shall be allotted to take recorded and typewritten depositions of all witnesses. The prosecution and defense shall provide a list of all witnesses whom they wish to present. This list shall be compiled and given to the proper authorities (Supreme Court) who will then distribute the lists to the remaining parties. This will take place two working days prior to the trial. Any problems with witnesses and/or depositions; along with new witnesses, shall be discussed at a pre-trial motion hearing to be held during day three of the preparation period.

#### 404.4 Admission of Evidence

The documentary or verbal statements and material objects admissible as testimony in court shall be known as evidence. All evidence must first be reviewed by the SGA Supreme Court Justices, giving both attorneys the opportunity to object to any evidence. There is no limit to the amount of evidence a party may introduce. The SGA Supreme Court reserves the right to admit or deny any evidence. Admissions of evidence shall be conducted during the pre-trial motion hearing, which will be held on the third day of the preparation period.

#### 404.5 Pre-Trial Motion Hearing

Prosecution and Defense, along with SGA Supreme Court Justices shall meet one-day prior to the scheduled trial date to discuss any pre-trial motions, which may include, but not be limited to the following:

1. Pleas
2. Complications with trial date and/or continuances
3. Problems with witnesses and/or depositions
4. Discovery violations or infractions
5. Additional witnesses and any other evidence, or other compilations

### **Chapter 405 Courtroom Procedure**

405.1 At the sound of the gavel, the Bailiff shall announce, “All rise, the court is now in session.” All persons attending the session shall stand.

405.2 The Justices will enter and take their respective seats. The Chief Justice will say, “be seated.” He/she shall then ask the litigants “are the parties ready?” Each will signify by saying “yes, your honor.”

405.3                    Opening Statement

The Prosecuting Attorney shall then proceed to read his/her opening statement to the court. Prosecution’s opening statement may include any pertinent information that tends to provide facts that he/she wishes to prove throughout the course of the trial regarding the alleged charges. In extreme cases, for the sake of brevity, time limits may be imposed by the Justices. Next, the Defense Attorney will read his/her opening statement. Defense’s opening statement may include any pertinent information that tends to provide facts that he/she wishes to prove throughout the course of the trial regarding the alleged charges. In extreme cases, for the sake of brevity, time limits may be imposed by the Justices.

Closing Statements

Following the resting of the oral arguments portion of the trial, the closing statements (or summations) shall be heard. The Prosecution shall present its Summation followed by the Defense.

405.4                    Presentation of Case by Prosecution

Upon completion of the readings of opening statements, the Prosecution shall call its' witnesses to testify on the stand. Prosecution may introduce its witnesses and give direct examination. Defense may cross-examine all witnesses. Following cross-examination, prosecution may give a re-direct examination. At this time, the Prosecution can also enter in as evidence materials relevant to the case.

405.5                    Presentation of Case by Defense

Following the Prosecution resting in case, the Defense shall call its witnesses to testify and shall enter in evidence. Defense may introduce its witnesses and give direct examination. The Prosecution may cross-examine all witnesses. Following cross-examination, the Defense may give a re-direct examination.

405.6                    Following the close of the fact-finding portion of the trial, there shall be a brief recess where the Justices will retire to their chambers for the sole purpose of providing a brief break that will prevent the disruption of the second portion of the trial. No deliberation about the case shall take place. The Chief Justice shall determine the length of this recess, this recess shall not last more than two hours

405.7                    Oral Arguments

At this time, the Prosecution and Defense shall begin oral arguments that shall address the points of law that are being appealed to the Student Supreme Court. Each side will receive thirty (30) minutes to present oral arguments. The Prosecution shall go first, followed by the Defense. The Justices may interject questions at any time. Answering questions from the Justices shall count against their total time allotment. The Bailiff shall give a five-minute warning and an expired time notice.

**Chapter 406            Post-Trial Procedure**

406.1                    The Verdict

As the Justices leave the courtroom, the Bailiff shall announce, “all rise.” After the Justices exit of the courtroom the Bailiff shall announce “this case is adjourned until...” (the time that the court reconvenes).

406.2            **Printing of Trial**

A full typewritten version of the trial, including the verdict, shall be given to all parties involved. Additional copies will be given to the SGA President, Director of Student Activities, and the Vice-President for Student Affairs. This shall be the responsibility of the Clerk of the Courts.

406.3            The Supreme Court shall publish in the appropriate news media or on the SGA website, brief notices of all cases adjudicated in the Supreme Court. These briefs shall identify all parties involved, state charge, penalty and date of decisions by case number.

406.4            **Survey**

To ensure orderly operation of trials, each trial shall serve as a learning experience for future trials. Moreover, the SGA Attorney General’s Office shall provide an in-depth survey to be completed by all parties involved.

**Chapter 407            Sanctions for Students**

407.1            Refer to University Regulation 2.012, Student Code of Conduct, Sections (21), (22) and (23).

407.2            **Maximum and Minimum Supreme Court Penalties**

Refer to University Regulation 2.012, Student Code of Conduct, Sections (21), (22) and (23).

**Chapter 408            Sanctions for SGA officials**

408.1            The Supreme Court shall have the power to enjoin, for cause, any officer of the government or of any organization holding a charter from the university in any official act, by issuing a Writ of Injunction, to require the officer to cause and not perform a given function or a unity; to require any officer to show cause why he should not perform a certain function, by issuing a Writ of Mandamus; to require an officer to show by what authority he holds his office or performs certain acts the court would issue a Writ of Quo Warrants. The Chief Justice or in his/her absence the Associate Chief Justice may issue temporary restraining orders at the request of any member of the Student Body against a particular act by any officer of the Student Government Association or against any club holding a charter provided there is just cause for such an order. The Chief Justice will preside over all impeachment proceedings, the Senate shall determine guilt or innocence by a two-thirds (2/3) vote.

408.2            The Supreme Court shall have the power to interpret this Constitution and may rule upon the constitutionality of statutes and official actions of magistrates upon written request by any SGA official. The Supreme Court shall interpret any part of the Constitution or any part of the petition with no less than twenty student signatures. The petition shall include the students’ classification, address, and telephone number.

## **Chapter 409      Student Traffic Court**

409.1      The FAMU Student Traffic Court shall serve as an official hearing body for the disposition of unresolved non-moving student traffic tickets arising from cited violations. The Student Traffic Court is under the general supervision of the Division of Student Affairs and will be coordinated by the Dean of Student Affairs.

### 409.2      Jurisdiction

The Student Traffic Court shall have jurisdiction over all non-moving traffic violations referred by the FAMU Campus Parking Services. Student traffic violation referrals will be made only after the student has had ample time to pay the traffic fine(s).

### 409.3      Student Responsibility

1. All students are required to register their respective vehicles with the University Parking Services, acquire a decal, and familiarize themselves with FAMU's traffic regulations. Ignorance of FAMU's traffic regulations is no defense for a violation.
2. All students are required by Florida Statutes, Chapter 240.266 to pay for all nonmoving traffic violations charged to them. The place of payment is at FAMU Parking Services.

### 409.4      Membership

1. The Court shall consist of five students, one of whom shall act as Chief Justice, another of whom shall act as Associate Chief Justice.
2. The members of the Court shall be appointed by the SGA President, subject to a two-thirds (2/3) vote of the Student Senate for confirmation.
3. Each member of the Court must have been enrolled in the University as a full-time student for a minimum of one semester and be in good standing with the University.

### 409.5      Quorum

For purposes of a traffic court hearing, the quorum shall consist of three (3) members.

### 409.6      Authorized Sanctions or Actions:

1. Impose and/or determine length of vehicle operating privileges on campus
2. Impose oral or written warnings
3. Authorize a hold on registration for payment or non-payment of traffic fines

### 409.7      When Court Shall Convene:

1. The Student Traffic Court shall convene the first day of classes each term through the week prior to finals.
2. The Chief Justice shall have the power to call special meetings of the Court when his/her judgment, circumstances, conditions, or workload demand such.

### 409.8      Procedural Due Process:

Each student referred to the Student Traffic Court shall be afforded due process, which shall include the following:

1. The right to be notified, in writing, of the charges against him/her with sufficient time to ensure opportunity to prepare for a hearing
2. The right to a prompt hearing before the Court
3. The right to present evidence in his/her behalf
4. The right to appear with counsel who may speak on his/her behalf (Counsel here means any person the student may determine to advise him/her).
5. The right to appeal

## **Chapter 410      Law School Circuit Court**

410.1      The FAMU Law School Circuit Court shall serve as the official hearing body for all judicial matters arising at the law school.

410.2      Jurisdiction

With the exception of matters involving University elections, The Law School Circuit Court shall have jurisdiction:

1. Over cases and controversies involving questions of Constitutionality of actions by the students, student governing groups, and student organizations arising at the law school, with reference to this Constitution.
2. Over violations of the System of Student Body Statutes that arise at the law school.
3. Over conflicts between law school students, student groups, or organizations.
4. Over the issuance of all summonses of law school students to appear before the Law School Circuit Court.
5. Over the determination of the quality of penalties for law school students, student groups or student organizations in violation of legislation enacted by the Student Senate under the provisions of this Constitution, except in cases of impeachment.

410.3      Composition

The Law School Circuit Court shall be composed of:

1. Five (5) Judges appointed by the SGA President and approved by a two-thirds (2/3) vote of the Student Senate. The concurrence of the majority present shall be necessary to render a decision, verdict, or interpretation.
2. A Chief Judge appointed by the SGA President from among the five (5) judges and approved by a two-thirds (2/3) vote of the Student Senate. The Chief Judge is responsible for presiding over all sessions and meeting and handling all administrative matters of the court. The Student Bar Association President shall recommend to the President of SGA a law student to become Chief Judge. The SGA President is bound only by custom and tradition to accept the SBA President's recommendation

3. A law school clerk of courts to keep records, which shall be appointed by the Chief Judge and chosen from outside the Student Supreme Court.
4. A bailiff, who shall be responsible for courtroom preparation and the swearing in of witnesses, shall be appointed by the Chief Judge and chosen from outside the Student Supreme Court. He shall serve on a volunteer basis.

410.4 Quorum

For the purposes of a Circuit Court hearing, quorum shall consist of three (3) members.

410.5 Procedural Due Process

Each student referred to the Law School Circuit Court shall be afforded due process, which shall include the following:

1. The right to be notified, in writing, of the charges against him/her with sufficient time to ensure the opportunity to prepare for a hearing
2. The right to a prompt hearing before the Court
3. The right to present evidence on his/her behalf
4. The right to appear with counsel (Counsel here means any person the student may determine to advise him/her).
5. The right to appeal all Circuit Court decisions to the Supreme Court

410.6 Sessions

The sessions shall proceed as a modern court session, i.e.:

1. As the judges enter the courtroom, the bailiff commands, "all rise." Individuals in the courtroom shall remain standing until the Chief Judge says, "be seated."
2. The Chief Judge and four Associate Judges sit during sessions and shall render decisions. In the event all of the judges cannot attend or sit during a given trial, at least three Judges must be present in order to attain a quorum. A trial cannot be heard in the absence of a quorum.
3. Decisions rendered shall be determined by a majority vote of the judges.
4. Announcements and decisions shall be made by the Chief Judge. All decisions shall be published in public record with a statement of the case and reason for decisions.
5. A defendant may select his/her own lawyer from the student body, or he may plead his own case. It is the counselor's responsibility to be knowledgeable of courtroom practice and procedure.
6. The seats of the five judges are arranged according to length of service on the bench: the Chief Judge in the center, flanked by the Senior Associate Judge on his right, the second-ranking on his left, the third-ranking judge on his right, the fourth-ranking on his left.

410.7 Appeals

All appeals of the decisions of the Law School Circuit Court shall be made in writing to the Solicitor General within five (5) working days after the Court has rendered its decision. The Student Supreme

Court has the right to grant the appellant a hearing or deny one. If the Supreme Court chooses to hear the appeal, they shall have the power to affirm or reverse the decision of the Circuit Court.

*History: 46<sup>th</sup> Student Senate SB16SU-013, 47<sup>th</sup> Student Senate SB17FA-009, 48<sup>th</sup> Student Senate SB18FA-001, 48<sup>th</sup> Student Senate SB19SP-003*

## **TITLE VI            QUALIFICATIONS FOR OFFICE**

### **Chapter 500        Qualifications**

500.1            The following elected and appointed offices shall be designated as major offices:

1. President of the Student Government Association, Senate President, Vice-President of the Student Government Association, Senate President Pro-Tempore, Chief Justice of the Supreme Court, and such others or offices as the Student Senate may designate.
2. All candidates for major offices be enrolled as full-time students and maintain status as full-time students for the duration of their term. They are required to have an overall cumulative grade point average of 2.8 at the time the office is sought and maintain that minimum cumulative grade point average for the duration of their term.
3. All other elected or appointed offices must be enrolled as full-time students and maintain status as full-time students for the duration of their term. They are required to have an overall cumulative grade point average of 2.5 at the time the office is sought and maintain that minimum cumulative grade point average for the duration of their term, unless otherwise stated by the SGA Constitution.

500.2            It is the intent of the Constitution that candidates for the President of SGA, Vice President of SGA, Mr. and Miss Florida A&M University, Class Attendants, and the King and Queen of Orange & Green meet the appropriate class standing at the time they take office. It must be clearly understood that a person may qualify for any office, and win the popular vote, but if he/she is not a member of the proper class, as stated in Article VIII of the Constitution, he/she will be ineligible to hold that office.

500.3            Restriction of Candidacy

No student shall hold two elected, two appointed and confirmed offices by the Student Senate, or a combination of an elected and an appointed confirmed office of the Student Body concurrently.

*History: 47<sup>th</sup> Student Senate SB17FA-010, 48<sup>th</sup> Student Senate SB18FA-001*

## **TITLE VII            ELECTION CODE**

## **Chapter 600      General Primary Election Schedule**

### **600.1      Election Schedule**

The election schedule shall be as follows:

1. Declaration of Candidacy
2. Dead Days
3. Campaign Period
4. Election Day
5. Run-off Election Day

### **600.2      Declaration of Candidacy**

1. Fall Timeframe:

Declaration of Candidacy will take place during the third (3rd) week of the Fall Semester (Monday - Friday). Declaration of Candidacy will run from 9:00 a.m. until 6:00 p.m. each day. Declaration of Candidacy forms may be obtained from the Electoral Commissioner no earlier than 9:00 a.m. on the first school day of the third week of the Fall Semester and must be submitted by 6:00 p.m. on the last day of the Declaration Period. The Candidate/Ticket shall sign and date the form. The Electoral Commission shall sign and date the form "received."

2. Spring Timeframe:

Declaration of Candidacy for Spring Elections will take place during the first week of February in the Spring Semester (Monday - Wednesday). Declaration of Candidacy will run from 9:00 a.m. until 6:00 p.m. each day. Declaration of Candidacy forms may be obtained from the Electoral Commissioner no earlier than 9:00 a.m. on the first school day of the first week of February and must be submitted by 6:00 p.m. on the last day of the Declaration Period. The Candidate/Ticket shall sign and date the form. The Electoral Commission shall sign and date the form "received".

3. Candidates Responsibilities:

All Candidates/Tickets must sign the "Candidate's Statement of Understanding" indicating that he/she will adhere to the rules submitted by the Electoral Commission. Any candidate not adhering to the rules will be subjected to suspension from all campaigning activities.

4. Electoral Commission Duties and Responsibilities

- a. The Electoral Commission shall immediately post an un-official list of the Candidates/Tickets filing for office on the Election Bulletin Board at 6:00 p.m. on the last day of the Declaration of Candidacy Period.
- b. The Electoral Commission shall provide all potential Candidates/Tickets:
  1. A copy of the Election Code
  2. An Election Schedule detailing all elections activities/meetings.
  3. All the forms required to be used in Chapter 600 shall be made available upon request, in alternative electronic formats, as defined in the Americans with Disabilities Act of 1990, Public L. No 101-33b, and 42 U.S.C. ss. 1202 et. Esq. by the Electoral Commission.

5. Responsibilities of the Attorney General:

The Attorney General shall provide the Electoral Commission with a current, indexed pamphlet of the Election Code prior to the Declaration of Candidacy Period. The cost of printing the pamphlets shall be paid out of funds appropriated for conducting elections

6. Changing Declaration of Candidacy Period:

The Student Senate with 2/3 vote of all those present and voting may change the time of the declaration with at least two weeks' notice prior to the original date of declaration. This change will only be in effect for the current academic semester.

- a. All tickets are valid only as declared. Changes will not be made after 6 p.m. on the last day of the Declaration of Candidacy Period.
- b. Students may only be declared for candidacy for one position per election.
- c. The Electoral Commission shall allow students to declare candidacy when away from school by any means of communication via fax, mail or email format, during the declaration period.

600.3

Dead Days

Spring and Fall Timeframe:

Dead Days will take place from the first day after the Declaration Period ends until the day before the first day of the Campaign Period.

Period of Dead Day the Electoral Commission shall:

1. Verify all campaign materials.
2. Approve all campaign materials
3. Obtain and approve sample ballots for each voting academic class to be approved by all Candidates/Tickets. Candidates/Tickets shall meet with the Electoral Commissioner the first Monday of the Dead Day period between 9:00am and 6:00pm to verify that he/ she is accurately represented on the ballot for his/her academic class. All candidates/Tickets who fail to meet this deadline forfeit this opportunity.
4. Host events and promote initiatives that emphasize the importance of the democratic process.

600.4

Campaign Period

Campaign Period (Wednesday-Tuesday) shall commence on the first school day following the Dead Days and end on the Tuesday of the following week. In the instance of a run-off election, the campaign period will end on the Thursday following said Tuesday.

600.5

Election Day

1. A General Election shall be held on the final day of Campaign Period from 8:00 a.m. to 6:00 p.m.
2. The Electoral Commissioner shall post, at each voting precinct, the Voter's Bill of Rights and Responsibilities. This document shall be passed by a two-thirds (2/3) vote of the Student Senate.

600.6 Run-off Election

If no candidate/ticket in any race achieves a majority (50 % +1) of all votes cast for that race, a Run-off Election shall be held. If a Run-off Election is required:

1. The Run-off Election shall be held within two (2) business days after the general elections.
2. The two candidates receiving the highest vote count in the general election shall run in the Run-off Election, which shall be subject to the following exceptions:
  - a. In any election in which there is a tie for first place in the general election, only the names of the candidates/tickets so tying shall be placed on the ballot in the run-off election.
  - b. In any election in which there is a tie for second place in the general election and the candidate/ ticket placing first did not receive a majority of the votes cast, the name of the candidate/ticket placing first and the names of the candidates/tickets tying for second shall be placed on the ballot in the Runoff election.
  - c. The candidate who receives the highest number of votes cast for the office in the Run-off shall be declared elected. In case of a tie another runoff shall occur.
3. There shall be no write-in votes cast in a Run-off Election.
4. Run-off Elections for multiple seat races will only be held in case of a tie for the last seat.

600.7 Secret Balloting

In all elections held on any subject which may be submitted to a vote, the voting shall be by secret, official ballot printed and distributed as provided by this code, and no vote shall be received or counted in any election, except as prescribed by this code.

600.8 Exceptions

Any proposed deviation from the election schedule must be sent to the E&A committee in the form of a memorandum at least five (5) business days prior to the start of the declaration period. A revised schedule must be presented by the Electoral Commissioner to the senate and approved by a two-thirds (2/3) vote.

**Chapter 601 The Electoral Board**

601.1 The Electoral Board shall be composed of the Electoral Commissioner and the Elections and Appointments Committee.

601.2 The Elections and Appointments Committee (E & A)

1. The Student Senate Elections and Appointments Committee Chairperson or his/her designee shall act as the ex- officio voting member of the Electoral Commission. These duties shall be as follows:
  - a. To enforce and recommend changes to the Election Codes.
  - b. To serve as the official liaison between the Electoral Commission and Student Government Association.
2. If a member of the Elections and Appointments Committee will be a candidate/ ticket or contribute to a candidate/ ticket, he/she must submit a letter stating the time of temporary

leave of absence to the Senate President upon the declaration of candidacy of that particular ticket.

601.3

### The Electoral Commission

#### Composition of the Electoral Commission

1. Electoral Commissioner
2. Deputy Electoral Commissioner
3. Five to eight (5-8) Precinct Supervisors
4. Volunteers who are students at large.

#### Requirements of Electoral Commission Members

1. Each Commission Member must have a minimum cumulative grade point average of 2.5 on a 4.0 scale.
2. The Deputy Electoral Commissioner and the Precinct Supervisors shall be appointed by the Electoral Commissioner and subject to approval of the Student Senate by two-thirds (2/3) vote.
3. The Electoral Commissioner must also submit a list of volunteers to the Student Senate for approval by majority vote, no later than the last meeting prior to the primary election. The list must contain the name, major, grade point average, FAMU student ID number, and contact information of each volunteer. Volunteers shall not be actively identified with any candidate or campaign for an elective office, nor act in any partisan manner during membership on the Electoral Commission.
4. The Electoral Commissioner must advertise and provide applications for the positions of Deputy Electoral Commissioner and Precinct Supervisors for a period of no less than 10 business days.
5. Commission Members shall not hold any other Student Government Position.
6. Commission Members must never have been convicted by the University Disciplinary Board or the Student Supreme Court.
7. The Electoral Commissioner shall not serve consecutive terms.

#### Duties of the Electoral Commissioner:

1. Shall supervise and direct the Commission.
2. Shall make advance arrangements for voting materials for the Elections.
3. Shall collect all voting materials immediately after the polls close.
4. Appear before the Student Senate 10 business days prior to the elections to deliver his/her plans for elections.
5. The Electoral Commissioner or his/her designee shall make all official statements through university media outlets.
6. Submit a list of Rules and Procedures (Candidates policies and procedures) to the Student Supreme Court for approval by majority vote before each Election.
7. Provide each student enrolled the opportunity to register to vote in local, state, and national elections and/or to update a voter registration record on each campus at least once a year. The Electoral Commissioner may also provide voter registration services at other times and places, such as upon application for financial aid, during admissions, at registration, upon issuance of

student identifications, and at new student orientation. He/ She shall also sponsor campaigns to actively register all students to vote for local, state and national elections.

Electoral Commission Members Shall:

1. Post and serve minimum of three (3) office hours per week beginning with the week of Declaration of Candidacy until the election is over. The office of the Electoral Commission should be staffed from 9:00 a.m.-6:00 p.m.
2. Check the campus every day for any unauthorized campaign materials, throughout the Election Schedule, or use thereof, during the period between the days before the start of active campaigning and the days after.
3. Remove all unauthorized campaign materials immediately and initiate appropriate action to fulfill the requirements of this Election Code.
4. Post, on the Election Bulletin Board, all election results on the evening of the elections, as soon as the results are known.
5. Notify all Student Media of the results of the Election (in memorandum form) within twenty-four (24) hours of the confirmation of the election results.
6. Submit a list of problems, solutions, or possible changes to the Election Code (in Memorandum Form) within two (2) weeks following each Election to the Student Senate Elections and Appointments Committee.
7. Conduct a meeting to explain the Election Code, and to answer questions concerning them, for all Candidates/Tickets within four (4) calendar days after the end of Declaration of Candidacy. Each candidate or a representative of the candidate must attend this meeting.
8. Send a copy of the Election Code to all Student Media, notifying them that these Statutes will be used in the upcoming election.
9. Check the qualifications of all Candidates and shall post the names of those qualified of the Election Bulletin Board, within four (4) School Days after the end of Declaration of Candidacy.
10. Appropriately advertise all elections. Advertisements must include, but are not limited to, posters and student media. These advertisements shall begin at least two (2) weeks before Declaration of Candidacy, during both the Spring and Fall terms, and shall occur on a daily basis (or as often as published student print media). Such posters shall be posted in multiple locations on at least the main building of each college and school. Additional advertisements shall begin at least ten (10) days prior to all elections, and shall include the date, time, place of voting, and offices to be elected and the rules regarding how and where to vote based on classification
11. Organize, publicize, and take all the responsibilities of establishing a Candidate Pageant (open to the public), and determine where the rally will be held (in a large-capacity area). The rally will take place during the Campaign Period.
12. Notify the Candidates of the date, time and place of the Candidate Pageant upon Declaration of Candidacy and at the Mandatory Candidates Meeting
13. Organize a SGA Presidential and Vice Presidential Candidate Debate. This rally would also include candidates seeking the positions of Junior Senator and the Electoral Commissioner.
14. Notify all Student Media at least seven (7) days in advance of the date, time, and place of the rally and the Presidential Debate.

15. Maintain a notebook containing all pertinent information related to violations of the Election Code. This notebook shall include, but not be limited to, notices of violations, actions taken, Supreme Court decisions, and all material relevant to reaching these decisions. The contents shall be added to the public record at the conclusion of each Election Period.
16. Develops all forms used during elections shall be developed by the Electoral Commission, and in accordance with the Election Code. The aforementioned forms shall be approved by the Electoral Commissioner during the campaign rule-making process and shall be documented in a formal document of Election Rules.
17. Keep a list of all Candidates/Tickets names, FAMU student email address and two telephone numbers.
18. Perform in-house elections at the request of recognized & registered student organizations and clubs.
19. Organize and publicize at least three question-and-answer forums with the questions coming directly from the moderator, the candidates, and the students present; one for Mr. and Miss FAMU candidates, one for SGA President and Vice President Candidates, and one for electoral commissioner candidates. These forums shall be held at separate times during the week of campaigning.
20. The Electoral Commission may promulgate rules establishing an approved time, place, and manner\ of restrictions that regulate the displaying or posting of campaign materials during campaign rallies, debates, or pageants.
21. Adopt standard operating rules and procedures regarding the internal practices to be used and passed down year-to-year and are to be published on the SGA website.
22. Debrief each day during campaigning days to discuss violations and any other pertinent information. The meeting time and location shall be posted on the Electoral Commission bulletin board and open to the general public.
23. Construct a voter's bill of rights and responsibilities, which shall be approved by the Student Senate by a two-thirds (2/3) vote.
24. The Electoral Commission shall determine the proper method of reporting election violations.

#### Electoral Commission Advisor

In addition to a staff member in the office of Student Activities, The Electoral Commission may have an advisor with academic knowledge of elections and electoral systems such as a professor of political science. The Electoral Commission shall have the power and authority over the election process.

#### 601.4

##### Funding

1. Sufficient funds for the Election Process and student state and federal voter registration activities shall be allocated to the Electoral Commission from the Activity and Service Fees.
2. The Electoral Commissioners salary shall be specified in the Activity and Service Fee Budget.

#### 601.5

##### Removal and Resignation

1. A If the Electoral Commissioner or an Electoral Commission member is dismissed due to professional misconduct by the Adjudication Process or by referendum, he/she shall receive no salary, as specified in the Dismissal Clause of the OPS contract.

2. If the Electoral Commissioner or an Election Commission Member resigns voluntarily during the election, he/she shall receive only a fraction of the salary, based upon the time portion of the contract that was fulfilled.
3. If the Electoral Commissioner is dismissed, or voluntarily resigns, the Deputy Electoral Commissioner shall assume the responsibilities of the Electoral Commissioner, and a Deputy Electoral Commissioner shall be appointed from and by the Commissioner. This appointment is subject to approval by 2/3 vote of the Student Senate.
4. In the event any appointed Commission Member violates the Election Code, he/she may be dismissed by a majority vote of the Student Supreme Court.

601.6 Election Reform Committee

An Election Reform Committee shall convene immediately following each fall and spring election. This committee shall consist of past, current, and newly elected Electoral Commissioners, the Elections and Appointments Committee chairperson, the Attorney General, a member of the Judicial and Rules Committee, three to five (3-5) students appointed by the SGA President, and one member from each branch. The election reform committee shall review the operations of the electoral process and its compliance with the election code. The findings and recommendations of the committee shall be submitted to the Student Senate. The total number of persons on this committee shall not exceed fifteen (15) individuals.

**Chapter 602 Election Procedures**

602.1 Rules and Regulations for Candidates Governing Student Elections

1. Official campaigning will start at 7:00 a.m. on the first day of Campaign Period.
2. All candidates are required to sign a "Statement of Agreement" indicating that he/she will adhere to the rules submitted by the Commission. Any candidate not adhering to the rules will be subjected to suspension from all campaigning activities.
3. Bribery will not be tolerated.
4. There will be no candidate/ or representative leading voters to the polls. (Do not walk voters to the polls).
5. All forms, memorandums, etc., must be typed and time stamped at the Student Activities Office before being submitted to the Electoral Commission.
6. Radio, T.V. and newspaper announcements will be permitted during the Campaign Period.
7. Campaigning will be allowed the day of elections; however, only 50 feet outside the polling place. There should be no campaigning or campaign materials beyond the designated area that will be clearly marked Election Day.
8. Posters must be no smaller than 17 x 22 and no bigger than 18" x 24" in size. No Banners will be permitted on campus.
9. The statement "Please Do Not Post" must be clearly marked on any advertisement and endorsements not of poster size, including but not limited to flyers, quarter sheets, handouts, etc.
10. No campaign materials shall duplicate in any way or combine the copyrighted trademarks, logos, slogans, or related promotional materials of any public or private patented entity(s) without the specified permission. All copyrighted or patented logos, slogans, and images to

be used in campaigns must be submitted along with written documentation on official company letterhead permitting the use from the company department overseeing copyright usage with a contact person, their company title, and a contact number for verification; The Electoral Commissioner shall approve or disapprove submitted materials during the Dead Days period as outlined in the Election Schedule. Candidates shall also be required to sign an indemnification agreement at the mandatory candidates' meeting in which candidates assume liability in the event that the copyrighted entity opts to take legal action due to infringement.

11. Candidates can place only one (1) poster on each approved location listed by the Electoral Commission. Defamation of University Buildings is prohibited. The Electoral Commission shall be provided with the original typed copy of said authorization.
12. The candidates shall only be permitted to use bullhorns/megaphones between 9am to 9pm during campaigning on campus.
13. The candidate's name and two phone numbers must be placed on the back of all posters, which must be laminated.
14. Clear packaging tape is required to post all posters.
15. Candidates shall report all missing posters to the Electoral Commission.
16. No posters shall overlap another candidate's poster.
17. All campaign materials must reflect the ticket declared.
18. All campaign material must be removed from the campus within 24 hours of the final day of the election, by the candidate/ticket.
19. Defamation of one's character by another candidate and/or representatives of either party is prohibited.
20. Off-Campus campaigning shall be permitted.
21. All posters and stakes must have the official approval stamp from the Office of Student Activities before being displayed.
22. The use of chalk on all university grounds is strictly prohibited.
23. Stakes are prohibited from being placed on/in university grounds.
24. Parading, or the use of vehicles (moving or stagnant) that may impede the flow of traffic on any area of the campus, is prohibited.
25. Campaigning in any manner, is strictly prohibited in Lee Hall and the SGA section of the Student Union.
26. No cups, paper, or any other materials may be used in the fences to act as campaigning for any candidate.

## 602.2

### Voting

1. Each voting student must present a FAMU Student ID Card or a Picture ID to verify his/her status and identity.
2. Voter Rolls must have two columns for signatures in addition to the student's current information. These two columns must be placed within the same row of each student's name. One column will be designated for the signature of the student voting during the general election and the second column will be designated for the signature of the student voting during the run-off election.
3. Each voting student must sign his/her name within the designated signature column for each specified Election Day.

4. All students shall be eligible to vote only once during each election.
5. Students shall vote according to their classifications as recorded by the University Registrar.
6. Students wishing to vote for graduate positions shall be those students enrolled in a Florida A&M University Graduate Program and have declared graduate status through the university registrar.
7. Exceptions may be made for Students in their first year of enrollment at Florida Agricultural & Mechanical University wishing to vote for:
  - a. Freshman Class positions in the Fall Elections.
  - b. Sophomore Class positions in the Spring Elections.
8. Students who have earned more credit hours than the maximum required for the classification in which they desire to vote must present a copy of the first page of his/her unofficial transcript at the time of voting. The Precinct Supervisor will verify that the voter's date of entry into the university corresponds with that of all students in that classification.
9. The following locations shall be precincts:
  - a. Grand Ballroom; Lobby
  - b. Tucker Hall; Charles Winterwood Theater Lobby
  - c. Dyson Pharmacy; Patio
  - d. Engineering Building; Lobby
  - e. School of Business and Industry; Bull and Bear Lounge
  - f. New Pharmacy Building; Student Lounge
  - g. College of Law; Lobby

Students enrolled in the following colleges and schools shall vote in the following precinct:

Precinct 1: All Freshmen, School of Architecture, College of Agriculture and Food Science, College of Science and Technology

Precinct 2: School of Journalism and Graphic Communication, College of Social Sciences, Arts and Humanities,

Precinct 3: School of Nursing, School of Allied Health Sciences, School of the Environment

Precinct 4: College of Engineering

Precinct 5: School of Business and Industry, College of Education Precinct 6: College of Pharmacy

Precinct 7: College of Law; Lobby

In cases of emergency and/or unforeseen circumstances, the Student Senate can change the location of a permanent precinct or add a precinct with a 2/3 vote of all those present and voting.

The facility request for an alternate voting location must be filed with the Office of Student Activities by the Electoral Commission the following business day after the vote is passed. In the event the facility request for the alternate voting location is denied, the Electoral Commission will have the discretion in choosing the alternate voting precinct.

10. Opening and Closing of Polls,
  - a. The polls shall be open at the voting precincts at 8:00 a.m., on the day of the election, and shall be kept open until 6:00 p.m., of the same day.
  - b. If an emergency occurs, preventing any precinct from opening at the appropriate time, that precinct's closing time shall be extended. The precinct shall be open for

an additional amount of time equal to the amount of time its opening was delayed. In such case, the new closing time shall be calculated and posted no later than one hour after the precinct has opened.

- c. The electoral commissioners and staffers shall make public proclamation of the opening and closing of the polls. During the election and canvass of votes, the ballot box shall not be concealed.

Note: All Graduate Students will vote in the precinct for their respective majors

602.3

#### Write-in Candidacy

1. Write-in votes shall be legal in the election process
2. Write-in Candidates/Ticket must file a Declaration of Candidacy form with the Electoral Commission at least forty-eight (48) hours before the commencement of voting, with the understanding that they must adhere to the Election Code, just as any other Candidates/Tickets.
3. Any voter who writes in the name of a student who is not qualified to hold office shall have his/her vote disqualified for that office and that office only.

602.4

#### Balloting

1. Candidates shall be listed in alphabetical order, based on last name.
2. All ballots for primary elections shall have a space for write-in candidates.
3. All ballots containing only one candidate listed for any office shall have a space for "NONE OF THE ABOVE." (N.O.T.A.)
4. If N.O.T.A. wins, the race shall be disqualified, and a Declaration of Candidacy shall be held.
5. The Electoral Commissioner shall post sample ballots for each classification on the Elections Bulletin Board prior to election day for voters' reference. If no report is filed to the commission, stating any inaccuracy of information on the ballot, the ballot shall remain valid.
6. Ballots for freshmen shall be made available at every voting precinct. No student's name shall appear on more than one voter roll in more than one precinct.
7. The precinct supervisors shall use the classification indicated on the voter roll unless the voter wishes to vote outside of his or her classification. (606.2 D)

602.5

#### Counting of Ballots

1. One (1) Member of the Executive Branch, one (1) Member of the Judicial Branch, (1) Member of the Student Senate Elections and Appointments Committee must be present as observers of the process only. The Electoral Commission (Commissioner, Deputy Commissioner and Precinct Supervisors; excluding volunteers), the Director of Student Activities or his/her designee and/or University Official must be present at the ballot counting, and are the only persons authorize to manage ballots. No other persons are allowed to be present at ballot counting if they do not represent any of the aforementioned stated parties which should not exceed 15 persons, excluding the Director of Student Activities or his/ her designee. Disqualified ballots shall not be counted
2. No ballot shall be disqualified if the voter's intensions are determined "legal" and "clear" by the Electoral Commissioner, one (1) member of the Student Senate Elections and

Appointments Committee, one (1) member of the Executive Branch and one (1) member of the Judicial Branch.

3. Candidates/Tickets will be elected by a majority of the votes cast for that office.
4. If the difference of votes between two (2) candidates is ten (10) or fewer, the ballots shall be recounted by hand.
5. If ballots are not to be counted, immediately following their collection, they shall be locked and sealed in the presence of the Electoral Commissioner one (1) member of the Student Senate Elections and Appointments Committee, one (1) member of the Executive Branch and one (1) member of the Judicial Branch.
6. Candidates for the Senate will be elected according to the eight candidates who receive the highest number of votes.

602.6

#### Absentee Balloting

1. Any student who is unable to be on campus on the day of any student election may submit a request for an absentee ballot to the Electoral Commissioner. The Electoral Commission must receive a written request no later than ten (10) business days prior to the day of elections. A copy of the student's identification and verification of enrollment must accompany the written request to the Electoral Commission. The Electoral Commissioner shall mail all absentee ballots no later than five days preceding the election. All ballots must be received by the Electoral Commission no later than 6:00 p.m. the day preceding the election. The ballots shall be placed in the custody of the Electoral Commissioner or his/her designee who shall place them in a safe until the counting of the ballots on Election Day. A member of Elections & Appointments committee and the Judicial Branch must be present when the absentee ballots are placed in the safe. The ballot shall be opened and counted at the time of counting regular election ballots. Before the absentee ballot is counted, the accompanying photocopy of university identification shall be used as a means of verifying the student's enrollment status and to prevent duplication of voting. Any appeal must list reasons for appealing the decision of the Electoral Commission.
2. Voting absentee ballots in person. Any qualified and registered voter may pick up and vote by absentee ballot in person at the office of, and under the supervision of the Electoral Commissioner or his/her designee. Before receiving the ballot, the voter must present current and valid picture identification. If the voter fails to furnish the required identification, he/she shall not be provided an absentee ballot. The ballots shall be placed into a sealed envelope by the voter, handed directly to the Electoral Commissioner or his/her designee and stored in a safe until the counting of the ballots.

602.7

#### Ballot Accountability

1. If a machine is inoperable, the students shall be allowed to immediately insert their ballot into the side panel of the machine. Under no circumstance should ballots be handed to an Electoral Commission member or volunteer.
2. At The closing of elections, the Electoral Commission Advisor or his/her designee shall be the only person in control of transporting ballots from the precincts to the Office of Student Activities.

3. A time log shall be created by the Electoral Commission for each precinct. This log will have the hours of operation of each precinct. A signature is required for each allotted time by the designated precinct supervisor.

602.8

#### Ballot Transferability

Ballot Transfer forms must be completed if a transfer of ballots from one precinct to another is necessary. The form must be constructed by the Electoral Commission and must include the identification numbers of the ballots being transferred, what precinct they are being transferred from and to, who is transferring and transporting them, and the reasoning of them being transferred.

602.9

#### Withdrawing Candidacy

1. Students may rescind their candidacy declarations at any time before the end of the Declaration of Candidacy.
2. Withdrawing from a race after the end of Declaration of Candidacy will require a statement signed by the candidate or all members of a ticket.
3. Candidates/Tickets may file withdraws at any time during the Election Schedule.
4. Candidates/Tickets may not re-enter a race once they withdraw. However, candidates/tickets that withdraw from one race are still eligible to enter another as a write-in.
5. Candidates/Tickets that withdraw before the printing of ballots shall be removed from the ballot.
6. Notice of withdrawals occurring after the printing of ballots must be displayed by the Electoral Commission at each precinct on Election Day.

### Chapter 603

#### Violations

603.1

#### Violations

1. All candidates must sign a statement explaining that they are aware that they are liable to be penalized for violating the Student Government Election Codes.
2. The Electoral Commission shall create a point system where points are levied to a candidate/ticket for violating various Election Codes. The amount of points amassed per each violation shall correlate directly to the severity of that violation. The Electoral Commission shall also set a limit, specifying the maximum amount of points that each candidate/ticket can accumulate. Once that limit is met or surpassed, the candidate/ticket is disqualified.
3. The point system, including the maximum point limit, must be approved by the Student Senate with 2/3 of all those present and voting in order to go into effect.
4. The Electoral Commission shall meet and determine whether an actual candidate/ticket violated the election codes. If the candidate/ticket is found responsible for committing the violation, the Electoral Commission shall assess the corresponding amount of points.
5. Points must be assessed and posted by the Electoral Commission within twenty-four (24) hours after they have charged a candidate with a violation. The Electoral Commissioner shall post the points on the election bulletin board.
6. Points for violating the election codes can be assessed at any time during the campaign season (from the time the candidate/tickets declares candidacy to the time that the election results are announced)

7. Every day of the election, the Electoral Commissioner must post a signed and dated list detailing all candidates/tickets and the amount of points they have accumulated throughout the election.
8. In the event that ticket/candidate is disqualified, the Electoral Commissioner must send a memorandum to the Student Supreme Court and the Elections and Appointments Committee Chairperson within twenty-four (24) hours, detailing why the candidate/ticket was disqualified. The memorandum must include a list of violations, the points assessed for each violation, and the total amount of points accumulated by the candidate/ticket.

## **Chapter 604**

### **Contest/ Appeals**

#### **604.1**

1. Any contest/appeal of a campaign, Electoral Commission decision, or an election by a Candidate/Ticket shall be submitted in the form of a typewritten letter and signed in ink. This letter of contest shall be hand-delivered to the SGA Solicitor General no later than 24 hours following the public posting of Election Results. The Solicitor General shall notify the Chief Justice within two (2) school days.
2. Any appeal must list reasons for appealing the decision of the Electoral Commission or list charges or violations purportedly committed by a Candidate/Ticket or Electoral Commission.
3. Upon receiving the appeal, the Supreme Court shall determine within ten business days the type of appeal and course-of-action available as specified below:
  - a. Candidates/Tickets Appealing an Electoral Commission Decision: The Supreme Court shall determine whether the Election Commission's decision was incorrect, procedurally or substantively. It may uphold, overturn, or change the Electoral Commission's decision.
  - b. Contempt based on Electoral Commission Members Violating Election Code: The Supreme Court shall determine if the Electoral Commission Member(s) violated statute, and, if so; did this affect the election results? If this is the case then the Supreme Court may call for a New Election and/or may require that the Electoral Commission member(s) receive no salary, based on the dismissal clause of the OPS contract.
  - c. Contempt based on Candidates/Tickets Violating Election Code: The Supreme Court shall determine whether the Candidate/ticket committed no violation, a minor violation, or a major violation. The Supreme Court shall disqualify the Candidate/Ticket and call for a Special Election if the Candidate/Ticket has committed a major violation of the Election Code. If it finds that a Candidate/Ticket committed a minor violation, it shall assess the Candidate/Ticket between one and thirty points for each violation.
4. The Electoral Commission shall have all the rights and privileges of students, as outlined in the System of Student Body Statutes.
5. All decisions made by the Electoral Commissioner or the Supreme Court for candidates shall be posted by the Electoral Commission on the Election Bulletin Board immediately.
6. If someone feels the Supreme Court has violated his/her rights to a fair hearing or due process, he/she may appeal to the proper appellate or administrative entity.
7. A New or Special Election will be held at least five (5) business days following the end of the adjudication process

**Chapter 605      Other Election**

605.1      Special Election

Special Election will occur only if the winning Candidate/ Ticket are disqualified. Only qualified Candidates/Tickets who ran in the Primary Election, including Write-in Candidates/Tickets will be placed on the Election Ballot. There will be no new Write-in Candidates/Tickets for Special Elections.

605.2      New Election

New Election shall occur if the Race is "Invalidated" by the Supreme Court. Only qualified Candidates/Tickets who ran in the Primary Election, including Write-in Candidates/Tickets will be placed on the new Election Ballot. Write-in candidates/tickets from the primary election shall also run as write-in candidates in the new election.

**Chapter 606      Referendums and Petitions**

606.1      Referendums and Petitions

1. The Electoral Commissioner shall conduct referendums and petitions at the request of the Student Senate.
2. The official ballot for a referendum or petition shall include space for the voter to indicate approval or disapproval.
3. Complete copies of the subject of referendums or petitions shall be made available at the polling places.
4. The official ballot for a referendum or petition shall include an explanation of the significance of selecting each option written by the Judicial and Rules Committee of the Student Senate. The explanation(s) must be ruled “fair and not leading” by majority vote of the Supreme Court during Dead Days.
5. All referendums must be received by the Electoral Commission at least 10 business days prior to election.

**Chapter 607      Definitions**

- 607.1
1. Active Campaigning - Any verbal or visual advertising or distribution of information for a Candidate/Ticket for an Elective Office of the Student body.
  2. Authorized by Candidate-Candidate's written or verbal approval.
  3. Authorized Campaign Materials- Any publicity approved by the Electoral Commission which contributes to a Candidate’s campaign
  4. Bribery- a gift, not necessarily of pecuniary value, bestowed to influence the conduct of the receiver
  5. Contribution-Any service, goods, or sum of money donated to the Candidate with the intent of promoting or aiding the Candidate in his/her Campaign.

6. Dead Days- the period following Declaration of Candidacy for the purpose of verifying candidates' eligibility and preparing election materials. Campaigning is prohibited during this period.
7. Declaration of Candidacy – the official act of expressing an intent to pursue an elective office
8. Election Bulletin Board- Bulletin Board containing Election information.
9. Major Violation-any violation that affects the outcome of an Election; repeated or multitude of Minor Violations or repeated blatant disregard of the Election Codes.
10. Minor Violation-Any violation that does not affect the outcome of an Election.
11. Semesters- The academic semesters (Fall and Spring) excluding the summer sessions.
12. Majority Vote - Fifty percent of total votes, plus one (1).
13. Single Seat Race – a position that can be won and held only by one ticket.
14. Multiple seat Race – positions that can be won and held by more than one ticket.
15. Pecuniary- monetary; relating to money; financial consisting of money or that which can be valued in money.
16. Pre-campaigning – Any verbal or written solicitation for votes for a candidate/ticket for an Elected Office of the Student body prior to the end of the advertised dead days.
17. Week- any calendar week containing at least three (3) school days.
18. Multitude of Minor Violations -at least three (3) offenses not arising from the same action or event and each of which must occur after at least one (1) proper formal sanction or warning by the Electoral Commissioner of the same kind of offense.

## **Chapter 608**

### **Qualifications for Office**

#### 608.1

#### Qualifications

The following are requirements to declare for and to hold elected office:

1. The SGA President and Vice-President, and Mr. and Miss Florida Agricultural & Mechanical University must have a minimum cumulative grade point average of 2.8.
2. A minimum cumulative grade point average of 2.5 for all other elected offices.
3. Must not have had any major judgments rendered against them by the Student Supreme Court or by any Administrative Hearing Panel or Academic Panel
4. Shall not have any civil or criminal convictions against them.
5. Class Presidents, Class Vice-Presidents and Attendants must be of the relevant class standing by the first day of the Fall semester of their prospective term.
6. The SGA President, Miss and Mr. Florida Agricultural & Mechanical University must be of at least junior standing by the first day of the Fall semester of his/her prospective term
7. The SGA Vice-President, King and Queen of Orange and Green, and Electoral Commissioner must be of at least sophomore status by the first day of the Fall semester of his/her prospective term.
8. Must be enrolled as full-time students at Florida Agricultural & Mechanical University.
9. Once a candidate has declared candidacy under a certain classification that student may not be eligible for appointed positions of another class standing

#### 608.2

#### Eligibility

1. Class standing shall normally be based on classification as recorded with the University Registrar's Office:
  - a. Freshmen are those students with the 29 hours or less, or first-time-in-college students.
  - b. Sophomores have 30-59 credit hours, Juniors have 60-89 credit hours, and Seniors are those students having 90 or more credit hours
  - c. Graduate students are those students who are enrolled in and have declared graduate status Florida Agricultural and Mechanical University Graduate Program through the university registrar.
2. Certain specific expectations may be more for students in regard to a particular class standing:
  - a. Freshmen with hours from International Baccalaureate or Advance Placement Exams, Dual Enrollment Programs, or other hours that would cause them to have more than 29 hours at the time of Declaration of Candidacy shall be allowed to run for a Freshmen Class office.
  - b. Non-Freshmen who have (or will have upon time of assuming office) hours above the maximum for their class standing may use alternate qualifications for class standing:
    1. Sophomores are student in their second year of enrollment
    2. Juniors are students in their third year of enrollment.
    3. Seniors are students in their fourth year of enrollment.
    4. Graduate students are student enrolled in a FAMU Graduate Program.
3. Students who feel they should be included in a particular class, but do not meet the requirements stated in points A or B of this section may request an eligibility hearing before a panel consisting of the Electoral Commissioner and Deputy Electoral Commissioner, three (3) members of the Elections and Appointments Committee of the Student Senate, and two (2) member of the Student Supreme Court.
  - a. Any request must be submitted to the Electoral Commission no later than the end of the Declaration of Candidacy period.
  - b. All hearings must take place before the end of the Dead Days period.
  - c. The student requesting eligibility is responsible for providing all evidence that may help him/her establish his/her claim.
  - d. Five (5) members must be present to hold a hearing.
  - e. A majority decision of the members present is needed to establish eligibility.
4. No student may run for a particular class office more than once.

*History: 34th Student Senate, SB05SP-006, 34th Student Senate, SB05SP-008, 35th Student Senate SB06SP-008, 36th Student Senate, SB06F-001, 36th Student Senate SB06F-002, 46<sup>th</sup> Student Senate SB16SU-003, 46<sup>th</sup> Student Senate SB16SU-014, 46<sup>th</sup> Student Senate SB16SU-015, 47<sup>th</sup> Student Senate SB17FA-015, 48<sup>th</sup> Student Senate SB18FA-001*

**TITLE VIII      FINANCIAL CODE**

## **Chapter 700      Introduction**

700.1      The Student Government Association (SGA) administers the allocation of Activity and Service (A&S) Fees at Florida A&M University. A&S Fees are authorized under Sections 1001.74(11) and 1009.24, Florida Statutes (See Appendix A) . The university collects A&S Fees as a component of tuition in the amount recommended annually by the Activity and Service Fee Committee (ASFC), with one-half of the members being students selected by the SGA President. The remainder of the committee shall be appointed by the University President, and final approval by the Florida A&M University Board of Trustees (F.S. 1009.2410A)

700.2      Section 1009.24(9), Florida Statutes establishes the use of A&S Fees as follows:

*“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.”*

*“The allocation and expenditure of the fund shall be determined by the Student Government Association of the university. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.”*

700.3      Section 1009.24(9)(b), Florida Statutes establishes that the President of the university has final veto authority over all Activity and Service fees. The statute provides that the President may veto any line item or portion thereof within the budget. All unexpended A&S funds are subject to similar, final university presidential authority.

## **Chapter 701      Purpose and Scope**

701.1      Title VIII, the Finance Code, defines the financial policies established by the SGA to outline responsibilities, provisions, and penalties related to the use of A&S Fees at Florida A&M University.

701.2      The Finance Code is applicable to the SGA and to all student organizations, university departments, and other entities that are funded by A&S Fees.

701.3      The Finance Code governs the budgets, transfers, and expenditures of A&S Fees allocated by the SGA Senate to the SGA and to all certified student organizations, university departments, and other activities.

## **Chapter 702      Authority**

702.1 The allocation and expenditure of student A&S Fees shall be determined by the SGA Senate under the applicable provisions of the laws of the State of Florida, the rules of the Board of Trustees, and the provisions of this Finance Code.

702.2 The Senate Organization and Finance Committee (OFC) is responsible for supervision, review, and periodic updates of the policies expressed in the Finance Code. SGA Director shall also be responsible for assuring that the Finance Code is fully implemented

702.3 The SGA Director and SGA Comptroller shall review and monitor the A&S accounts to determine compliance with the policies outlined in the Finance Code and the Activity and Service Fee Liaison shall make monthly reports to the Student Senate and Student Body President.

702.4 The use of A&S Fees shall be governed by the Student Body Constitution and System of Student Body Statutes, and where applicable, the laws of the state of Florida and of the United States of America.

702.5 University President Veto Authority

1. The University President has the final veto authority of the use of A&S fees. The University President has delegated authority and accountability to the Vice President of Student Affairs as his/her representative in the administration and management of A&S Fees.
2. It shall be the responsibility of the University President or his/her designee to evaluate the recommendations of allocations for all A&S Recipients, and all matters that deserve the attention of the University President.
3. If the University President has any vetoes, he/she shall state to SGA the vetoes rational with suggested alternatives for reallocation within 15 business days of initial receipt of the Annual Budget from SGA. If the University President takes no action within 15 business days, the recommended budget shall be deemed approved. If the University President acts, SGA has 15 business days to present a new budget recommendation to the University President that addresses the vetoes. If SGA does not provide a new budget recommendation to the University President within 15 business days, then the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees.

702.6 Counter-signing requirements

1. All A&S funded entities are required to elect, have appointed, or otherwise select a financial officer (who is to be the designated custodian of the account) and a president to counter-sign for all expenditures.
2. In addition to the organizational co-signatures, all expenditures must bear the signature of the Director of Student Affairs or his or her designee.

## **Chapter 703 Definitions**

703.1 A&S Funded Organization refers to any student organization registered and certified by the Office of Student Activities or a university department, which may be funded partially or entirely by A&S Fees.

- 703.2 Fiscal Year refers to the fiscal year for A&S fees at Florida A&M University, which shall be from July 1 to June 30 of the following year.
- 703.3 Annual Activity and Service Fee (A&S Fee) Budget refers to the primary means of allocating A&S Fees to certified student organizations, university departments, and other student-centered initiatives. This process takes place during the spring semester and involves the SGA Senate's allocation of funds for the next fiscal year from the projected collection of A&S Fees. The Annual A&S Fee Budget is a line-item budget
- 703.4 A line-item budget is defined as having a description(s) of items allocated for, unit cost of item(s), quantity of item(s), and total cost of item(s).
- 703.5 Senate Unallocated Account refers to all additional revenues beyond the Annual Budget established by the SGA Senate and all unused and unencumbered funds from every A&S account, which shall be deposited into the A&S Unallocated Account at the end of each fiscal year.
- 703.6 Special Allocation Request refers to funds requested throughout the fiscal year for expenses not previously budgeted for. The funding source for special allocation requests is the A&S Unallocated Account. Special Allocation Requests shall be allocated through a Senate Appropriation Bill.
- 703.7 Budget Transfer refers to a transaction that moves allocated A&S funds from an original line item to another line item.
- 703.8 Just cause is defined as violations of the SGA Finance Code, University Regulations, and laws of the State of Florida.
- 703.9 Other personnel staff (OPS) shall be defined as fees budgeted to fund wages for elected and appointed positions
- 703.10 A&P and USPS personnel. This category does not cover elected or appointed student positions. A&P and USPS personnel are hired in accordance with the university's human resources policies
- 703.11 Other personnel staff (OPS) shall be defined as fees budgeted to fund wages for elected and appointed positions.
- 703.12 General expenses shall be defined as fees budgeted to pay for items, such as office supplies, name tags, printing and postage fees, telephone charges, and facility rentals, which do not fall under any other category.
- 703.13 Activities and Programs shall be defined as fees budgeted to pay for events proposed by A&S funded entities
- 703.14 Travel shall be defined as fees budgeted to pay for the travel expenses of A&S funded entities
- 703.15 Activity and Service Fee Budget Office (ASFBO) shall be defined as the administrative entity responsible for providing support to the student leaders and the activity and service fee-funded entities.

## **Chapter 704      General Guidelines & Restrictions on A&S Fee Expenditures**

- 704.1      The Student Government Association and all specific entities funded by Activity and Service Fees must follow the Florida A&M University Purchasing Rules and Procedures. Prohibited expenditures of Activity and Service fees are classified as follows:
1. Funding of Social Greek Letter organizations (Sororities and Fraternities) and their auxiliary (e.g. Sweethearts, Interest Clubs, etc.) organizations including but not limited to organizations within the National Panhellenic Council; (Academic/Honor Societies that are represented by Greek lettering are not included.)
  2. Funding of councils representing Social Greek Letter organizations, including but not limited to the National Panhellenic Council.
  3. Direct or indirect financial support to a political candidate, political party, or political committee continuous existence as defined in Florida Statutes, Section 106.001. This statute shall by no means be interpreted as restricting the lobbying efforts of the Student Government Association exclusive of or in conjunction with the Florida A&M Office of Governmental Relations.
  4. Subsidize dues of any organizations.
  5. Alcohol and any illegal substance.
  6. Use of Activity and Service Fees to raise funds, except for SGA sponsored concerts.
  7. Booster Clubs or any fundraising entities.
  8. Any obscene, inappropriate, or offensive images or text may be displayed on any printed material purchased in whole or in part with A&S funds.
- 704.2      Activities and services funded must not conflict with the purpose or regulations of the Florida A&M University, Board of Trustees policies, or with state and federal laws.
- 704.3      No A&S Fee monies shall be disbursed to pay for previous expenditures without prior approval, including but not limited to the reimbursement of trip expenses for certified student organizations. SGA shall only be obligated to pay where a legitimate purchase order has been properly issued, or other paperwork has been completed as designated by the ASFBO. This clause may be waived by an appeal in the form of a resolution to the Senate's Organization & Finance Committee. The appeal must include a letter of explanation as to why the expense did not receive pre-approval as well as the financial statement and expense reports from the event. A representative for the organization requesting the appeal must be present. The appeal must pass the Organization and Finance Committee by three-fourths (3/4) vote and receive a three-fourths (3/4) vote of the Senate. Should either vote fail, SGA shall not be liable for the expense.
- 704.4      SGA shall not fund any item pertaining to an event or travel in the past including, but not limited to: clothing, awards and promotional items. The selection process for any awards paid for by A&S monies must occur after the initial request presentation, and the recipient must be notified their award was paid for by SGA.

## **Chapter 705      Responsibilities of All Funded Entities Each**

- 705.1 Each entity funded by the A&S Fees are responsible for:
1. Adhering to the Finance Code of the Student Body Statutes and the SGA Finance Manual.
  2. Signing and submitting the “Statement of Understanding” (see Chapter 711) to SGA.
  3. Attending all mandatory training sessions scheduled by the Senate Organization and Finance Committee (OFC).
  4. Spending within their line-itemized budget allocations.
  5. Acting in compliance with the policies outlined in this Finance Code.
  6. Having two financial custodians, who will be responsible for reporting financial information to SGA.

## **Chapter 706 Allocation Procedure of A&S Fees**

- 706.1 The SGA Senate has the authority to disburse A&S funds through:
1. The Annual Budget, which allocates the A&S budget for the subsequent fiscal year from projected A&S income.
  2. Senate Appropriation Bill for a special allocation request, which allocates monies out of the A&S Unallocated Account throughout the fiscal year for:
    - a. Expenses not previously budgeted for by A&S Funded Recipients
    - b. Registered and certified student organizations/university departments who may not have submitted a request through the Annual Budget process or who may have been denied A&S funds through the Annual Budget process, as long as funds are available:
      1. Receiving funds in this matter shall not circumvent the entire Annual Budget process
      2. Student Organizations are limited to Special Allocation Requests once per semester. A&S Funded University Departments may submit additional Special Allocation Requests if it effects university operations.
      3. The Senate Organization and Finance Committee will be responsible for reviewing all Special Allocation Requests before Senate approval
      4. The Special Allocation Bills shall not exceed a total of \$10,000. This shall be the established funding limit for the Special Allocation Process. The Senate may bypass the funding limit with a two-thirds vote (2/3) to fund a Special Allocation request exceeding \$10,000.

706.2 No disbursement of A&S Fees may be made by any party without the approval of the SGA Senate.

- 706.3 Funding Eligibility
1. All student organizations seeking funding from A&S Fees must be registered with the Office of Student Activities as a certified organization. All officers of the student organization and majority of its membership must be A&S Fee paying students at Florida A&M University. Certified student organizations must keep accurate and complete membership rosters and provide these records to the university officials upon request. It is the student organization’s responsibility to re-register with the Office of Student Activities annually.
  2. All student organizations within the FAMU/FSU College of Engineering are exempt from 706.3.A. Each organization which falls under this category must designate a financial officer who is an A&S Fee paying student at Florida A&M University to serve as custodian of the

accounts and to ensure A&S funds received from the Activity and Service Fee Budget are only distributed to A&S Fee paying students of Florida A&M University.

3. All university departments or non-student organizations seeking funding from A&S Fees must provide a detailed itemization of its operating budget that identifies all funding sources and their respective funding amounts for the current and subsequent fiscal year.
4. When reviewing budget requests, the A&S Budget Committee (ASBC) and SGA Senate will consider criteria that judges, among other things: the effect of proposed events on the entire student body, the lifespan and prior participation of the requestor in student and campus life, the number of students within the requestor's entity, fundraising capabilities, and the nature of the request itself.

In addition, the applicant must have:

1. Functioned as an organization registered with the Office of Student Activities or university department for one academic year prior to the current academic year
2. Identified two financial custodians, with at least one being a student
3. Not have had any judicial decision rendered against it or been suspended by any campus official in the past two years
4. Exhibited a continuity of programming

#### 706.4 Annual Budget Process

The Annual Budget is the primary means of allocating A&S Fees to certified student organizations, university departments, and other activities. This process takes place during the spring semester and involves the SGA Senate's allocation of funds for the next fiscal year.

706.5 The University Budget Director will determine in collaboration with the Vice President of Student Affairs the projected enrollment and projected collections and will estimate the amount of A&S Fees to be available during the following year.

#### 706.6 Budget Request Preparation

1. Completed Annual Budget Applications should represent the organization's budget needs for the next fiscal year as accurately as possible.
2. Annual Budget Applications will be provided by the A&S Budget Committee (ASBC)
3. The deadline for submission of the Annual Budget Application is in last week of October annually. This deadline shall be advertised at least 30 days in advance in at least 2 campus-wide publications, such as The FAMUAN, and/or the FAMU INFORMATION alerts through the university's internal emailing system.
4. Budget requests submitted after the deadline will not be accepted, under any circumstances.

#### 706.7 Budget Process

1. A&S Budget Committee (ASBC) Governance
2. A&S Budget Committee (ASBC) shall be comprised of:
  - a. The Organization and Finance Committee Chairperson, who will chair the ASBC.
  - b. The Senate A&S Liaison, who will serve as the vice-chair of the ASBC.
  - c. The SGA Comptroller, who will serve as the recording secretary of the ASBC.

- d. Five (5) student senators, with one from each academic class, appointed by the Senate President.
  - e. Five (5) students at large, with one from each academic class, who shall be subject to Senate approval, appointed by the respective class presidents.
  - f. SGA Director and ASFBO Fiscal Assistant will serve as a non-voting ex-officio member of the ASBC.
3. Budget Hearings
- a. After submitting the Annual Budget Application, the organization will receive notice of their mandatory hearing with the ASBC at least three (3) business days prior. For student organizations, notice of budget hearings shall be given by the ASBC to the respective President and Advisor via the contact information provided on the Annual Budget Application. For university departments, notice of budget hearings shall be given by the ASBC to the respective Department Chair and Dean via the contact information provided on the Annual Budget Application
  - b. Clubs/Organizations and Departments who miss Budget Hearings on their designated date/time are subject to be denied funding in the Annual A&S Fee Budget for the fiscal year desired but may come before the Senate for Special Allocations in accordance with Chapter 706.1.2. B.
4. Devising the Budget
- The ASBC shall make necessary amendments to the individual budget applications/requests and line itemize all budgets to restrict spending to the original requested expense.
5. Approving the Budget
- a. The ASBC shall present the Annual Budget to the SGA Senate on or before the last week of March. The SGA Senate shall review, amend if necessary, and approve the Annual Budget.
  - b. Upon approval by the majority two-thirds (2/3) vote of the SGA Senate present and voting, the Annual Budget requires the approval and signature of the Student Body President. The Student Body President has line-item veto authority. Any vetoes must be submitted to the Student Senate within seven (7) business days. A line-item veto may be overturned by the SGA Senate by a two-thirds (2/3) vote.
  - c. The Annual Budget approved by the SGA must be presented to the University President, who has final veto authority over any line item or portion thereof within the budget. The allocations approved in the Annual Budget will be available at the start of the subsequent fiscal year on July 1.

706.8

Timeline for the Annual Budget Process (subject to change upon approval by the Student Senate with a two-thirds (2/3) vote.)

First Week of September to Fourth Week of September      Advertise Budget Applications and Select ASBC members

First Week of October to First Week of January      Annual Budget Applications are advertised and ASBC three-day interview schedule is released

Second Week of January	Deadline of Annual Budget Applications
Third Week of January	ASBC three-day budget interviews and ASBC Deliberations
Fourth Week of January	A&S Fee Annual Budget goes on First Reading before the Student Senate
First Week of February	A&S Fee Annual Budget goes on Second Reading and subject to approval by a two-thirds (2/3) of the Student Senate. The A&S Fee Annual Budget then requires the approval of the Student Body President.
July 1	The allocated funds will be available at the beginning of the fiscal year on July 1.

**Chapter 707 Guidelines for the A&S Budget Committee**

- 707.1 The A&S Budget Committee shall have been appointed by the end of the tenth week of every Fall Semester by two-thirds (2/3) vote of the Student Senate.
- 707.2 The University Comptroller shall estimate A&S Fees that will be available during the following fiscal year, on projected enrollment for that upcoming fiscal year.
- 707.3 During the Fall Semester, the Committee shall establish, confirm, or revise the shorrange goals and priorities for the use of Activity and Service Fee allocation
- 707.4 The ASBC may require any information pertaining to Activity and Service Fees funds from the various A&S Funded Organizations, including all sources and amounts of outside income. The Board may require the SGA President or Senate President to provide for surveys of student opinions and desires for the Activity and Service Fee allocation.
- 707.5 The finished Board guidelines, along with the standard budget application forms, instructions and the year’s budgeting schedule shall be distributed at an advisory meeting held by the Board in December of the Fall Semester to all identified A&S Agencies requesting A&S Fee Funds.

**Chapter 708 Non-consideration of A&S Fee Budget Request**

- 708.1 The ASBC may, with just cause, decide not to consider the budget of any agency, club, or Organization
- 708.2 A decision of non-consideration made by the ASBC may be overturned by a majority vote of the SGA Senate

**Chapter 709 A&S Fee Budgetary Categories & Categorical Restrictions**

- 709.1 The Annual A&S Fee Budget will be divided into the following categories: Large Departments, Small Departments, SGA and College of Law.

- 709.2 The Large Departments category shall include, but not bound or limited to, the following A&S funded entities/accounts: Campus Recreation, Joint Operations, Office of Student Activities, and the FAMU-Educational Research Center for Child Development (FAMU-ERCCD).
- 709.3 The Small Departments category shall include, but not bound or limited to, all A&S funded entities/accounts exclusive of SGA, College of Law, and Large departments.
- 709.4 The SGA category shall include the legislative, executive and judicial branch A&S budgets
- 709.5 Each annual A&S funded entities budget will include, but not be bound or limited to, the following budgetary subsections: salaries and benefits; other personnel staff; general expenses; activities and programs; and A&S travel requests.
- 709.6 The creation of new Salary and Benefits positions must be done through the annual budget process.
- 709.7 Salaried positions may only be removed or decreased in wages/benefits in a manner consistent with federal and state law and university policy.
- 709.8 Changes in the manner in which an SGA-funded entity distributes its wages (i.e., creating or removing an OPS paid position, increasing or decreasing the hours/week of a current OPS paid position, or increasing/decreasing the hourly wage of an OPS paid position) must be approved by the ASBC.
- 709.9 Cases in which raises in the state or federally mandated minimum wage necessitate the increase of hourly wages may be handled immediately by the ASFBO and are not held to the provisions of Section 709.8.
- 709.10 All OPS paid positions must be advertised for a minimum of ten (10) business days prior to being filled. A job description must be put on file with the ASFBO Administrative Assistant prior to any position drawing OPS wages.

**Chapter 710 Special Allocation Procedure/Guidelines/Restrictions**

- 710.1 All certified student organizations must submit a completed detailed budget request electronically to the SGA Senate Organization Finance Committee (OFC) in the term in which funding is being requested. The request must be submitted seven weeks prior to the day money is required. If the application is not received in a timely manner, funds cannot be guaranteed at the requested time and approval will be left to the discretion of the SGA Senate OFC.
- 710.2 The OFC shall recommend all allocations to the SGA Senate. All requests shall be allocated with at least two thirds (2/3) vote of a quorum of the Senate.

- 710.3 If, upon the approval of a request by a least a two-thirds (2/3) vote of the SGA Senate, there is a need to add, delete, or modify information essential to the distribution process, the small club or organization shall be required to adhere to the following:
1. Any changes that are financially pertinent regarding the distribution of A&S Funds to small clubs and organizations must be relayed to an OFC member not to exceed fourteen (14) days to the appropriation of funds.
  2. Any changes that are non-financially pertinent regarding the distribution of A&S Funds to small clubs and organizations must be relayed to an OFC member not to exceed fourteen (14) days to the appropriation of funds.
  3. Failure to uphold the above requirements shall result in the immediate cancellation of A&S Funds, as well as the termination of any work and effort made towards the completion of the distribution process.

## **Chapter 711 A&S Travel Requests**

- 711.1 Travel expenses may only be incurred in the performance of official duties of the Florida A&M University Student Body.
- 711.2 Only current FAMU students and approved organizational advisors may be remitted money for travel.
- 711.3 Travel expenses must be requested and approved via the Travel Authorization Request (TAR) form. All foreseeable expenses must be requested in advance, as any deviation from the initial requests is subject to review and possible rejection by the Student Senate.
- 711.4 A roster with the names and emergency contact information of all individuals travelling must be provided to the ASFBO prior to departure.
- 711.5 SGA will fund, either directly or through reimbursement, airfare, rental car(s), gas mileage, lodging, meals, conference fees, and limited incidental expenses.
- 711.6 Airfare must be purchased at the lowest possible price and must be coach/tourist class seating. The Student Senate may reject expenditures for airfare if the tickets were purchased less than three weeks in advance, even if the purchased tickets were the cheapest available at the time of purchase.
- 711.7
1. Rental cars must be purchased through the university's preauthorized car rental company. Students may also choose to use their private vehicles and be reimbursed for gas mileage. Mileage will be reimbursed in a manner consistent with federal, state, and university standards. If mileage is to be incurred above the initially requested and approved figure (on the TAR), then all fuel expenses must be documented with receipts.
- 711.8 Lodging accommodations must be made at the lowest possible cost. Groups shall stay four (4) to a room unless prevented from doing so by fire code and/or co-ed issues (i.e. married students, ADA accommodations, etc.). All special accommodations must be voted upon by the Student Senate and pass with 2/3 vote.

711.9 Meals will be reimbursed on a meal-by-meal basis for all expenses actually incurred (and justified with receipts), up to a maximum of \$6 for breakfasts, \$11 for lunches, and \$19 for dinners. No traveler may claim more than one breakfast, more than one lunch, or more than one dinner on any given day.

**Chapter 712 Request of A&S Entities**

712.1 All A&S Agencies are requested to submit a report each month which shall include, but not be limited to, the following:

1. The name of the agency
2. The email addresses and phone contact information for the Advisor and President.
3. Purpose of agency
4. Activities for the current month, fulfilled goals for the current month, future goals and, upcoming events, and areas
5. The agency's account number and all expenditures for the current month

712.2 The report shall be used in performing the annual evaluation of A&S Agencies during interviews for Annual Budget funding by the ASBC. Failure to submit the monthly reports, with the appropriate financial information, by the specified dates shall be considered in the A&S budgeting process.

712.3 The format of the report shall be established and readily made available to A&S Agencies by the A&S Liaison by the first week of the Fall Semester.

712.4 The report shall be submitted to both the SGA Comptroller and the A&S Liaison the first Monday of each month, except on holidays, where reports shall be submitted on the Wednesday of that week. Reports shall be kept in a locked file, which shall be available to browse upon request.

712.5 The A&S Liaison shall send correspondence to A&S Agencies each month, requesting this report, and shall stress the possible impact of the report on their budget for the next school year.

**Chapter 713 Special requirements of A&S Agencies, Small Clubs and other entities that receive A&S funding**

713.1 Student Organizations must keep an accurate, and up to date membership roster and provide this information to Student Government upon request.

713.2 Upon the allocation of A&S funds, the president or financial custodian shall be required to sign the following statement of understanding:

*Statement of Understanding*

*The Understanding herein designated as (Name of Organization) fully understands the Student Government Finance Code which applies to all A&S Fees allocated through the SGA Senate, and that the undersigned will adhere to all procedures for expending said funds; and further that the*

*undersigned understands that any violations of this said Finance Code will be prosecuted to the full extent of the law Refer to Chapter 720*

713.3 All agencies, organizations, clubs, and other entities receiving A&S funds must credit said funding, regardless of the proportion or amount, in any and all brochures, pamphlets, programs, posters, mailings, tickets to events, and advertisements by the inclusion of the Student Government Association logo and the following statement:

“(Name of department, club, or organization) is funded through the Activities and Service Fees, as allocated by the Student Government Association of Florida Agricultural and Mechanical University.”

Disregard for this requirement can be considered sufficient cause to freeze present funds and/or deny further funding.

#### **Chapter 714 SGA Reserve Account**

714.1 The SGA Reserves Account shall be established to hold Funds used for emergencies and contingencies when funding is necessary to further operation of the entity, and all other funds are unavailable or have been exhausted.

714.2 Any request for funding out of the SGA reserves account must be submitted in writing with an itemization of the proposed expenses and a justification to the Senate President 48 hours before it is entertained on the Senate Floor.

714.3 In order for SGA to open the Senate Floor to a motion that would involve an appropriation from SGA Reserves, two thirds (2/3) of the entire Student Senate must approve by a vote of all SGA Senate present and voting

714.4 Once the Senate Floor is opened to the issue the allocation may be approved by two thirds vote of all SGA Senate present and voting.

714.5 The ASBC must recommend a portion of the annual A&S budget between one and four percent towards the SGA Reserves account beginning in the fiscal year of 2016-17. The Student Senate will decide the final percentage allocated towards the SGA Reserves account by two thirds (2/3) vote.

714.6 The A&S Reserves Account shall be maintained at a level of \$100,000.

714.7 One hundred percent (100%) of all sweepings of the A&S Reserves account will be reallocated upon receipt of the annual release of Carry Forward funds.

714.7 The required contribution into this account will be the first priority on A&S dollars.

#### **Chapter 715 Replacements and Renovations (R&R) Account**

- 715.1 The H. Manning Efferson Student Union Complex and Campus Recreation Center will annually allocate a minimum of one-point five percent (1.5%) of their proposed annual A&S budget towards a Replacement and Renovation (R&R) account beginning in fiscal year (2017-18) and continuing thereafter, to be transferred no later than July 1 of each fiscal year. In addition, a minimum of two-point five percent (2.5%) funds disbursed from Carry Forward will be allocated towards this fund. These funds will be used for depreciation of their respective facilities and budgetary emergencies as well as for repair and replacement of furniture and equipment. There will be two categories of R&R:
1. R&R: Physical Plant (anything with a useful life over five years as defined by the FAMU's Controller's Office)
- Furniture and Equipment Replacement (anything with a useful life less than or equal to five years as defined by the FAMU's Controller's Office)
- 715.2 Any expenditures from the R&R account must be approved by three-fourth (3/4) vote of the Student Senate.
- 715.3 Once the R&R account reaches \$70,000, the Student Senate will investigate the needs of both facilities. Priority will be given to the facility with the needs that require immediate attention. No funds shall be allocated to these accounts beyond the five percent level without a three-fourth (3/4) vote of the Student Senate.
- 715.4 The ASBC shall budget between two to four percent (2-4%) of the annual A&S budget towards the SGA R&R account.
- 715.5 One hundred percent (100%) of all sweepings of the R&R account will be reallocated upon receipt of the annual release of Carry Forward funds.
- 715.6 The R&R account shall be maintained at a level of \$10,000.

**Chapter 716 Financial Control**

- 716.1 All entities receiving A&S Fee funding shall be subject to audit by the Student Government Association, at any time.
- 716.2
1. The SGA Senate may, with just cause, request an audit by majority vote on any agency, club, or organization receiving A&S Fee funds. Once requested, an audit committee shall be created and consist of the SGA Comptroller, who shall chair the committee, the A&S Liaison, who shall be the vice-chair of the committee, and one member of each Senate standing committee. These senators shall be considered members of the audit committee for the duration of the audit. The audit shall not exceed two-weeks. If additional time is needed, the new time limit must be approved by two-thirds (2/3) of the Senate.
- 716.3 Property purchased through Activity and Service Fee funding is the property of the State of Florida, as administered by the Student Government of Florida Agricultural and Mechanical University, and

as such is subject to periodic inventory. Repeated loss or theft can be sufficient cause to deny further funding.

- 716.4 Any department funded by A&S Fees may transfer up to 5% from any budget area, such as General Expenses, Other Personal Services (OPS), and Operating Capital Outlay (OCO) by notifying the SGA Comptroller.
- 716.5 Any entity, except University departments, that wishes to transfer funds over 5% must submit a budget transfer request to the SGA Comptroller within ten (10) business days of said request. Upon recommendation of the SGA Comptroller, the transfer must be approved by a two-thirds (2/3) vote of the SGA Senate.
- 716.6 Senate Bills allocating money from Senate Unallocated/SGA Reserves or C&O Accounts must include:
1. A detailed breakdown of all proposed expenditure
  2. The purpose of the proposed expenditures
  3. A date by which the allocations shall be expended or revert.

**Chapter 717 Freezing of funds of A&S-funded agencies, clubs, and organizations**

- 717.1 The SGA President may freeze the funds of an organization in violation of this Finance code, SGA Statutes or the intention of the allocation for a period not to exceed ten (10) business days. Two days prior to such freezing, the SGA President must notify in writing the chief officer of the organization whose funds are being frozen and the Senate, giving the reason for the action and the duration of the account freeze. Upon two-thirds (2/3) vote of the SGA Senate, any action of the SGA President may be overturned.
- 717.2 The Senate, by majority vote, may freeze the funds of an organization for a period not to exceed ten (10) business days, upon finding said organization in violation of this Finance Code, the intent of the allocation or the SGA Statutes. The Senate President must notify in writing, two days prior to such freezing, the chief officer, and the SGA President, the reason for such action and the duration of the freeze. The SGA President may veto any action to freeze funds of an account. Upon two-thirds (2/3) vote of the Senate, any action of the SGA President may be overturned.
- 717.3 Following correction of the violation, the party initiating the freeze may rescind the freeze by written notice to the financial custodian of that organization
- 717.4 If the cause for the freeze is not corrected by the end of the freeze period, the Senate with a two-thirds (2/3) vote may order the balance of the account to be placed into the Senate Unallocated Account.
- 717.5 Upon receipt of notice of sanction, the affected entity may appeal in writing within seventy-two (72) hours to the Dean of Students whose decision shall be final. The appeal must be based on substantive issues. The Dean of Students shall consider reason(s) for freezing of funds, and rule based on the entity's compliance with the Finance Codes.

**Chapter 718      Budget Mandatories/Deficits**

- 718.1      Six percent (6%) of the annual A&S budget shall be allocated towards administrative fees as deemed necessary by the University's Budget Office.
- Three percent (3%) of the annual Campus Recreation budget shall be allocated towards debts incurred in the financed purchase of the Campus Recreational facility.
- Any A&S Entity that acquires a deficit in any budget category (Expense, OPS, or OCO) shall be placed on probation by the SGA President or by a majority vote of the SGA Senate. The probation shall terminate when said deficit is eliminated.
- 718.2      During the probation period the organization shall be required to eliminate the deficit.
- 718.3      Any organization that has not eliminated its deficit at the conclusion of the fiscal year will not be able to receive funds for the following year unless/until said deficit is eliminated.
- 718.4      Notice of probation and removal from probation shall be given in writing by the respective SGA President or Senate President.

**Chapter 719      Student Government Association (General Policies)**

- 719.1      All branches and members of the Student Government Association must adhere to this Finance Code
- 719.2      Each branch of Student Government Association must have two (2) financial custodians.
- 719.3      All Student Government Officials summer contracts shall not exceed the amount designated during the previous spring semester, based on the contracts bi-weekly pay amount.
- 719.4      The Executive Branch of Student Government Association exercises financial control over the following accounts:
- 1. Student Government Association Executive Branch
  - 2. Special Projects
- 719.5      The SGA Senate exercises financial control over the following accounts:
- 1. Student Senate Allocation
  - 2. Student Senate Unallocated
  - 3. SGA Reserves
  - 4. Replacements and Reserves (R&R)
- 719.6      The Judicial Branch shall exercise financial control over the Judicial Branch account.

**Chapter 720 Senate Allocated/Unallocated Account**

- 720.1 A Legislative Branch account shall be established to handle all administrative and operating expenses of the SGA Senate.
- 720.2 A Senate Unallocated account shall be established to hold unallocated A&S fees, including but not limited to, funds carried forward (Carry Forward) from a previous academic year.
- 720.3 All funds swept from the individual A&S accounts at the end of the fiscal year shall be deposited into the Senate Unallocated Account.
- 720.4 A minimum of two percent (2%) of funds swept at the conclusion of the Spring semester shall be allocated towards the SGA Reserves and R&R accounts respectively as authorized in writing by the newly elected Student Senate President.
- 720.5 The SGA Coordinator shall meet with the upcoming SGA branch leadership during the last week of the academic semester to discuss all funds projected to be swept from individual A&S accounts who have not expressed intent to utilize the remainder of their account balance for the remainder of the fiscal year.
- 720.6 All expenditures from the Senate Unallocated account during the summer semester must be authorized by the newly elected Student Senate President through written consent.
- 720.7 All monies swept from the individual A&S accounts at the end of the fiscal year shall be deposited into the Senate Unallocated Account.

**Chapter 721 SGA Joint Operations**

- 721.1 An SGA Joint Operations account shall be established to fund all those expenses jointly shared by Executive, Legislative, and Judicial Branches of Student Government. These shall include:
1. All salaried non-student employees approved by two-thirds (2/3) vote of the Student Senate.
  2. Office Supplies
  3. Office Equipment and Machinery
  4. Office Furniture
  5. Maintenance of all of the above
- 721.2 All expenditures for the line item “General Entertainment” must be jointly approved/signed by the current Student Body President and the Senate President
- 721.3 Approval of requisitions from this account shall be constituted upon the signature of the Dean of Students and at least one of the three branch heads

**Chapter 722 Vacancies in Student Government**

722.1 The Legislative, Executive, and Judicial Branches of the Florida A&M University Student Government Association shall be required to fill all funded vacancies according to the governing documents of the Student Government Association. The funds of all unfilled vacancies shall be transferred to the Senate Unallocated account.

**Chapter 723 Sanctions for A&S Funded Entities**

723.1 The ability to freeze funds of any A&S funded Entity, except University Departments, as outlined in Chapter 714 of the Student Body Statues will be defined through the following sanctions; that can be recommended to the Student Senate after an audit has been conducted (unless otherwise stated by said sanction) of A&S Entity; to be enacted upon 2/3 vote of the Student Senate:

1. Warning: notice that continuation of specified conduct may be cause for disciplinary action; issued by Organization and Finance Committee (OFC)
2. Censure: written reprimand, which shall remain in organization's file or a time period not to exceed two years.
3. Probation: allows entity to remain A&S funded, however, presented before Student Senate, not to exceed fifteen (15) working days. The Student Senate Organization and Finance (OFC) chair and/or Comptroller can enact probation with Senate President's approval.
4. Interim Suspension – allows entity to remain A&S funded, however, each expense must be approved by a two-thirds (2/3) vote of the Student Senate, which may delegate authority to Organization and Finance Committee (OFC); no to exceed one (1) academic year.

Suspension – activity and Service funded entity is cited for misuse of funds, entity is excluded from participation and privileges of Activity and Service funding, not to exceed one (1) academic year.

720.2 Maximum and Minimum A&S Entity Sanctions

1. The maximum penalty that may be imposed by the Student Senate shall be suspension
  2. The minimum penalty for an offense shall be a warning
  3. Any sanction can be appealed to the Vice President of Student Affairs, who can deliberate or refer to the Student Judicial System. (Student Body Statute 714.5)
1. Any sanction can be removed by two-third (2/3) vote of the Student Senate

**Chapter 724 Accessibility of meetings & Events**

724.1 Exempting SGA-sponsored concerts, no Florida A&M University student shall be charged admission for any event funded in whole or in part by A&S monies, unless the student is unable or unwilling to provide proof of studentship that shall include, but not be limited to, their valid FAMU student ID. All SGA-funded events and meetings must also be well publicized and conducted in an environment that is generally accessible to the public.

1. No event or meeting at which A&S Fees are utilized may be conducted in a private residence. This includes, but is not limited to, apartments, homes, and condominiums. This does not apply to community clubhouses. Exceptions to this rule shall require a 2/3 vote of the Student Senate.

2. Evidence of an adequate advertisement plan of A&S Fee utilizing meetings and events must be presented at the time the expenditure is initially presented to the ASFBO for processing. Failure to properly promote an event is grounds for rejection of all expenditures associated with the event.

SGA-sponsored concerts shall include the annual Homecoming concert and any other concerts that seeks to attain the sponsorship of A&S fees. Such concerts must have their ticket prices approved by Student Senate through resolution.

## **Chapter 725 Acknowledgement of SGA Funding**

725.1 All online and printed materials purchased or manufactured with A&S Fees must include the FAMU SGA logo. On printed materials, the SGA logo shall be no less than 1/30 of the size of the area in which the logo is placed on materials not advertising a specific event, the logo may be substituted with the words "Paid for by SGA" or Student Government Association in clearly visible font. One of the following areas on printed materials must be used to meet the logo requirement:

2. On the front of posters and flyers
3. On the front or back cover of pamphlets and other publications

Inside the front cover of publications

725.2 All audio and video advertising funded in whole or in part with A&S Fees shall publicly acknowledge SGA funding by including the statement "Paid for by FAMU SGA" or "Funded in part by FAMU SGA". Classified advertisements must either include the Student Government logo or the words "Paid for by FAMU SGA".

725.3 Any printed materials sponsored by an A&S fee funded entity must include the name of recipient.

725.4 All printed materials and broadcasts expressing a political message must also include, with the SGA logo: "The views expressed herein do not necessarily reflect those of the FAMU Student Government Association."

725.5 All electronic equipment purchased or installed solely or in part by A&S fees must feature periodic SGA advertisements at no cost. Certified student organizations will receive discounted advertisement rates for the aforementioned equipment. These advertising periods include, but are not limited to, sporting events in which the aforementioned equipment is in operation.

## **Chapter 726 Self-Generated Funds**

726.1 Money accrued by SGA-funded entities through such activities as fundraising, the collection of dues, the receipt of outside donations, and profit-generating ventures (such as charging event admission to non-FAMU students) shall be considered Self-generated provided that (1) the money is not A&S fees and (2) the money was not earned at an event or in a manner that utilized any A&S fees

726.2 1. In the case of non-A&S money generated at an event (or in a manner) utilizing A&S fees, all money yielded, up to the amount of the initial A&S expenditure, must be properly

accounted for and placed back into the appropriate account(s) from which the A&S money was initially expended. These funds shall not be considered self-generated and shall be held to all the applicable guidelines and restrictions (both general and category-specific) of A&S fees, including those outlined in the Finance Code.

726.3 If funds are generated in excess of the amount of the initial expenditure of A&S money, the excess shall be considered Self-Generated money. In this case, such funds must be properly accounted for and stored in accordance with the Office of Student Activities financial policies for certified student organizations.

726.4 Decisions over what constitutes money generated “at an event (or in a manner) utilizing A&S fees” shall be made by the SGA Coordinator and Vice President of Student Affairs (or the VPSA’s designee).

## **Chapter 727      Miscellaneous**

727.1 The authority and responsibility of SGA Senate to determine the allocation and expenditure of A&S funds does not:

1. Convey authority to enter into contractual agreements not heretofore authorized.
2. Convey authority to hire, supervise, or terminate personnel of the A&S Fee funded entity.
3. Convey authority to make operational decisions of the A&S Fee funded organization.
4. Convey authority in any way to deviate from laws, regulations, and procedures pertaining to budgeting, allocation and/or expenditure of public funds of the State of Florida.

727.2 The Student Government Association reserves the right to be notified, in writing, of any university administrative, departmental, financial, operational control/oversight or organizational chart shifts that directly or indirectly effect the day-to-day operations of the Student Government Association. This is to promote a continuously synergetic atmosphere for student leaders and university administrators as well as propel SGA student leadership to effectively execute all functions as mandated by Florida Statutes.

727.3 In the event of any university administrative, financial or operational control or oversight issues of the Student Government Association may arise, an ad-hoc committee will be formed to find the most feasible solution to said issues. The committee will consist of the Vice President of Student Affairs and/or his/her designee, SGA Coordinator, Student Body President/University Trustee, Senate President, and Chief Justice. The committee’s recommendation will be forwarded to the university General Counsel’s office to ensure its legality. This committee shall also mutually agree upon a plan of action moving forward.

*History: 35th Student Senate, SB05F-001, 36th Student Senate SB07SP-002, 36th Student Senate SB06F-003, 46th Student Senate SB16SU-006, 46th Student Senate SB17SU-015, 47th Student Senate SB17FA-014, 48th Student Senate SB18FA-001, 48th Student Senate SB19SP-002*

## TITLE IX

### H. MANNING EFFERSON CAMPUS ACTIVITIES BOARD (CAB)

#### Chapter 800

The name of this organization shall be the H. Manning Efferson Campus Activities Board (CAB)

#### Chapter 801

##### Purpose

1. To formulate and execute policies relative to the social, recreational, and educational programs of the Union.
2. To provide for wholesome leisure through programs and activities.
3. To establish and assist the Union Staff in enforcing regulations governing the use of the Union.
4. To establish means through which the student body can actively participate in the formation of policies in the Union.
5. To submit a proposed budget for the Union to the proper Activity and Service (A&S) Committees.
6. To assist the Student Activities Director and his/her staff in the upkeep of the Union.
7. To provide financial support for programs and functions taking place in the Union when necessary and proper.

To ensure that the use of Union facilities is available to all students and student activities without regard to political, social, ethnic, or economical standing.

#### Chapter 802

##### Membership

##### 802.1

1. Membership of the H. Manning Efferson Campus Activities Board shall consist of the following:
  - a. The CAB Chairperson and Vice-Chairperson
  - b. The President and Vice-President of each academic class
  - c. Chairs of the following committees: Union Events and Entertainments, Creative and Fine Arts, Research and Evaluation, User Responsibility
2. The Secretary, Parliamentarian and Assistant Secretary for the Campus Activities Board shall be nominated and elected by the student elects two weeks after Spring Elections. Only student elects shall be nominated for those positions.

All other students who wish to be involved in the Campus Activities Board will serve as “CAB Volunteers” only. They may be designated to assist the efforts of Academic Class Officials and Committee Chairs as deemed necessary.

##### 802.2

##### Assumption of Office

1. The Chairperson and Vice-Chairperson shall be nominated and elected by the current membership and student elects of the Campus Activities Board two weeks after spring elections. Only current members shall be nominated but if no nomination is accepted then student elects shall be nominated.
2. The Presidents and Vice-Presidents of each academic class shall be elected in school-wide elections.

All members of the Campus Activities Board must be enrolled & maintain status as a fulltime student at Florida Agricultural & Mechanical University and be in good academic standing. The CAB Chairperson and Vice-Chairperson must maintain a 2.8 cumulative grade point average at the time of their election and the academic year in which they serve. Class Presidents and Vice-Presidents must maintain a 2.5 cumulative grade point average at the time of their election and the academic year in which they serve.

802.3 Duties of Members

Any member with two unexcused absences from a Campus Activities Board meeting during a semester is subject to removal from the board and/or impeachment. Each such case will be refereed by the Chairperson to the Student Senate for appropriate action.

802.4 Order of Succession

1. The order of succession within the Campus Activities Board shall be as follow:
  - a. Vice-Chairperson
  - b. Secretary
  - c. Parliamentarian
  - d. Assistant Secretary

A new Assistant Secretary shall be nominated and elected should the order of succession take

802.5 Tenure of Office

The tenure of all officers of the Campus Activities Board shall begin after the last day of exams of the Spring Semester in which they are appointed and end on the last day of the Spring Semester of the academic year in which they served.

**Chapter 803 Duties of CAB Officers**

803.1 Chairperson

1. The Chairperson shall preside over all board meetings, call special meetings, coordinate events, coordinate activities of the board
2. Create committees when necessary.
3. Serve as the financial custodian for the Campus Activities Board
4. Liaison officer between the Campus Activities Board, Student Government Association, and other Organizations.

To deliver the weekly CAB reports at regular Senate Meetings or designate a CAB officer to deliver weekly CAB reports at regular Senate Meetings.

803.2 Vice-Chairperson

1. To assist the CAB Chairperson in carrying out his/ her duties
2. To assume the duties and responsibilities of the Chairperson in his/ her absence.
3. To Serve as an ex-officio member on all CAB committees that are formed by the Chairperson.

Serve as committee coordinator

- 803.3 Secretary
1. The Secretary shall prepare and read the minutes during CAB meetings,
  2. To provide each Board member with an agenda for each meeting 24 hours in advance of the meeting
  3. To keep permanent records of the organization on file, publish the Board Calendar, and count all votes and record results.

To maintain copies of these items in the Office of Student Activities with the CAB Advisor.

- 803.4 Assistant Secretary
1. The Assistant Secretary shall serve as the Corresponding Secretary and Press Secretary, compile and keep on file all the minutes of the committee meetings and assume duties of the Secretary in his/her absence.

- 803.5 Parliamentarian
- The Parliamentarian shall keep the meetings in order by proper parliamentary procedures, via Robert's Rules of Order and shall be responsible for meditations at the beginning of meetings and other activities

- 803.6 Advisor
- The Advisor of the H. Manning Efferson Campus Activities Board shall be the Director of Student Activities. They shall serve in an advisory capacity to the Campus Activities Board.

- 803.7 Class Presidents
1. To appoint Class Cabinet members via application and interview process. Positions must be advertised for 10 business days and must be advertised in at least 3 official University information outlets (FAMU Info, iStrike, etc.) in addition to the other outlets that the Class President may choose to advertise the vacancies.
  2. To chair meetings of the Class Cabinet
  3. Oversee the daily operations of the Class Cabinet
  4. Propose class based or campus wide programs and events at Board meetings

Appoint one student from each academic class to the Activity and Service Fee Budget Committee. These students will be subject to a two-thirds (2/3) approval vote by the Student Senate.

- 803.7 Class Vice-Presidents
1. To assist the Class President in carrying out his/her duties
  2. To assume the duties and responsibilities of the Class President in his/her absence

Drafting a preliminary budget for the Annual Activity and Service Fee Budget

## **Chapter 804 Impeachment of Officers and Members**

- 804.1 All officers and members duly elected or appointed to carry out the functions of their respective offices are subject to removal from office by means of impeachment.

804.2 Impeachment shall be defined as making an accusation and charging an individual with misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the State of Florida, Florida A&M University, and or University Policy.

804.3 A motion to impeach a member of the Board must be made at an official meeting and shall pass with a two-thirds (2/3) vote of the Campus Activities Board membership. If the motion passes, the action contrary to or in violation of the Constitution of the Student Body of Florida Agricultural and Mechanical University, the Statues of Florida Agricultural and Mechanical University, and/or university policy is to be tried before the Student Supreme Court as a Tribunal, with the Chief Justice presiding.

804.4 Should an elected Class Officer be impeached from the Campus Activities Board on which they are required to serve as a member, per their duties outlined in the Student Body Constitution, and the Supreme Court renders a guilty verdict, the Officer shall be dismissed from their position in its entirety as both a member of the Campus Activities Board and a Class Officer. In this case, the order of succession of the Class Cabinet of the impeached officer shall commence to replace the officer.

804.5 All infractions of the Constitution of the Student Body of Florida Agricultural and Mechanical University or any governing document of the Student Government Association by any member of the Campus Activities Board are to be reported to the SGA President, Senate President, and Supreme Court Justice

804.6 Resignation, Dismissals, and Withdrawals of Officers

1. All officers or member of the H. Manning Efferson Campus Activities Board may resign by way of a written statement at least five (5) business days preceding the effective date of resignation.
2. In the event of a resignation, withdrawal, or dismissal of an officer, the position shall be filled via appointment by the CAB Chair as described in Chapter 803.
3. In the case of a resignation, dismissal, or withdrawal of an elected Class Official from the Campus Activities Board, said Class Official will immediately be relieved of their duties. In this case, the order of succession for the Class Cabinet of the officer shall take place.

In the case of a resignation, dismissal, or withdrawal of the Chairperson or Vice-Chairperson from the Campus Activities Board, said Class Official will immediately be relieved of their duties. In this case, the order of succession for the Campus Activities Board shall take place.

## **Chapter 805 Committees**

805.1

1. The CAB Chairperson shall appoint Committee Chairpersons via application and interview process. Positions must be advertised for 10 business days within 10 days of the CAB Chair being elected. The vacancies must be advertised in at least 3 official university information outlets (FAMU Info, iStrike, FAMUAN, etc.) in addition to other outlets that the CAB Chair may choose to advertise the vacancies.
2. Committees are open to any student enrolled at Florida A&M University who has a cumulative GPA of 2.5 or higher, where they may serve as CAB Volunteers. Persons seeking membership on any committee of the H. Manning Efferson Campus Activities Board must

be enrolled full time at Florida A&M University and must complete an informational application for membership that is to be kept on file by the Chairperson. These memberships are also bound by the governing documents. this Constitution.

Once the Chairpersons of the CAB Committees have been appointed, they are to formulate a membership packet for their committee, to be approved by the CAB Chairperson. Committee Chairpersons shall advertise for CAB Volunteers.

#### 805.2 Composition

1. All committees shall consist of at least the Committee Chairperson, student volunteers and a Committee Vice-Chairperson who will be elected from those volunteers willing to serve in that position. two members of the Union Board. Committees are to consist of a reasonable number of people.

The Committee Vice-Chairperson shall be elected at the first meeting of the entire committee. Other officials shall be appointed by the committee chairpersons as needed.

#### 805.3 Ad Hoc Committees

Ad Hoc Committees shall be appointed by the CAB Chairperson as needed by the organization.

#### 805.4 Standing Committees

The purpose of all Union Campus Activities Board Committees shall be to organize, develop, and promote programs relative to their respective areas. With the assistance of the Union Office of Student Activities Staff, they shall plan all phases of their committee involvement. The standing committees shall be:

1. Union Events Student Activities and Entertainment Committee:
  - a. This committee shall plan, propose to the board, and implement programming in the Union and other areas of the campus. Such programming might include debate series, discussion groups, concerts, films, lectures, and other social functions.
2. Creative and Fine Arts Committee:
  - a. The Committee plays an important part in the development of a cultural program within the Union. Its responsibilities include the promotion of programs such as exhibits, recitals, lectures, and the Annual Fine Arts Festival during the spring.
3. Research and Evaluation Committee:
  - a. The purpose of this committee is to evaluate the total program implemented within the Office of Student Activities which includes but is not limited to:
    1. Conducting surveys to measure the effectiveness of programming initiatives derived from the Office of Student Activities in order to form bi-annual reports to be delivered at the last Student Senate Meeting of the Fall and Spring Semesters.
    2. Adherence to the finance code regarding how funds allocated to CAB are handled and spent in addition to fulfilling the duties associated with becoming an A&S Funded department.

User Responsibility Committee The purpose of this committee is to revise the Internal Rule and of Procedures of the Campus Activities Boards and to make sure the Board adheres to the proposed governing Student Body documents, Florida State Statutes, and University Policies. during the year.

## **Chapter 806      Operations**

### 806.1      Guidelines

Every year a set of regulations, known as the Internal Rules of Procedures, pertaining to the operations of the Campus Activities Board shall be adopted by a majority vote of the Board during their first meeting of the Spring Semester. These guidelines may be amended throughout the year by a majority vote of the Campus Activities Board.

### 806.2      CAB Concerns

All concerns about decisions of the Advisor may be addressed by the Board. The Board may send the issue for official review by the Senate with majority vote.

### 806.3      Limitations of Powers

1. In no way may this document, any other document, or decision of this body conflict with any state statutes, policies of the University as listed in the FANG, Student Government Constitution, Student Body Statutes and/or any of the decisions of the Student Supreme Court. The Student Supreme Court upon student complaint shall take up such violations.

Any decisions that are made that directly concern the Student Government Association's Office Complex within the Union, including its Joint Operations staff, shall be approved by both the Student Government President and majority of the Senate in resolution form.

## **Chapter 807      Meetings**

- ### 807.1
1. The H. Manning Efferson Campus Activities Board will meet the first and third week of each month during the academic year. This date is subject to change by the will of the Chairperson.
  2. Special meetings may be called by the CAB Chairperson with twenty-four (24) hour notice.
  3. Committee meetings shall be held twice a month or more as the Committee Chairpersons deems necessary.

All meetings shall be open and publicized.

### 807.2      Voting

1. A quorum of the Board shall consist of one-half of the current membership, plus one member.
2. The Chairperson of the Board is only able to vote in case of a tie.
3. The Advisor shall never be able to vote.
4. All official members of the committees have the right to vote within the committee, when a division of the committee exists.

Committee Chairs shall not vote at Board meetings.

## **Chapter 808**

### **Class Cabinet**

808.1

#### **Purpose**

The purpose of the Class Cabinet is to aid their respective Class President and Vice- President in fulfilling their duties and initiatives.

808.2

The composition and order of succession of the Class Cabinet is as follows:

1. The Class President
2. The Class Vice-President
3. The Chief of Staff
4. The Secretary of Communication

The Chair of Committee (if one has been created)

808.3

#### **Chief of Staff**

The Chief of Staff shall:

1. Serve in an advisory capacity on the class cabinet
2. Be the liaison between the class President and Vice-President and cabinet

Coordinate all activities of the class

808.4

#### **Secretary of Communication**

The Secretary shall:

1. Keep an accurate account of the minutes of every regular meeting,
2. Maintain current records of members, including their phone numbers and addresses;
3. Conduct all correspondence of the Cabinet and Class,
4. Be responsible for publicity

Make minutes available to the public within 48 hours of last meeting.

808.5

#### **Chair of Committee**

Committees shall be created at the discretion of the Class President and/or Class Cabinet Executive Board and outlined in their Internal Rules of Procedure.

The Chair shall:

1. Be appointed by the Class President and Vice-President
2. Coordinate efforts by the Class President and Vice-President
3. Executive planning and implementation of committee's goal and/or purpose

Provide training and support to the committee members

*History: 46<sup>th</sup> Student Senate SB16SU-007, 47<sup>th</sup> Student Senate SB17FA-006, 48<sup>th</sup> Student Senate SB18FA-001,*

**TITLE X                    OFFICIAL SGA POLICIES, PROCEDURES, AND ACTIONS**

**Chapter 900                Student Government Vacancies**

- 900.1                    The following outlines the manner in which all vacancies in student government are to be filled.
1. The Legislative, and Judicial Branches of the Florida A&M University Student Government Association shall be required to administer campus-wide advertising with respect to their branches of any and all vacancies that exist in SGA within 10 business days following the occurrence of the vacancy.
  2. The advertisement period must last at least 10 business days, after which the predetermined interview and acceptance process shall be followed according to each branch.

Refer to Chapter 102 regarding Executive Branch Vacancies

**Chapter 901                SGA Officer Accountability and Removal**

901.1                    The intent of this act is to comply with the revision of (F.S.1004.26), as mandated by the Florida Legislature, this act provides for the removal of office of any elected or appointed official. Any elected or appointed officer of the student government may be removed from office by majority vote of students participating in referendum of the Student Government official’s constituency.

901.2                    Severability

Should the statutory requirement for the enactment of this chapter be repealed by the legislature or deemed unconstitutional by a court of competent jurisdiction, this entire section shall be null and void and withdrawn from student body law.

- 901.3                    Definitions
- As related to this document, the following definition will apply:
1. “Circulator” means an individual seeking to remove a SGA Officer from office and who solicits, supervises or otherwise procures student signatures in support of a removal referendum of the affected officer.
  2. “Constituency” means the people who are represented by a SGA officer and are eligible to vote for such an officer in general SGA elections. (A student body president’s constituency, for example, would include the entire student body while a student senator’s constituency would typically include students enrolled in a particular college or designated living area.)
  3. “Constituent” means a registered student who is a member of a student government officer’s constituency.
  4. “Felony” means an offense, as murder or burglary, of graver character than those called misdemeanors.
  5. “Civilly Liable” A person is “civilly liable” for the purposes of the Act when a court of competent jurisdiction enters final judgment against him/her in a civil action.

6. “Entire seated membership” means the total number of members of the Student Senate, vacant seats notwithstanding, at the time that body takes action on an item before it. For example, if a Student Senate has eighty total seats, but only seventy are currently filled by senators, then the entire seated membership for that body at that time would be seventy.
7. “Ex post facto” means a law, act rule, or procedure passed after the occurrence of a fact or commission of an act, which retrospectively changes the legal consequences of relations of such fact or deed, See Black’s Law Dictionary.
8. “Incompetence” means the lack of ability, qualifications, or fitness to discharge a required duty.
9. Removal referendum” means a ballot measure to put to a constituency affected. This shall be in the form of a petition, signed by a requisite number of constituents and in a form prescribed by student body law, that seeks to remove an elected or appointed student government official from office, solely on the grounds of malfeasance, misfeasance, incompetence, permanent inability of a felony.
10. “Registered student” means a person admitted to the University who is enrolled in at least one credit during the current academic term, is in good standing with the University, and has paid their activity and service fees, or had their fees deferred by the University, for the current academic term.
11. “Student Government Association Officer” means any student holding an elected or appointed position in Florida A&M University Student Government. Such positions include, but are not limited to, the student body president, vice president, senators, members of the judicial branch, cabinet members, and all others elected or appointed officials who have control over any activity & service fees.
12. “Malfeasance” is intentionally doing something either legally or morally wrong which one had no right to do. It always involves dishonesty, illegality or knowingly exceeding authority for improper reasons. It is always wrong or error by mistake, negligence or inadvertence, but not by intentional wrongdoing.
13. “Misfeasance” is management of a business, public office or other responsibility in which there are errors and an unfortunate result through mistake or carelessness, but without evil intent and/or violation of law.
14. “Nonfeasance” is a failure to act when under an obligation to do so; a refusal (without sufficient excuse) to do that which it is your legal duty to do.

**Chapter 902**

**Suspension from Office & Temporary Succession**

902.1

Any SGA officer may be suspended from office if he or she is convicted of a felony notwithstanding any potential or pending appeal from said conviction by the Student Body President, or in case the affected officer is the Student Body President, by the Student Senate.

**Chapter 903**

**Removal Referendum**

903.1

Any registered student, or group of registered students, may petition for a removal referendum, to remove SGA officer from elected or appointed office, provided that the petitioning student(s) are constituents of the SGA officer to be removed from office.

**Chapter 904**

**Removal Petition**

A petition to recommend to Student Government the removal of any SGA officer must comply with the following:

1. The committee must determine initial interest in proceeding with the removal petition drive before the referendum process. The committee chair must submit conforming interest petitions to the SGA Director equal to one-third of the total registered constituents at the time of the general election which elected the student government officers whose removal is sought. The removal petition shall contain the statement of grounds for removal specified in 910.621(A) and be accompanied by the names, original signature addresses and student identification numbers (social security or otherwise).
  - a. Once the SGA Director has determined a sufficient number of valid electors exist to initiate petition drive, the Dean shall submit upon the student government officer whose removal is sought a copy of the petition and request that the officer prepare a defensive statement not to exceed 200 words. The student government officer shall have no more than five (5) business days to draft the defensive statement and certify the same back to the Dean.
  - b. Once the SGA has received the defensive statement or the five business (5) days granted under subsection one (1) above expire without submission of a defensive statement, whichever is earlier, the Dean shall instruct the Electoral Commission to create the official removal from office petition.
  - c. Once created, the Electoral Commission shall deliver to the committee chair an official copy of the removal petition. Delivery of the petition to the committee chair shall be deemed the “filing date” under Florida statute 1004.26
  - d. Only the petition created by the Electoral Commission and true and correct copies of the same shall be deemed as official petitions.
2. The petition must be signed and completed by no less than one third of the total number of registered constituents at the time of the general election which elected or subsequently appointed the SGA officer whose removal is sought. All currently enrolled students in said constituency shall be entitled to sign the petition
3. Each constituent signing an individual petition must sign his or her name in ink as it is registered with the University Registrar and must state on the petition his or her constituency, student identification number (social security or otherwise), local phone number and permanent address. Each petition must also contain an oath, to be executed thereof, verifying the fact that a circulator saw each constituent of the SGA officer’s constituency sign each individual petition, that each signature appearing thereon is the genuine signature of the constituent is purports to be, and the petitions were signed in the presence of a circulator on the date indicated.

The petition must be filed with the Dean of Students by the person designated as chair of the committee, and, when valid petitions meeting the requirements as well as paragraphs A through E above are followed, the Dean shall submit such petitions to the Electoral Commissioner who must, within a period of not more than 10 business days after the petitions are submitted to the Commissioner, determine whether the petitions contain the required number of valid signatures. The petitions cannot be amended after they are filed with the Dean.

**Chapter 905      Resignation in Lieu of Referendum**

905.1      The SGA officer, who is being removed from office, must, with the consent the appropriate branch head send an official letter to the Electoral Commissioner verifying their resignation. A permanent successor will assume the vacated office as provided by the student body law. If no provision for filling a permanent vacancy in such office is provided by student body law, the permanent vacancy will be filled by the appointment of the Student Body President with a 2/3 thirds approval of the Student Senate.

**Chapter 906      Removal Referendum**

906.1      In the absence of the resignation, the Electoral Commissioner will select a day for holding a referendum election for the removal of any affected SGA officer not resigning. Any such election is held within 60 days of the filing of the petition.

906.2      To the side of each of the propositions, will be places a square or line on which the electors may vote either of the propositions by making a cross mark (X). Voting machines or electronic or electro mechanical equipment which indicate each voter's choice clearly

906.3      Following approval, the Electoral Commissioner will publicly announce the removal referendum and the details thereof.

906.4      Following the removal referendum held on the one day specified by the Electoral Commissioner, according to section 906.1 supra, and the plan submitted by the Electoral Commissioner and approved by the Student Senate, according to section 906.4 supra, the Electoral Commissioner will certify the results of the recall referendum to the officer sought to be recalled, the Student Body President, the Dean of Students, and the Senate post haste.

906.5      Following approval, the supervisor of the elections will publicly announce the removal referendum and details thereof to the student body.

906.6      Following the removal referendum held on the day specified by the Electoral Commissioner, the Electoral Commissioner will certify the results of the removal to the SGA official's constituency. A majority vote is needed to remove an SGA officer from office.

906.7      Following approval, the supervisor of the elections will publicly announce the removal  
1. referendum and details thereof.

906.8      Following the removal referendum held on the day specified by the Electoral Commissioner, the Electoral Commissioner will certify the results of the removal to the SGA official's constituency. A majority of the votes is needed to remove an SGA officer from office

**Chapter 907      Offenses Relating to Petitions**

907.1      No student will impersonate another, purposely write his or her name or constituency in the signing for removal or forge any name there to, or sign any paper with the knowledge that he or she is not a constituent of the SGA officer whose removal from office is sought.

907.2 No expenditures for campaigning for or against an officer subject to removal referendum will be made until the date on which the removal referendum is to be held is publicly announced. Violations of this section will be considered as offenses against the SGA Constitution and the Student Body Statues, violators will be penalized according to the established SGA rules. No person will employ or pay another to accept employment or payment for circulating a removal referendum petition.

**Chapter 908 Applicability**

908.1 This act shall not be ex post facto in its application. For the purposes of this act, the same limitations applied to the state governments by Article I, Section 10 of the U.S. Constitution, as well as the State of Florida specifically by Article I, Section 10 of the Florida Constitution, shall apply to the Student Government Association.

908.2 This law shall be applicable in all elections occurring after July 1, 2002; thus, the first officer who could be affected by this law will be those elected or appointed to office on or after July 1, 2002 or elected or subsequently appointed by the Fall 20028 Student Body Elections.

*History: 46<sup>th</sup> Student Senate SB16SU-012, 47<sup>th</sup> Student Senate SB17FA-007, 48<sup>th</sup> Student Senate SB18FA-001,*

**TITLE XI BYLAWS OF THE FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY ROYAL COURT**

**Chapter 1000 Name**

1000.1 The name of this subsidiary shall be the Florida Agricultural and Mechanical University Royal Court (hereafter referred to as the Florida A&M University Royal Court and/or the FAMU Royal Court).

**Chapter 1001 The Florida A& M University Royal Court**

1001.1 Article VI, Sections 1 -3 Elected Non- Governmental Representatives, of the Florida A& M University Student Body Constitution establishes the composition and specific powers of the Florida A& M University Royal Court as follows:

Com position

The Florida A& M University Royal Court shall be composed of Mr. and Miss Florida Agricultural and Mechanical University hereafter referred to as Mr. and Miss Florida A& M University and/ or Mr. and Miss FAMU, Senior, Junior, Sophomore, Freshman, and Graduate Class Attendants, the King and Queen of Orange and Green and five (5) Royal Escorts.

Responsibilities

1. Mr. & Miss Florida A&M University shall have the specific powers and duties to:

- a. Officially represent the entire student body at any function on or off the University campus as per request by the Student Government Association or the Royal Court Advisor.
  - b. Initiate and maintain several community service initiatives throughout their reign.
  - c. Exhibit knowledge on political issues which concern the University Community.
  - d. Always represent Florida A&M University in a positive light during unofficial occasions as well as official occasions on and off the campus of Florida A&M University.
2. The Freshman, Sophomore, Junior, Senior, and Graduate Attendants shall have the specific powers and duties to.
    - a. Officially represent their respective classes at any function on and off the University
    - b. Assist Miss Florida A&M University in her duties upon her request.
    - c. Assume the powers of Miss Florida A&M University upon her request or absence.
    - d. Represent Florida A&M University in a positive manner during unofficial occasions as well as official occasions.
    - e. Serve as ex-officio members of their respective class cabinets.

The King and Queen of Orange and Green shall have the specific powers and duties to:

1. Keep the spirit of the Florida A&M University spirit functions upon request.
2. Host any university spirit functions upon request.
3. Officially represent the student body on and off the university community.
4. Serve as ex-officio members of the Florida A&M University Strike Team. Advisor to the Royal Court
  - a. There shall be a staff and may be a student advisor to the Royal Court. The student advisor shall be selected by the incoming Mr. and Miss FAMU. The staff advisor shall be the Student Government Association Advisor or his/her designee.
  - b. The role of the Court Advisor shall be as follows:
    1. Advise Mr. and Miss Florida A&M University, King and Queen of

There shall be a staff and may be a student advisor to the Royal Court. The student advisor shall be selected by the incoming Mr. and Miss FAMU. The staff advisor shall be the Student Government Association Director or his/her designee.

2. Orange and Green, the class attendants, and the royal escorts as to their intended role as ambassadors.
3. Give advice on all matters that affect the Royal Court.
4. Ensure the positive image and perception of the Royal Court at all times.
5. Shall be the travel guardian for the Royal Court on all away trips that are sponsored by the University.
6. Responsible for all administrative transactions regarding the Royal Court.
7. Shall make reports to the Student Senate once a semester about the status of the Royal Court.

Can make suggestions to the Student Senate for the removal of any member of the Royal Court.

## **Chapter 1002 Elections of the Royal Court and Installation**

1002.1 Article VII, Sections 1 and 2 Election of Officers, of the Florida A&M University Student Body Constitution establishes the time and office tenure of the Florida A&M University Royal Court as follows:

Elections of Mr. and Miss Florida A&M University, the Sophomore, Junior, and Senior Attendants, and the King and Queen of Orange and Green shall be held in the Spring Semester of the year on second Tuesday of February, except in cases deemed necessary by the Electoral Commissioner with the approval of a two-thirds (2/3) vote of the Student Senate. Election for Freshman Attendant, and the Graduate Attendant shall be held in the Fall Semester of each year on the second Tuesday in September, except in cases deemed necessary by the Electoral Commissioner with a two-thirds (2/3) vote of the Student Senate.

1002.2 Office Tenure

Mr. & Miss Florida A&M University, the Sophomore, Junior, and Senior Attendants, and the King and Queen of Orange and Green shall assume their reign of office on the day after the last day of finals in the Spring Semester and shall serve until the last day of finals in the following Spring Semester, serving for one calendar year. The Freshman and Graduate Attendant shall assume their reign of office immediately upon the results of Fall elections and shall serve until the day after the last day of finals in the Spring Semester of their elected academic year.

1002.3 Coronation

The Coronation of Mr. & Miss Florida A&M University and the Royal Court shall take place during the week of the fall semester after the fall elections. Mr. & Miss Florida A&M University and the Royal Court shall then receive all royal adornments that shall be bestowed upon them by the Student Government Association President or his/her designee.

### **Chapter 1003 Court Attire/Decorum**

1003.1 Attire

No member of the Royal Court may wear his/her own personal attire for official court functions without the expressed approval of the Court Advisor.

1003.2 Unofficial Decorum

1. All members of the Royal Court shall display proper decorum at all times. The Court Advisor shall dictate proper decorum.
2. There shall be dress code guidelines established by the Court Advisor and the Royal Court members, which shall be explained in detail to each member of the Court at the start of their reign.

All members of the Court are expected to follow all dress code and decorum guidelines as established by the Court Advisor and shall be held accountable to the Court Advisor and the Student Senate if guidelines are not (strictly) followed.

### **Chapter 1004 Royal Escorts**

1004.1

### Definition & Purposes

There shall be selected from the student body at large to serve as Royal Escorts. These persons shall be male and must be in good standing with the University. These students shall have the specific duties and responsibilities to serve in an assisting role to their assigned attendant.

1004.2

### Qualifications

In order to be eligible for the position of Royal Court Escort, one must not have been convicted of any major offense by the Student Supreme Court or any Administrative Hearing Panel, have a minimum cumulative grade point average of 2.5 at the time he is appointed and maintain a 2.5 grade point average for his duration of service. No Royal Escort shall be a member of the Student Government Association or possess, with any other A&S agency, an OPS contract.

### Terms of Service

1. Each Royal Escort is limited to a total of two terms of service.
2. Term shall be defined as one full academic year.

### Selection Method

1. The Royal Escorts shall be selected by a panel consisting of, the Royal Court Advisor (or his/her designee), the incoming Mr. and Miss Florida A&M University the Student Relations Chairperson or his/her designee, and a designee from the Department of State.
2. All members of the selection committee shall be present in order for an interview to be conducted.
3. The Royal Court Advisor shall determine the rules that shall govern the interview process.
4. All the members on the interview panel shall have the same equal voting right as pertaining to the selection of the Royal Escorts.
5. The Committee to select the Royal Escorts shall first convene after the Election of Mr. and Miss Florida A&M University in the Spring Semester.

### Duties and Responsibilities of Royal Escorts

Each Royal Escort shall have the specific responsibilities to:

1. Follow the instruction of Mr. Florida A&M University and the Royal Court Advisor.
2. Follow the protocol for behavior as instructed by Mr. Florida A&M University.
3. Assist their assigned Attendant as required by the court Advisor,

Assist Mr. Florida A&M University with his chosen community service projects.

1004.3

### Removal

Each Royal Court Escort is subject to removal for failure to complete prescribed duties and responsibilities. Any elected member of the Royal Court may initiate the removal of an escort by submitting to the Royal Court Advisor a written request for the Escorts removal. The Royal Court Advisor must act on the complaint within (48 hours) forty-eight hours of receiving the claim by initiating an inquiry into the allegations. The Royal Court Advisor shall have the right to rule on any case of removal. If the Court Advisor chooses not to rule on the allegations, he/she shall decide within

five (5) business days to direct the Student Supreme Court to investigate the allegations and render a decision to or not to remove an escort.

## **Chapter 1005      Qualifications for Office**

Article VIII, Section 2, Subsections F-H Qualifications for Office, of the Florida A&M University Student Body Constitution establishes the qualifications for office of the Florida A&M University Royal Court as follows:

### **1005.1      Classification**

Freshmen are classified as students having less than 30 semester hours inclusively. Sophomores are classified as students having 30-59 semester hours inclusively. Juniors are classified as students having 60-89 semester hours inclusively. Seniors are classified as students having 90 or more semester hours inclusively. Graduate students are classified as students enrolled in a Florida A&M University Graduate Program.

### **1005.2      Requirements**

Any person running for/holding a position on the Royal Court must meet the following qualifications:

#### **1. Mr. and Miss Florida Agricultural and Mechanical University**

Candidates for these offices must be classified as a junior or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office. He/she must have—and maintain—a minimum cumulative grade point average of 2.8 or better at the time of declaration of candidacy and during his/her reign, respectively, and must not have been convicted of any major offense(s) by the Student Supreme Court or any Administrative Hearing Panels.

#### **2. Class Attendants**

Candidates for these offices must meet the same requirements as Mr. and Miss FAMU except they must obtain a minimum cumulative grade point average of 2.5 at the time of declaration of candidacy with the exclusion of Freshmen Attendant candidates with no grade point averages. However, the Freshman Class Attendant must obtain a minimum cumulative grade point average of 2.5 at the end of the first semester of her reign. All Class Attendants must be members of their respective classes at the time they take office.

#### **3. King and Queen of Orange and Green**

Candidates for these offices must be at least a sophomore or higher by the day after the last day of finals in the Spring Semester during which he/she ran for office. Each candidate must have and maintain a minimum cumulative grade point average of 2.5 at the time of Declaration of Candidacy and during his/her reign, respectively, and must not have been convicted of any major offense(s) by the Student Supreme Court or any Administrative Hearing Panels.

## **Chapter 1006      Impeachment**

### **1006.1      Grounds for dethroning**

All members of the Royal Court may be dethroned for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of the Student Body Constitution, any subsidiary documents that govern the Royal Court, the Statues of Florida Agricultural and Mechanical University, and/or University Policy. The Royal Court Advisor and a 1/3 vote of the Student Senate Membership shall initiate the dethroning of any member of the Royal Court. There shall be a trial held before the Student Supreme Court, and it shall be presided over by the Chief Justice of the Supreme Court. A two-thirds (2/3) majority vote shall be required to dethrone a sovereign Queen or King.

1006.2

#### Definition of Dethroning

The dethroning process shall be defined as making an accusation against a Royal Sovereign for dishonoring the crown, misfeasance, malfeasance, and/or nonfeasance of duty, to be tried before the Student Supreme Court.

### Chapter 1007

#### Succession of the royal Court

Article VI Section 7 and 9 Elected Non-Governmental Representatives of the Florida A&M University Student Body Constitution establishes the succession of the Florida A&M University Royal Court as follows:

1007.1

Should Mr. or Miss Florida A&M University, for any reason, become unable to serve, the Electoral Commissioner shall be notified. The First Runner Up in the Spring Elections proceeding the reign of Mr. or Miss Florida A&M University shall immediately succeed him/her. If the Runner Up is unable to serve as Mr. or Miss Florida A&M University, a special election shall be held with the approval of the Student Senate with two thirds vote.

1007.2

#### Succession of Class Attendants Queens and the King and Queen of Orange and Green

Should any member of the Class Royalty, the King or Queen of Orange and Green, for any reason become unable to serve, the Electoral Commissioner shall be notified. The First Runner Up in the Spring Election proceeding the reign of that respective office shall immediately succeed him/her. If the Runner Up is unable to serve in the necessary capacity, the Student Senate shall decide how and whether to fill the vacancy.

### Chapter 1008

#### Article IX Amendments

1008.1

Amendments may be proposed to this document by any elected member of the Royal Court, by any member of the Student Senate or by a petition of 10 percent of the Student Body. The elected members of the Royal Court may decide by a two-thirds vote to amend these by-laws, subject to a two-thirds approval by the Student Senate, and the signature of the Student Body President. If the Student Body President veto's the amendment, the Student Senate may choose to over-ride the veto pursuant to the SGA governing documents. The initiating of an amendment before the SGA President signs it into law. If the Student Senate receives the amendment first and if passed in the Senate it shall go to the Royal Court for a vote, and if failed by the Royal Court, the Student Senate may over-ride the Court by a majority vote. If the Royal Court initiates the amendment process, and the Student

Senate fails to pass the amendment, the amendment will not be considered, unless compromise is reached between the two entities or it can be otherwise decided by referendum.

*History: 46<sup>th</sup> Student Senate SB16SU-005, 46<sup>th</sup> Student Senate SB16SU-016, 47<sup>th</sup> Student Senate SB17FA-011, 48<sup>th</sup> Student Senate SB18FA-001,*

## **TITLE XII            STUDENT GOVERNMENT AND PUBLIC NOTICE**

Chapter 1100            All bills, referendums, constitutional amendments, and resolutions shall be given a short descriptive phrase, and that is referred to committee, must be forwarded to the office of the Student Body President for publication on the SGA website.

Notice of all meetings of any nature wherein Official Student Government business is to be conducted must be posted in a public place at Least 24 hours in advance of such meetings.

The time, place, and agenda of such meetings shall be incorporated in the notice. (F.S. 286.001)

The copies of such notices shall be furnished to any FAMU student so requesting.

Copies of all public meetings must be made available to any newspaper or newsletter or general student circulation so to facilitate the dissemination of such information.

All roll call votes on final passage of a bill or resolution must be advertised on the Student Government Web Page; this shall include names and votes of all voting Senators (i.e. “Yes [names of Senators voting against the measure], Abstain [names of Senators abstaining from voting].

All organizations, agencies, divisions, and departments expending Activity and service Fees are responsible for adhering to the requirements of this chapter: and enacted, that additional entries to this chapter shall be in bill form and shall bear the signature of the SGA President.

### **Committees**

All committee Chairpersons shall post their committee meetings times, whereabouts, and agenda on the Student Government Association website no later than 2 weeks after fall elections.

1. All Committee Chairpersons shall submit a copy of such notice to the Senate President Pro Tempore.
2. These postings shall be:
  - a. Time stamped by the official time-stamp machine within the Student Government Office
  - b. Signed by the Committee Chairperson.
  - c. Kept for public records, either the original or a photocopy of the original, by the Chairperson.

*History: 47<sup>th</sup> Student Senate SB17FA-008, 48<sup>th</sup> Student Senate SB18FA-001,*

**TITLE XIII      The Student Government Association Website**

**Chapter 1200      Purpose**

1200.1      The purpose of the Student Government Association Website (SGAWS) is to provide relevant information on the Student Government Association to the Student Body through internet form.

**Chapter 1201      Jurisdiction**

1201.1      Administrative Jurisdiction over the SGAWS shall be held by the Department of Communications in the form of a committee to be known as the Rattler Reach Out Web Team (RROWT).

**Chapter 1202      Duties of the RROWT**

1202.1      The RROWT shall be responsible for oversight of the SGA website according to this Title of the SGA by-laws and shall update the website in a timely manner to ensure that the business, proceedings, and officers of the SGA are well publicized and available to the campus online.

**Chapter 1203      Composition of the Rattler Reach Out Web Team**

1203.1      The RROWT shall be composed of the following:

1. Group of students at large shall be appointed by the Secretary of Communications, with one student serving as the official photographer of Student Government Association and be subjected to the approval of the Student Body Senate by majority vote.

**Chapter 1204      Submission**

1204.1      General

Information (here defined as any document or information to be placed on the SGAWS or to be posted on the SGAWS) shall be submitted to the WCM in electronic form. The WCM standard duties do not include the retyping of lengthy information provided only in hardcopy. The WCM may- with RROWT approval- specifies any reasonable format in which submissions are to be made. The RROWT shall determine sanctions for failure to submit in a timely fashion, with “timely fashion” here being defined by the RROWT or the appropriate by-laws.

**Responsibility of Submission**

When an item is to be made available via the SGAWS and it is already made public by other means, it shall be the responsibility of that entity currently responsible for the information’s disbursement to

submit a copy to the WCM. Otherwise, it shall be the duty of the RROWT to obtain the information that is outlined as mandated content.

#### SGAWS Update Deadlines

The RROWT shall be responsible for updating the SGAWS according to submissions within two business days of the time of submission, unless otherwise specified by the WCM. In the event of technical difficulties this period may be extended to six (6) business days with the approval of the WCM.

### **Chapter 1205 Information on Hardcopy**

1205.1 Where information is only available on hardcopy the Department of Communications shall decide whether to leave that information off the SGAWS or shall designate someone to convert it into electronic form.

### **Chapter 1206 Mandated Content**

1206.1 The SGAWS shall include the following:

1. The most recent SGA Constitution
2. The most recent SGA by-laws
3. The most recent Rules of Procedure
4. The most recent A&S Budget
5. Copies of all Senate bills for, but not limited to, the current year, both in .PDF format, with the bills in current session available in both original and final versions. Furthermore, there must be information as to the committee to which they were referred and the current or final status of all bills, to be updated regularly.
6. Past and current Senate agendas and minutes
7. Standing advocacy, and other committees' membership and regular meeting times and locations, as deemed appropriate by the RROWT.
8. Any useful links to useful information including the FAMU homepage, and Student Activities.
9. Any executive orders in effect; with the most recently issued executive orders being posted prominently on the front page of the SGAWS within 24- hours of issuance by the SGA President.
10. Any Judicial Branch Decisions and Procedures.
11. Any Student Government Hosted Event
12. Any official policies of the SGA
13. Information on current SGA elected and appointed officials as follows:
  - a. Name and position
  - b. A brief statement of intent
  - c. Contact information (at least an email address)
  - d. Office hours and Location
14. Information concerning Senate Meetings (for at least the current academic year) as follows:
  - a. Minutes: The Senate Minutes shall be submitted within five days

- b. Agenda: The Agenda of each meeting shall be submitted 24 hours prior to the beginning of the Senate meeting during which the agenda was set and approved. The updated version must be submitted within 24 hours following the end of the Senate meeting.
  - c. Senate Committee descriptions
15. Legislative information as follows:
- a. Final status of Legislation
16. Election Information as follows:
- a. The Voters Guide, which shall include at least voter’s rights and responsibilities. It shall be submitted no later than 24 hours prior to the time of hardcopy distribution.
  - b. Poll locations and hours of operation
  - c. Meet the Candidates section
  - d. Election results (ballot tabulations). They shall be submitted no more than 24 hours after final tabulation.

All SGA forms including but not limited to A&S Eligibility and Small Clubs and Organization forms.

**Chapter 1207      The SGA Archives**

1207.1              It is the intent of the SGA that the SGA archives will be kept in electronic form. To the extent that this is feasible, it shall be done, at the discretion of the RROWT.

*History: 45<sup>th</sup> Student Senate, 46<sup>th</sup> Student Senate SB16SU-016, 47<sup>th</sup> Student Senate SB17FA-013, 48<sup>th</sup> Student Senate SB18FA-001,*

**TITLE XIV              ETHICS CODE**

**Chapter 1300              Statement of Intent**

1300.1              The purpose of the Ethics Code is to set a higher standard of conduct for student government officials in upholding the integrity of the Student Government Association, inspiring the confidence, respect, and trust of the student body, and avoiding unethical and illegal behavior. It is essential to the proper conduct and operation of student government that its officials are independent and impartial, and that public office is held only for the benefit of the student body. Such officers should 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.

**Chapter 1301              General Principles**

1301.1              Conflict of Interest

1. No student government official shall participate in any student government activity which would place that person in a position where there may be a conflict between a private interest and the interest of the student body.
2. A conflict of interest shall be any situation in which regard for a private/personal interest may lead to a disregard of a public duty or interest.

#### Misuse of Student Government Property

No student government official shall use, authorize to use, or condone in any way the use of student government property or funds in any manner other than its intended use unless said official has the authority to do so. This shall include, but is not limited to, the use of student government property or funds for personal financial gain.

#### Misuse of Student Government Office

1. No student government officer shall use or attempt to use his/her office for personal financial gain outside of his/her designated salary.
2. No student government officer shall willfully misrepresent himself/herself while acting in his/her official capacity.
3. No student government officer shall withhold information or documentation when mandated or provide false or misleading information or documentation.
4. No student government officer shall deny any student his/her rights guaranteed by the federal and state governments, or by the Student Body Constitution.

#### Inducing to Act

1. No student government officer shall knowingly aid, advise, encourage, or threaten another officer or student to act in violation of the governing documents or local, state, and federal laws.
2. Any student government officer who does so is also thereby violating that respective rule.

### **Chapter 1302**

#### **Responsibilities to the Students of Florida A&M University**

##### 1302.1

The responsibilities of student government officers to the student body shall be to:

1. At all times think in terms of “students first,” always determining things in the light of how they affect the student in his/her education and college experience;
2. Equally represent and pursue the interests of all students regardless of race, nationality, religion, personal interest, sexual preference, disability, age, political affiliation, or gender;
3. Facilitate an open, transparent student government where students can freely observe and participate.

### **Chapter 1303**

#### **Responsibilities to the Student Government Association**

##### 1303.1

The responsibilities of student government officers to the Student Government Association shall be to:

1. Make decisions only after all facts bearing on a question have been presented and discussed;
2. Respect the privacy of other student government officers and students;

3. Promote the involvement and development of student government officers in decision-making that pertains to them;
4. State all personal opinions as such and speak on behalf of the Student Government Association only if asked to do so by the appropriate authority.

**Chapter 1304      Responsibilities to Oneself**

1304.1      The responsibilities of a student government officer to himself/herself shall be to:

2. Acknowledge that he/she is a student first.
3. Take advantage of opportunities for improvement, making a great effort to understand his/her duties and enhance his/her knowledge, leadership skills, and representation of the student body

Respect and follow the Fang (Student Code of Conduct), the Student Body Constitution, the System of Student Body Statutes, and this Ethics Code as he/ she would observe his/her own personal morals and ethics.

**Chapter 1305      Judicial Code of Ethics will read as follows:**

Student Court Code of Ethics

1. A Justice has neither the right to veto, nor prohibit discussion of any topic.
2. No Justice may discuss matters concerning deliberations and cases to the public until released by the Court.
3. A Justice may neither support a Student Government candidate publicly, nor participate in any aspect of another student’s campaign. A campaign shall be defined as included but not limiting to an expression by any medium attracting public attention whether radio, television, newspaper, magazine, periodical, direct mail, display, leaflet, speech or any other means which shall transmit any idea furthering the candidacy of any person. If they do, they must recuse themselves from any cases involving the election or the candidate, and any cases that may involve that person.
4. Legislative Intent: The Judicial system is based on the Principle that an independent, fair, and competent judiciary shall interpret and apply the laws that govern, and the role of the judiciary is central to the American concepts of Justice and Rule of Law. Intrinsic to this concept are the precepts that justices, individually and collectively, must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in the legal system. The Justice is an arbiter of facts and law for the resolution of disputes and a highly visible member of Student Government under the Rule of Law.
5. The Judicial Ethics Act, hereafter “the Act,” established standards for the ethical conduct of the Supreme Court Justices on and off the bench. The statutes below should be read together as a whole and each provision should be construed in context and consistent with every other provision. Nothing in the Act shall either impair the essential independence of Justices in making decision or provide a separate basis for civil liability.
6. The Act governs the conduct of Justices and is binding upon them, whether disciplinary action is appropriate and the degree of discipline to be imposed requires a reasoned application of the text and consideration of such factors as the seriousness of the transgression, whether there is a plan of improper activity, and the effect of the improper activity on others or on the judicial system.

7. A Justice shall uphold the integrity and independence of the judiciary. A justice shall participate in establishing, maintaining, and enforcing high standards of conduct and shall personally observe those standards so that the integrity and independence of the Judiciary shall be preserved. The provisions of the act are to be applied to further this objective. A Judicial decision or administrative act later determined to be incorrect legally is not itself a violation of the Act.

A Justice shall avoid impropriety and the appearance of impropriety in all of his or her activities through following the measures prescribed below:

1. A Justice shall respect and comply with the law and shall act at all times in a manner the promoted public confidence in the integrity and impartiality of the Judiciary.
2. A Justice shall not allow family, social, political, or other relationships to influence their conduct or judgment, nor shall a Justice convey, or permit others to convey, the impression that any individual is in a position to influence a Justice.
3. A Justice shall not lend the prestige of Judicial Office to advance the pecuniary or personal interests of the Justices or others, nor shall a Justice testify voluntarily as a material witness before the Student Government Supreme Court.

A Justice shall perform the duties of the Judicial Office impartially and diligently, following the measures prescribed below:

1. A Justice shall hear and decide all matters assigned to the Supreme Court except those in which he or she recues themselves.
2. A Justice shall be faithful to the law regardless of partisan interests, public clamor, or fear of criticism.
3. A Justice shall be patient, dignified, and courteous to all with whom the Justice deals with in an official capacity; a Justice shall also require similar conduct of all counselors, Supreme Court staff, and personnel under the Justice's direction and control.
4. A Justice shall perform judicial duties without bias or prejudice. A Justice shall not, in the performance of Judicial duties, by words or conduct, manifest bias or prejudice, including but not limited to bias or prejudice based upon race, gender, religion, national origin, disability, age, sexual orientation, or socio-economic status.
5. A Justice shall require student counselors in proceedings before the Justice to refrain from manifesting, by words or by conduct, bias or prejudice based upon race, gender, religion, national origin, disability, age sexual orientation, or socio-economic status against parties, witnesses, counselors, or others. This rule does not preclude legitimate advocacy when such issues are involved with the proceeding.
6. A Justice shall dispose of all matters fairly, promptly, and efficiently.
7. A Justice shall not make any public comment about a pending or impending proceeding in the Supreme Court, and a Justice shall not make any non-public comment that might interfere with a fair trial or hearing. The Justice shall require a similar abstention on the part of Supreme Court personnel subject to the Justice's direction and control.
8. A Justice shall not disclose or use, for any purpose unrelated to his or her judiciary capacity, non-public information acquired in a judicial capacity.

9. A Justice with supervisory authority for the judicial performance of other Justices shall take reasonable measures to ensure the prompt disposition of matters before them and the proper performance of other judicial responsibilities.
10. A Justice with reliable information that another Justice has violated any provision of the Act shall initiate appropriate corrective action procedures.
11. A Justice shall recuse himself or herself in any proceedings in which recusal is required by Florida law. In all trial proceedings, a Justice shall disclose information that parties might consider relevant to the question of recusal, even if the Justice believes there is no actual basis for recusal.

A Justice shall conduct extrajudicial activities to minimize the risk of conflict with judicial obligations in accordance with the measures prescribed below:

1. A Justice shall conduct extrajudicial activities, so they do not:
  - a. Cast reasonable doubt on his or her capacity to act impartially.
  - b. Demean the judicial office.
  - c. Interfere with the proper performance of judicial duties.

A Justice shall not engage in financial and business dealings which:

1. May reasonably be perceived to exploit the Justice's position.
2. Involve the Justice in frequent transactions or continuing business relationships with counselors or other people likely to appear before the Supreme Court.
3. A Justice shall under no circumstances accept a gift, bequest, favor, or loan if the donor or lender is a party whose interests have come or are reasonably likely to come before the Supreme Court.
4. A Justice shall not practice in the function of Student Counselor.
5. A Justice shall not publicly endorse or oppose a candidate for Student Government Office. A Justice shall not personally solicit funds or make contributions for any candidate for Student Government Elections.
6. Justices shall not engage in any political activity within Student Government, other than in relation to measures concerning the improvement of the law, the judicial system, or administration of justice.

*History: 35th Student Senate SB05F-009, 47th Student Senate SB17FA-012, 48th Student Senate SB18FA-001,*

## **TITLE XV                   ACTIVITY AND SERVICE FEE BUDGET OFFICE (ASFBO)**

### **Chapter 1400            Purpose of the Activity & Service Fee Budget Office**

1400.1                   The purpose of the Activity and Service Fee Budget Office (ASFBO) is to provide support to the student leaders and the activity and service fee-funded entities at Florida A&M University. With a focus on leadership and identity development, belonging and inclusion, civic engagement and participation, and financial responsibility and stewardship, the ASFBO staff advocates and support

traditions, initiatives, and communities that benefit the student body. In addition to educating students on university policies and procedures, the office provides students the much-needed opportunity to create, design, and develop a working resume of experiences to succeed in life.

**Chapter 1401      ASFBO Office Staff**

- 1401.1      The staff of the Activity and Service Fee budget office (ASFBO) will be responsible for providing administrative and operational support to effectively carry out the day-to-day operations of the Student Government Association.
- 1401.2      The ASFBO will be staffed by the SGA Coordinator, Fiscal Assistant, Administrative Assistant and other personnel necessary to efficiently and effectively manage the Activity & Service Fee Budget and day-to-day operations of the Student Government Association.
- 1401.3      The Vice President of Student Affairs or his/her designee will periodically monitor and evaluate the performance of all ASFBO staff periodically in accordance with university human resources policies. Formal evaluations will occur a minimum of once per fiscal year.
- 1401.4      The Vice President of Student Affairs or his/her designee will conduct an evaluation of the performance of the SGA Coordinator a minimum of six weeks prior to the conclusion of the fiscal year
- 1401.5      A committee will be formed to make a recommendation to the Vice President of Student Affairs regarding the employment of the SGA Coordinator. This committee will consist of the standing Student Body President/University Trustee, Student Senate President, Student Supreme Court Chief Justice, one member of each branch selected by each branch leader respectively, and three students at-large. The Vice President of Student Affairs or his/her designee will have approval authority of the selection of the SGA Coordinator.
- 1401.6      The SGA Coordinator is the acting administrator of the ASFBO, including the approval authority involving employment of ASFBO staff in accordance with the university's human resources policies.
- 1401.7      The ASFBO will assist in the marketing and promotion of all SGA programs and initiatives, including but not limited to assisting the SGA Executive Branch Communication staff.
- 1401.8      The ASFBO will feature student assistants responsible for providing administrative support to the SGA staff and student leaders. The SGA student assistants will strive to provide assistance and outstanding customer service to all students and guests who visit the Student Government Association.
- 1401.9      The ASFBO will feature a webmaster who is responsible for designing and maintaining the content and functionality of the SGA website in its entirety. This includes, but is not limited to, ensuring the timely posting of all public records information available in accordance with Florida Statutes.
- 1401.10      The ASFBO will feature a graphic designer who is responsible for designing print materials for SGA upon request. This includes, but is not limited to, the creation of public meeting notices in accordance with Florida Statutes.

- 1401.11      The ASFBO will feature a videographer who is responsible for recording, ideating and editing digital videos for SGA upon request. This includes, but is not limited to, the creation of public meeting notices in accordance with Florida Statutes.
- 1401.12      The ASFBO will feature a press secretary who is responsible for fully operating the primary social media accounts of SGA.
- 1401.13      The ASFBO will feature a photographer who is responsible for capturing and editing digital photos for SGA upon request.
- 1401.14      The positions and duties of the webmaster and graphic designer will remain exclusive of one another.
- 1401.15      The ASFBO will assist in the effective and efficient year-to-year transition of newly elected SGA leadership. Assistance will include, but not be limited to: assisting in the ideation and execution of all SGA orientations and trainings, completing human resources-related tasks for new personnel, and creating a plan of action for the implementation, maintenance and periodic evaluation of all current and upcoming initiatives aimed at addressing issues within the student body.
- 1401.16      All employment procedures of ASFBO staff must occur in accordance with university human resources policies and best practices

**Chapter 1402      ASFBO Administrative/Operational Duties**

- 1402.1      The ASFBO will administer the allocation of Activity & Service Fees based on allocated funds by the Activity and Service Fee Budget Committee and Student Senate.
- 1402.2      The ASFBO may correct any computational errors or any vendor price adjustments, within any bill passed by Student Senate and approved by the Student Body President, which does not exceed 10% of the allocation amount so long as original intent of the Activity and Service Budget Committee and Student Senate is not altered, with approval of the Student Senate Organization and Finance Committee chairperson and SGA Comptroller
- 1402.3      The ASFBO will process all expenditures of Activity and Service Fee funded entities.
- 1402.4      All invoices or related correspondence for Activity and Service Fee funded entities must be forwarded to the ASFBO for review and approval. If an entity is unsatisfied with the goods or services as received, the SGA Coordinator, Fiscal Assistant, or Administrative Assistant must be notified to consider withholding payment of invoice until the matter is resolved.
- 1402.5      The ASFBO will process all legislated requests for unallocated funds, including but not limited to Special Allocation Request expenditures, Travel Requests, and SGA Reserve requests.
- 1402.6      The ASFBO will facilitate any budget workshops that the Student Senate Organization and Finance Committee chair or SGA Comptroller coordinates and administers for funded entities.

- 1402.7 Any negative budget balance, which is the result of a procedural error by the ASFBO or the Florida A&M Budget Office, shall be charged to the Senate Unallocated account, with written notification to the Student Senate Organization and Finance Committee chair and SGA Comptroller. In the occurrence that misuse of A&S funds is discovered, the procedural error will not be charged to senate Unallocated account and the matter will be forwarded to the SGA Coordinator and Vice President of Student Affairs or his/her designee
- 1402.8 The ASFBO shall coordinate all cash flow processes for all SGA sponsored events.
- 1402.9 Receipts for reimbursements must be received by the ASFBO no later than ten (10) business days after the date of the receipts.
- 1402.10 Receipts related to travels for reimbursements must be received by the ASFBO in the timeline. Outlined the guidelines of Florida A&M University.
- 1402.11 The ASFBO will organize and facilitate leadership and professional development trainings for SGA at the beginning of each academic semester.
- 1402.12 The ASFBO will assist in the execution of SGA programs and initiatives, including but not limited to SGA sponsored concerts.
- 1402.13 The ASFBO will assist in the ideation and execution of marketing and promotion campaigns of SGA programs and initiatives to ensure the longevity of a unified SGA
- 1402.14 The ASFBO will assist the Homecoming Committee in the execution of Homecoming events, including but not limited to the Homecoming SGA sponsored concert.
- 1402.15 The ASFBO will provide a front-end system that is user friendly for students and department financial officers to use to conduct front-end purchasing and access to their respective accounts.
- 1402.16 The ASFBO will keep an inventory of all property acquired by any of the accounts under SGA management.

Chapter 1403 **Student Government Association (SGA) Coordinator**

- 1403.1 The SGA Coordinator will be responsible for directing coordinating, and supervising the day-to-day operations of the ASFBO, including all staff operations.
- 1403.2 The SGA Coordinator will be familiar with SGA Governing documents and university policies that directly affect student affairs and advise SGA officials on matter that involve such.
- 1403.3
1. The SGA Coordinator will attend all Activity and Service Budget Committee Meetings and SGA Senate Meetings or establish a designee to do so.
  2. The SGA Coordinator shall serve as fiscal and budgetary advisor to the SGA A&S Budget Committee meetings, Student Senate Organization and Finance Committee chair, SGA Comptroller, and A&S Fee Budget Committee.

3. The SGA Coordinator shall serve as chief liaison between the Student Government Association and the university budget office.
4. The SGA Coordinator shall monitor, approve and ensure the legal expenditure of all A&S fees in accordance with Florida Statutes.
5. The SGA Coordinator shall update the Vice President of Student Affairs and/or his/her designee of all student government programs, initiatives, as well as A&S Fee Budget expenditures and irregularities.
6. The SGA Coordinator shall notify A&S fee funded entities of Fiscal Year-End procedures and deadlines.
7. The SGA Coordinator is responsible for keeping the Student Body President, Senate President, Student Senate Organization and Finance Committee Chair, and the SGA Comptroller fully informed of all budget issues as they may arise.
8. The SGA Coordinator shall be responsible for identifying and enrolling SGA in local, national and international leadership/professional development organizations and events to foster personal growth amongst SGA student leaders.
9. The SGA Coordinator shall be responsible for screening and hiring all ASFBO other personnel staff in accordance with university human resources policies.
10. The SGA Coordinator shall be responsible for organizing and submitting the Joint Operations budget to the A&S Fee Budget Committee annually.
11. The SGA Coordinator shall initiate the organization and facilitation of leadership and professional development trainings for SGA periodically, including but not limited to the beginning of each academic semester.

1403.4 The SGA Coordinator shall advise the SGA Vice President or his/her designee and the Homecoming Committee in the execution of Homecoming events, including but not limited to the SGA sponsored concert.

1403.5 The SGA Coordinator will aid in the continuous development of SGA's administrative and operational best practices to ensure optimal long-term growth of student governance, including but not limited to attending trainings and conferences that will aid in such.

1403.6 The SGA Coordinator shall ensure all SGA officials are issued all SGA marketing items/paraphernalia.

The SGA Coordinator shall ensure SGA maintains consistent employment of students, including but not limited to OPS and work-study staff.

The SGA Coordinator shall be responsible for ensuring all ASFBO staff execute their job duties as listed. In the occurrence that these expectations are not being met, the SGA Coordinator will have the authority to reprimand all ASFBO staff members in accordance with the university's human resources policies.

1403.7 The SGA Coordinator will have the authority to approve expenditures from the SGA Joint Operations account so long as the line item aligns with the A&S Fee budget approved by the Student Senate for the current fiscal year and directly aids in carrying out the administrative and operational duties of the Student Government Association

1403.8 The SGA Coordinator shall perform all other actions necessary and proper to fulfill the duties of this position.

**Chapter 1404 Fiscal Assistant**

1404.1 The Fiscal Assistant shall track all A&S Fee accounts for which they are responsible to ensure compliance with university financial policies/best practice and the SGA governing documents. The fiscal assistant will notify the SGA Coordinator of discrepancies and errors within these budgets.

1404.2 The Fiscal Assistant shall attend SGA A&S Budget Fee Committee meetings and SGA Senate meetings as it pertains to budgets for which they have accounting responsibilities.

1404.3 The Fiscal Assistant shall act on approved SGA Senate legislation that includes initiating Budget Amendments, transfer of funds, purchase requisitions, and miscellaneous related paperwork.

1404.4 The Fiscal Assistant shall perform accounting functions required to administer the A&S Fee Budget.

1404.5 The Fiscal Assistant shall assist the SGA Coordinator in the compilation of annual operating budget requests.

1404.6 The Fiscal Assistant shall maintain fiscal records and process expenditures for A&S funded entities.

1404.7 The Fiscal Assistant shall assist all A&S budget Fee entities with various accounting services, if needed or requested.

1404.8 The Fiscal Assistant shall assist in organizing and facilitating fiscal training for new SGA Officers and A&S budget funded entities.

1404.9 The Fiscal Assistant shall aid in continuous development of the SGA Accounting System and provide input into operating policies and procedures

1404.10 The Fiscal Assistant shall meet a minimum of biweekly with the SGA Coordinator to provide accounting updates.

1404.11 The Fiscal Assistant shall be responsible for compiling an annual SGA Financial Manual to be distributed to all A&S funded entities.

1404.12 The Fiscal Assistant will perform all other actions necessary and proper to fulfill the duties of this position.

**Chapter 1405 Administrative Assistant**

- 1405.1 The Administrative Assistant is responsible for assisting the SGA Coordinator to execute the day-to-day operations of the ASFBO, including but not limited to the aforementioned duties of the SGA Coordinator and Fiscal Assistant
- 1405.2 The Administrative Assistant is responsible for overseeing human resources duties as outlined by the SGA Coordinator.
- 1405.3 The Administrative Assistant shall provide notary public services.
- 1405.4 The Administrative Assistant shall perform all other actions necessary and proper to fulfill the duties of this position.

*History: 45<sup>th</sup> Student Senate SB16SP-003, 48<sup>th</sup> Student Senate SB18FA-001,*

**TITLE XVI HOMECOMING STEERING COMMITTEE**

**Chapter 1500** The name of the committee shall be the Homecoming Committee which is a subsidiary of the Florida Agricultural and Mechanical University Student Government Association.

**Chapter 1501 Purpose**

- 1501.1
  - 1. Plan a memorable celebration that unifies the FAMU community through spirit, service, and tradition
  - 2. To give a sense of purpose, duty, and leadership in putting together a series of large events.
  - 3. Act as liaison between the Student Body and Alumni

**Chapter 1502 Membership**

- 1502.1
  - 1. Membership of the Homecoming Committee shall consist of the following:
    - a. Vice President of Student Government Association as the Chairperson, who is a non-voting member
    - b. One (1) member from Executive Branch appointed by the SGA President
    - c. One (1) member from the Legislative Branch appointed by the Senate President
    - d. One (1) member from the Judicial Branch appointed by the Chief Justice Six (6) members from the student body at-large who will serve as Sub-Committee Chairs (Event Leads) on the different events for Homecoming i.e. Housing Step Show, Fashion/Block Party, etc.

**Qualification of Members**

- 1. The Chairperson of the Homecoming Committee shall be the same requirements as the SGA Vice President which is stated in the FAMU Student Body Statutes.

2. All members must be in good standing with the University
3. All student members must maintain a 2.5 minimal cumulative grade point average

#### Selection of Non-SGA Members

1. The Homecoming Committee Chairperson shall advertise the six (6) Homecoming members position for ten (10) calendar days to the student body at-large via three (3) FAMU channel of communication i.e. iStrike, FAMUINFO, Blackboard, Official FAMU SGA Social Media accounts, etc.
2. Once the application period has expired the Homecoming Committee Chairperson shall set up interview for the potential homecoming members no more than forty-eight (48) hours after the deadline.
3. After the interviews are complete the Homecoming Committee Chairperson shall have one (1) business week to inform the student body who was selected for the Homecoming Committee.

#### Duties of Members

1. Attend all Homecoming Committee Meetings
2. Present a report on updates at Homecoming Committee Meeting
3. Work with Joint Operation Leads on ensuring success of event

### **Chapter 1503**

#### **Officers**

1503.1 Officers of the Homecoming Committee shall consist of the Chairperson, Vice Chairperson, and Secretary.

1503.2 Qualification of Office

1. Must be in good standing with the University
2. Have a 2.5 minimum grade point average

#### Methods of Election

1. The officers with the exception of the Homecoming Committee Chairperson will be elected by the members of the committee with a majority vote
2. Elections for the Vice Chairperson and Secretary shall take place by the second Homecoming Committee Meeting at which at least six members must be present.

#### Tenure of Office

1. The tenure of all the officers except the Homecoming Committee Chair shall end at the end of the Fall semester.

### **Chapter 1504**

#### **Duties of the Homecoming Committee Officers**

1504.1 Chairperson

1. The Chairperson shall preside over all committee meetings
2. Call Special Meetings when necessary
3. Serve as the Student accounting officer for the committee

4. Present updates to the Student Senate
5. Present the A&S Agency report for Homecoming to the Student Senate once Homecoming is completed
6. Serve as a liaison between the Student Body and Alumni in planning Homecoming
7. Create sub-committees for the Homecoming Committee & appoint sub-committee chairs.

Vice –Chairperson

1. Act as Parliamentarian in Homecoming Committee Meetings
2. Serve as ex-officio voting members on all Homecoming Sub-Committees
3. Assist the Homecoming Committee Chair in fulfilling duties
4. Serve as Homecoming Committee Chair in absence of Chair

Secretary

1. Shall prepare and read the minutes during the meetings
2. Prepare the agenda with the assistants of the Committee Chairperson
3. Compile a binder to presence to the upcoming Homecoming Chairperson

Advisor

The advisor of the Homecoming Committee shall be the Student Government

Director or his/her designee

**Chapter 1505 Sub-Committees**

1505.1 Sub-Committees are open to any student enrolled at Florida A&M University. Any student wishing to be a part of a sub-committee must talk to the sub-committee chairperson. All sub-committee chairpersons, who are selected by the Homecoming Steering Committee Chair, must submit a list of members to the Homecoming Committee Chairperson and Secretary.

**Chapter 1506 Limitations of Powers**

1506.1 In no way may this document, any other document, or decision of this committee conflict with any Federal Law, state statutes, policies of the University as listed in the FANG, Student Government Constitution, Student Statutes, and/or any of the decisions complaint shall take up such violations.

**Chapter 1507 Meetings**

1. All meetings shall be open and noticed on the SGA website.
2. Committee meeting shall be held twice a month, the official time of the meeting and date shall be voted on at the first meeting
3. Special meeting may be called by the Chairperson with twenty-four (24) hour notice
4. Sub-Committee meetings must follow the same rules as the Homecoming Committee Meeting guidelines.

**Voting**

1. A quorum of the Homecoming Committee shall consist of one-half (1/2) of the membership
2. The Chairperson of the committee is only able to vote in case of a tie

3. The advisor shall never be able to vote
4. All official members of the committee have the right to vote within the committee, when a division of the committee exists

Only present committee members are able to vote at committee meetings

**Chapter 1508**      **Timeline**

1508.1              The Homecoming Committee shall be formed with all members no later than the second week Thursday of the summer semester.

In the event, one of the appointment bodies does not appoint someone from their respective branch, the Homecoming Chair shall appoint from that missing branch.

*History: 47<sup>th</sup> Student Senate SB17SP-001, 48<sup>th</sup> Student Senate SB18FA-001,*