

UNIVERSITY of  
**HOUSTON**  
STUDENT GOVERNMENT ASSOCIATION

**Label:** SGAB-57003

**Date introduced:** 5/20/2020

**Author(s):** President Khademakbari, Vice President Rashid, Speaker Cheng

**Sponsor(s):** Legislative Chief of Staff Khan

**Committee:** Internal Affairs

**Draft:** Final

**The Bylaw Reform Act**

**Whereas,** every year the Student Government Association bylaws are subject to review and renewal as the needs and structure of the organization changes;

**Whereas,** these changes are necessary to establish an effective Student Government Association;

**Therefore, be it enacted by the Senate of the University of Houston Student Government Association:**

That the attached document titled and labeled "The Bylaws of The University of Houston Student Government Association, Amended on June 3<sup>rd</sup>, 2020 (57<sup>th</sup> Administration) become the new University of Houston Student Government Association Bylaws

*Jasmine Khademakbari*

Jasmine Khademakbari

Student Government President

Date of President's Approval: 06/05/2020

*Julian Cheng*

Julian Cheng

Speaker of the Senate

Date of Senate Approval: 06/05/2020



# **The University of Houston Student Government Association Bylaws**

Amended on June, 3<sup>rd</sup> 2020 (57<sup>th</sup> Administration)

## TABLE OF CONTENTS

<b>Title I: Composition and Structure of the Senate .....</b>	<b>4</b>
<b>Article 1: General Provisions .....</b>	<b>4</b>
<b>Article 2: Senate Membership .....</b>	<b>4</b>
<b>Article 3: Attendance Policy .....</b>	<b>4</b>
<b>Article 4: Meetings .....</b>	<b>6</b>
<b>Article 5: Summer Senate .....</b>	<b>7</b>
<b>Article 6: Officers of the Senate.....</b>	<b>7</b>
<b>Article 7: Caucuses of the Senate.....</b>	<b>9</b>
<b>Article 8: Committees of the Senate .....</b>	<b>11</b>
<b>Article 9: Select Committees of the Senate .....</b>	<b>13</b>
<b>Article 10: Legislation.....</b>	<b>14</b>
 <b>Title II: Rules of the Senate.....</b>	 <b>18</b>
<b>Article 1: Order of Business.....</b>	<b>18</b>
<b>Article 2: The Senate Minutes .....</b>	<b>19</b>
<b>Article 3: Rules for Debate and Parliamentary Procedure.....</b>	<b>19</b>
<b>Article 4: Voting.....</b>	<b>20</b>
<b>Article 5: Time Allotment .....</b>	<b>21</b>
 <b>Title III: The Executive .....</b>	 <b>21</b>
<b>Article 1: The Student Body President and Executive Branch.....</b>	<b>21</b>
<b>Article 2: Executive Appointment Process .....</b>	<b>25</b>
<b>Article 3: Commissions and Special Task Forces .....</b>	<b>26</b>
 <b>Title IV: The Justice Department.....</b>	 <b>28</b>
<b>Article 1: The Attorney General and the Justice Department .....</b>	<b>28</b>
<b>Article 2: Office of the Attorney General .....</b>	<b>29</b>
<b>Article 3: Office of the Deputy-Attorney General .....</b>	<b>31</b>
<b>Article 4: Office of the Student Government Auditor .....</b>	<b>31</b>
<b>Article 5: Office of the Solicitor General .....</b>	<b>32</b>
<b>Article 6: Office of the Public Defender.....</b>	<b>32</b>
 <b>Title V: Judiciary and Judicial Procedure .....</b>	 <b>32</b>
<b>Article 1: General Provisions .....</b>	<b>32</b>
<b>Article 2: The Supreme Court .....</b>	<b>34</b>
<b>Article 3: Supreme Court Pre-Trial Procedure .....</b>	<b>36</b>
<b>Article 4: Hearings.....</b>	<b>38</b>
<b>Article 5: Supreme Court Post-Trial Procedure.....</b>	<b>38</b>
<b>Article 6: Failure to Appear .....</b>	<b>39</b>
<b>Article 7: Interpretation .....</b>	<b>39</b>
<b>Article 8: Lower Courts.....</b>	<b>39</b>

<b>Title VI: Fiscal Policies and Procedures .....</b>	<b>40</b>
<b>Article 1: General Provisions.....</b>	<b>40</b>
<b>Article 2: Budget Development and Procedure.....</b>	<b>40</b>
<b>Article 3: Fiscal Procedures .....</b>	<b>41</b>
 <b>Title VII: Code of Impeachment .....</b>	 <b>42</b>
<b>Article 1: General Provisions.....</b>	<b>42</b>
<b>Article 2: Preliminary Procedures of Impeachment Charges .....</b>	<b>43</b>
<b>Article 3: Trial.....</b>	<b>44</b>
<b>Article 4: Other Forms of Reprimand .....</b>	<b>45</b>
 <b>Title VIII: Student Fees Advisory Committee .....</b>	 <b>45</b>
<b>Article 1: General Provisions.....</b>	<b>45</b>
<b>Article 2: Membership.....</b>	<b>46</b>
<b>Article 3: Appointment of Student Members.....</b>	<b>46</b>
<b>Article 4: Committee Chairperson .....</b>	<b>47</b>
<b>Article 5: Operation Procedures.....</b>	<b>47</b>
 <b>Title IX: Code of Ethics .....</b>	 <b>48</b>
<b>Article 1: Purpose .....</b>	<b>48</b>
<b>Article 2: Core Values .....</b>	<b>48</b>
<b>Article 3: Accountability .....</b>	<b>49</b>
<b>Article 4: Additional Provisions and Guidance.....</b>	<b>49</b>

# **Title I: Composition and Structure of the Senate**

## **Article 1: General Provisions**

### **Section 1: Purpose**

- Clause 1: This Title is adopted by the Senate consistent with its Constitutional power to make all laws which will be necessary and proper for carrying into execution the foregoing powers and all powers vested by the Constitution of the Student Government Association or in any department or office thereof and in order to specify the manner in which the Senate will exercise its powers as the legislative body of the Student Government Association.

### **Section 2: Authority Limits**

- Clause 1: No motion or vote within the Senate may suspend the rules within the Bylaws or Constitution without a Student Government Bill to amend the Bylaws being passed and enacted according to the exact process outlined in Title I, Article 10, Section 6, Clause 1 of the Bylaws.
- Clause 2: All powers within the Bylaws are explicitly granted and cannot be transferred to anyone else without a Student Government Bill to amend the Bylaws being passed and enacted according to the exact process outlined in Title I, Article 10, Section 6, Clause 1 of the Bylaws. No emergency powers may be granted by the Senate.

## **Article 2: Senate Membership**

### **Section 1: Membership**

- Clause 1: The members of the Senate will be those students duly elected or appointed to the Senate according to the Constitution and the Student Government Association Bylaws.
- Clause 2: Members of the Senate will assume their office immediately following the beginning of their term or immediately upon their appointment as defined by the Election Code, Bylaws, and Constitution.
- Clause 3: Members of the Senate will be in good academic and disciplinary standing with the University of Houston.

## **Article 3: Attendance Policy**

### **Section 1: Attendance**

- Clause 1: Each Senator will attend all meetings of the Senate, of those Senate Committees on which that Senator serves, and of their respective Senate Caucuses.

- Clause 2: Each Senator will not be counted absent so long as they answer present either at the opening or closing call of the role. The Speaker will determine whether the length of time the Senator attended the meeting is adequate.
- Clause 3: Senators will attend SGA functions, as determined by the Speaker to promote SGA and its functions. If a Senator has an excused absence from attending a function pursuant to this clause, that absence will not be applied toward the total count of excused absences for expulsion.

## **Section 2: Townhall Meetings**

- Clause 1: For the purpose of facilitating communication between students and their representative(s) in the Senate, all Senators will join together in holding a public Townhall meeting with the student body each semester, excluding summer and winter sessions.
- Clause 2: Such meetings will be publicized in an appropriate way to the constituency involved at least seven calendar days in advance.
- Clause 3: For each semester Townhall meeting a Senator fails to attend, they will be assessed an unexcused absence towards their Senate record, in accordance with the Senate Attendance Policy. Excused absences are left to the discretion of the Speaker

## **Section 2: Volunteering Requirements**

- Clause 1: Senators are to complete at-least ten hours of community service per semester between at least two events, not including Summer and the half of Spring during which each administration that Senators are inaugurated in begins.
- Clause 2: Senators will report their volunteer hours to the Legislative Chief of Staff and/or Speaker who will keep track of the hours completed until the end of each semester.
- Clause 3: Senators may choose organizations on or off campus to complete volunteer hours, but they must return with signed confirmation of their time from an officer or staff member.
- Clause 4: Volunteering for on-campus and/or University-sponsored events will count towards the volunteering requirement.
- Clause 5: Senators who fail to complete the volunteer hours listed above will receive one absence equivalent to a Senate meeting absence, requiring an absentee form to be submitted.
- Clause 6: Senators who are successful in completing the hours listed above, and complete their entire term in the Senate, will receive exclusive SGA merchandise and/or a graduation stole.

## **Section 3: Absences**

- Clause 1: Any Senator who accumulates a combined total of three (3) or more unexcused absences from Senate meetings, Senate Committee meetings, or Senate Caucus meetings will promptly and automatically be removed from office on the

- grounds of nonfeasance.
- Clause 2: Any Senator who accumulates two (2) consecutive unexcused Senate meeting absences will promptly and automatically be removed from office on the grounds of nonfeasance.
- Clause 3: Any Senator who accumulates four (4) or more consecutive excused Senate meeting absences will promptly and automatically be removed from office on the grounds of nonfeasance.
- Clause 4: Any Senator who takes office on or before September 1st who accumulate six (6) total absences, excused or unexcused, will promptly and automatically be removed from office on the grounds of nonfeasance.
- Clause 5: Any Senator who takes office after September 1st who accumulates three (3) or more total absences, excused or unexcused, will promptly and automatically be removed from office on the grounds of nonfeasance.
- Clause 6: Any Senator who accumulates a combination of four (4) Summer Senate and Summer Committee meeting absences or two (2) Summer Senate meetings exclusively will be removed from Summer Senate.
- Clause 7: The Speaker of the Senate will notify and remove any Senators who violate the attendance policy.
- Clause 8: In cases where a Senator is removed by the Speaker of the Senate due to attendance policy violations, the Senator may appeal the decision to the Supreme Court.
- Clause 9: In the case of extraordinary circumstances, where a Senator is in violation of the attendance policy due to excused absences, their removal from the Senate will be subject at the discretion of the Speaker.

#### **Article 4: Meetings**

##### **Section 1: Opening of Annual Session**

- Clause 1: The Senate will assemble to initiate its annual session on the first week of April.

##### **Section 2: Presiding Officer**

- Clause 1: The Presiding Officer of the first senate meeting will be the Vice President of the Student Government Association.
- Clause 2: Should the Vice President be unable to preside, the President will be Presiding Officer. Should the President be unable to preside, the President may appoint a Presiding Officer to be confirmed by the Senate at the very start of the meeting.
- Clause 2: If the Speaker's Office is vacant, or if the Speaker is unable to attend a meeting, the responsibilities of the Speaker will fall to the Speaker Pro-Tempore, until the Speaker returns or a new Speaker is elected.
- Clause 3: If both the Speaker and the Speaker Pro-Tempore are absent, or both offices are vacated, the Vice-President will preside over Senate meetings in the interim.

##### **Section 3: Quorum**

- Clause 1: A majority of the members of the Senate will constitute a quorum of all meetings

- of the Senate.
- Clause 2: No official and binding votes may be taken at any meeting when a quorum is not present. The meeting may be called to order, the roll called, announcements made, and the meeting recessed or adjourned.
- Clause 3: Any member of the Senate may, by a point of inquiry, request a determination of the presence of a quorum. Such request will suspend all business and the only action at this point will be a roll call to determine the presence of a quorum.

#### **Section 4: Special Meeting of the Senate**

- Clause 1: The President will give at least twenty-four (24) hours' notice to the members of the Senate and to the public of such meetings.
- Clause 2: The order of business for all such special meetings will be determined by the President and matters for consideration limited to those specified by the President.
- Clause 3: Special meetings may also be called by a majority vote of the Senate. In such a case, the agenda will be the same as for a regular meeting.

### **Article 5: Summer Senate**

#### **Section 1: Membership**

- Clause 1: The Summer Senate will consist of all Senators able to attend during the Summer Session. A Summer Senator need not be enrolled in classes.
- Clause 2: Senators able to serve will indicate so to the Speaker of the Senate by May 16<sup>th</sup> of each year preceding the beginning of Summer Session.
- Clause 3: A Senator may resign their Summer Senate position without forfeiting the remainder of their regular term provided that they make such intentions known in writing to the Speaker.

#### **Section 2: Senate Powers**

- Clause 1: The Summer Senate will be granted the full powers of the Student Government Association Senate for any actions which are necessary and proper for the normal functioning of the Student Government Association during the period between the final Senate meeting of the Spring semester and the first such meeting of the Fall semester.

### **Article 6: Officers of the Senate**

#### **Section 1: Speaker of the Senate**

- Clause 1: At the first meeting of the session, the Senate will proceed to the election of the Speaker, unless a majority of the members of the Senate present and voting will postpone such election.
- Clause 2: The Speaker will be elected by the majority of those Senators present and voting. No person will be eligible for nomination to the Office of the Speaker unless they are a sitting member of the Senate, or was a member of the immediately



- preceding Senate, whether elected or appointed.
- Clause 3: The election for Speaker of the Senate will consist of an election of all nominated candidates in the first round. Candidates will be given 5 minutes to speak, followed by 3 minutes of Q&A, after which debate and a vote may take place. Senators may motion for a vote through anonymous ballot. If no candidate receives a majority vote of Senators present and voting in the first round, a second round will be conducted including only the two nominees who received the most votes in the first round. In the second round, Senators may motion to bring candidates back into the Senate Chamber for a second round of speeches and questions.
- Clause 4: In the event of a tie between 2<sup>nd</sup> place candidates in the first round, the Presiding Officer will cast a vote to break the tie. The Senate may overrule this vote through a simple majority motion, at which time a revote on the candidates will take place. Should a tie happen in the second round, a revote will take place after any further necessary debate.
- Clause 5: All nominees will wait outside the Senate Chamber during debate on the nominees and during voting on nominees. If a second round between the top two candidates is necessary, all nominees who are sitting Senators, and who failed in the first round, will be invited back in the chamber to participate in the selection of the remaining two candidates for Speaker of the Senate.
- Clause 6: Persons seeking the Office of Speaker must be in good academic and disciplinary standing with the University.
- Clause 7: Immediately following the election, the Speaker will assume the office.

## **Section 2: Powers and Responsibilities of the Speaker**

- Clause 1: The Speaker will coordinate all Committees of the Senate.
- Clause 2: The Speaker will have the power to name a member(s) of the Senate to perform the duties of chair of the Senate in absence of the Speaker Pro-Tempore.
- Clause 3: The Speaker will appoint with the advice and consent of those members of the Senate present and voting the other officers and staff of the Senate.
- Clause 4: The Speaker will serve as a mentor in the Emerging Leaders Program.
- Clause 5: The Speaker will serve as an ex-officio, non-voting member of each standing Committee of the Senate.
- Clause 6: The Speaker will perform all other functions and duties of their Office as prescribed by the Constitution and Bylaws.
- Clause 7: The Speaker will maintain a minimum of twenty (20) office hours per week between the hours of 8:00 am and 10:00 pm Monday through Saturday during academic terms. Office hours will be defined as hours during which the Speaker is working on student government business either within or outside of the physical SGA Office. Absence from mandatory office hours for three (3) or more consecutive weeks will constitute a Leave of Absence. The Speaker will not be eligible for compensation for the duration of their Leave of Absence.

## **Section 3: Rules and Procedures for Recalling the Speaker of the Senate**

- Clause 1: A recall vote for the sitting Speaker may be heard by the Senate at any time, should seven (7) sitting Senators co-sponsor a Senate Resolution proposing a

- recall election take place for the Speaker (including the author).
- Clause 2: A proposal to recall the Speaker must receive a majority vote of the entire membership of the Senate to move forward.
- Clause 3: If a majority of the membership of the Senate vote for the recall of the Speaker, an election for Speaker of the Senate will be held at the next Senate meeting, with the sitting Speaker remaining an eligible candidate.
- Clause 4: The Vice-President will serve as the Presiding Officer during the entirety of the Senate meeting holding debate on a Resolution to recall the Speaker and/or during a Senate meeting holding a recall election for the Speaker, until the conclusion of the recall election. Should the Vice President be unable to preside, the President will be Presiding Officer. Should the President be unable to preside, the President may appoint a Presiding Officer to be confirmed by the Senate at the very start of the meeting.
- Clause 5: A recall election for Speaker of the Senate will function in the same manner as an election to fill a vacant Speaker's Office (outlined in Title I, Article 6, Section 1, Clauses 3 and 4), with the sitting Speaker remaining an eligible candidate.
- Clause 6: A Senate Resolution to recall the Speaker must go through the process outlined in Title I, Article 10, Section 6, Clause 2 of the Bylaws.
- Clause 7: The sitting Speaker may self-nominate for candidacy in a recall election for Speaker of the Senate.

#### **Section 4: Legislative Chief of Staff**

- Clause 1: The Speaker of the Senate will name a Legislative Chief of Staff.
- Clause 2: The Legislative Chief of Staff will be responsible for keeping a record of the Senate meeting minutes.
- Clause 3: The Legislative Chief of Staff will record votes on all Legislation.
- Clause 4: The Legislative Chief of Staff will aid the Speaker of the Senate in managing Senate Meetings. This includes, but is not limited to: altering text from the overhead screen, fixing technological malfunctions, retrieving documentation from Senators or others in the gallery, etc.
- Clause 5: The Legislative Chief of Staff will assist the Speaker of the Senate in roles outside of Senate meetings. This includes, but is not limited to: attending meetings for the Speaker of the Senate, completing tasks assigned by the Speaker of the Senate, reviewing and editing documentation regarding the Legislative Branch of the Student Government Association, etc.

#### **Article 7: Caucuses of the Senate**

##### **Section 1: General Provisions**

- Clause 1: A Caucus of the Senate ("Caucus") is defined as a conference of Senators that carry the same title and represent the same constituents with the purpose of discussing initiatives that benefit their respective constituencies.
- Clause 2: There will be a Caucus for every college that has at least three (3) Senators representing it.
- Clause 3: There will be an Undergraduates-at-Large Caucus. These Senators will not be

- responsible for attending any other Caucus meetings.
- Clause 4: Senators representing exclusively Graduate or Professional students will not be required to be a member of any Caucus.
- Clause 5: Any rules and regulations of order for each Caucus that are not listed in the Student Government Association Constitution or Bylaws will be at the discretion of the Senators within the Caucus.
- Clause 6: A Caucus of the Senate is not to be confused with moderated or unmoderated caucuses that are held within Senate meetings to debate on business.
- Clause 7: Any additional Caucus may be established with the advice and consent of a simple majority of the Senators composing the Caucus and the Speaker of the Senate without an amendment to this Article and will be subject to the same privileges, rules and regulations of Caucuses established by this Article.

## **Section 2: Senate Caucus Meetings**

- Clause 1: Meetings for each Caucus will be held at least four (4) times per each Student Government Administration, and at least one (1) of these meetings must take place in the first Spring semester, two (2) in the Fall semester and one (1) in the last Spring semester of the administration.
- Clause 2: The date, time, and place of each Caucus meeting will be coordinated by the Speaker of the Senate with respect to the availability of the Senators and made public.
- Clause 3: A majority of Senators from a Caucus has the right to call for a Caucus meeting at any time.
- Clause 4: The Speaker of the Senate or their designee will preside over each Caucus meeting.
- Clause 5: No Caucus meeting will be presided over by a member of that Caucus.
- Clause 6: Meetings will be open to all members of the Caucus' constituency.
- Clause 7: Each individual member of a Caucus has the right to attend Caucus meetings electronically, through call-in, teleconferencing, etc.

## **Section 3: Procedures for Small Colleges**

- Clause 1: For the purpose of this section, a "small college" will be defined as a college with less than three (3) Senators representing it, excluding Graduate and Professional colleges.
- Clause 2: Each Undergraduate-at-Large ("UGAL") Caucus meeting will include a designated time for the discussion of small colleges.
- Clause 3: Senators representing small colleges will be considered members of the UGAL Caucus and are subject to the same rules and regulations as UGAL Senators.
- Clause 4: During the small college discussion time, the UGAL Caucus will operate as if it is a Caucus of the small college being discussed. All members will have the opportunity to discuss their initiatives that benefit the specific small college.

## **Article 8: Committees of the Senate**

### **Section 1: General Provisions**

- Clause 1: The provisions of this Article, unless otherwise specified, will apply to all standing and select Committees of the Senate.
- Clause 2: The Committee chair and two Committee members of any Committee membership will constitute a quorum, and no official action will be taken upon any measure or recommendation in the absence of a quorum.
- Clause 3: Each standing Committee will review Bills when their subject matter is within the jurisdiction of that Committee.
- Clause 4: A Committee may, in its legislative review, amend Bills for the purpose of improving their appearance, presentation and effect.
- Clause 5: Each member of the Senate, excluding those representing exclusively Graduate or Professional students, will serve on one of the standing Committees but may serve on no more than two (2) of the aforementioned standing Committees, with voting rights guaranteed to all primary and secondary members of each committee.
- Clause 6: Committees need-not meet in-person, and each individual member has the right to attend Committee meetings electronically, through call-in, teleconferencing, etc.
- Clause 7: Committee Chairpersons may vote on a matter when their vote makes a difference in the outcome.
- Clause 8: All Chairpersons serve at the discretion of the Speaker of the Senate, excluding the Chairperson of the Emerging Leaders Committee.
- Clause 9: All Chairpersons will name a Vice-Chair.
- Clause 10: The Vice-Chair will serve as the Presiding Officer of the committee in cases where the Chairperson is unavailable. The Vice Chair will carry out any committee work as delegated by their committee Chairperson.

### **Section 2: Committee on Academic Affairs**

- Clause 1: The Chairperson for the Committee on Academic Affairs will be appointed by the Speaker of the Senate with advice and consent of a majority of the Senate present and voting.
- Clause 2: Responsibilities of the Committee on Academic Affairs will include but are not limited to: Faculty and course evaluations, degree program requirements and curriculum, academic standards, testing methods, academic advising and course selection, student access and success, student support services, academic policies and honor codes, University Libraries, Enrollment Services, other academic programs, services, and policies offered through the University of Houston Division of Academic Affairs and Provost.

### **Section 3: Committee on Administration and Finance**

- Clause 1: The Chairperson for the Committee on Administration and Finance will be appointed by the Speaker of the Senate with advice and consent of a majority of the Senate present and voting.
- Clause 2: Responsibilities of the Committee on University Administration and Finance will include but are not limited to: Parking and Transportation Services, University Information Technology, University Public Safety and Campus Police, Auxiliary Services, Plant Operations and Facilities, and any other administrative programs, services, and policies offered through the University of Houston Division of Administration and Finance.

### **Section 4: Committee on Internal Affairs**

- Clause 1: The Chairperson for the Committee on Internal Affairs will be appointed by the Speaker of the Senate with advice and consent of a majority of the Senate present and voting.
- Clause 2: Responsibilities of the Committee on Internal Affairs will include but are not limited to: Senate appropriations, enforcement of the Student Government Association Constitution, Bylaws, Statutes, and Rules, amendments of the Student Government Association Constitution, Bylaws, Statutes and Rules.

### **Section 5: Committee on Graduate and Professional Students**

- Clause 1: The Chairperson for the Committee on Graduate and Professional Students will be appointed by the Speaker of the Senate with advice and consent of a majority of the Senate present and voting.
- Clause 2: Responsibilities of the Committee on Graduate and Professional Students will include but are not limited to: any/all issues pertaining to Graduate and Professional student life, academic affairs, and/or administration and finance.

### **Section 6: Committee on Student Life**

- Clause 1: The Chairperson for the Committee on Student Life will be appointed by the Speaker of the Senate with advice and consent of a majority of the Senate present and voting.
- Clause 2: Responsibilities of the Committee on Student Life will include but are not limited to: University Center, Residence Life and Housing, Student publications, Student involvement, student development, student advising, student discipline, student health and wellness, Students' rights and civil liberties, and any other student programs, services, and policies offered through the Division of Student Affairs.

## **Article 9: Select Committees of the Senate**

### **Section 1: General Provisions**

- Clause 1: A Select Committee of the Senate is defined as a legislative committee appointed for a special purpose.
- Clause 2: A Select Committee may be founded and/or abolished by a Student Government Association Bill completing the legislative process, as outlined by Title 1, Article 10, Section 6, Clause 1, calling for such foundation or abolition.
- Clause 3: Select committees may determine their own internal policies and procedures, so long as they do not obviate the Election Code, Bylaws, or the Constitution of the Student Government Association.

### **Section 2: Select Committee on Emerging Leaders**

- Clause 1: The purpose of this Select Committee is to develop future student leaders. The Select Committee on Emerging Leaders will function as an internship program within the Student Government Association to educate students about the function and structure of the organization and the university.
- Clause 2: The Chief of Staff will be the Chairperson for the Emerging Leaders Committee.
- Clause 3: Members of the Senate are not allowed to join the Emerging Leaders Committee throughout their time as a Senator.
- Clause 4: All members of the Emerging Leaders Committee will be chosen through an application process by the Chief of Staff.
- Clause 5: Responsibilities of the Committee on Emerging Leaders include but are not limited to: Learning the infrastructure of the Student Government Association, practicing duties associated with becoming a Student Leader, learning how to draft legislation, event planning, participating in a mentorship program, etc.
- Clause 6: The Emerging Leaders Committee may draft legislation (subject to Title I, Article 10 of the University of Houston Student Government Association Bylaws) to be voted on by the full Senate.
- Clause 7: All legislation proposed by the Emerging Leaders Committee must be passed through the Emerging Leaders Committee first, then move forward in the process for passing legislation as outlined by Title 1, Article 10, Section 6, Clause 1 of the University of Houston Student Government Association Bylaws.
- Clause 8: Members of the Emerging Leaders Committee must attend an Emerging Leaders retreat planned by the Chief of Staff's Office.

### **Section 3: Select Committee on Greek Life**

- Clause 1: The purpose of this Select Committee will be to connect the leaders of Greek Life to the Leaders of the Student Government Association and to share ideas that will allow the Center for Fraternity and Sorority Life to have a greater representation with the Student Government Association. This committee may make recommendations and issue advisory opinions to the Student Government Association leadership.

- Clause 2: The Select Committee on Greek Life will consist of two (2) Student Government representatives, and, at least one (1) and a maximum of two (2) voting representatives from each of the Greek Councils.
- Clause 3: The Student Government representatives may be members of the Senate selected by the Vice-President of the Student Government Association, and the Greek Council members will be selected in accordance with each Council's individual selection process

## **Article 10: Legislation**

### **Section 1: Legislation Sponsored by Request**

- Clause 1: Legislation may be introduced and sponsored by request when a member of the Senate is acting on the request of a constituent and does not wish to imply a personal position.

### **Section 2: Labeling of Legislation**

- Clause 1: All copies of legislation distributed for consideration by members of the Senate will be labeled with the legislation's author(s); Senate sponsor(s), Committee(s) to which legislation is referred (as soon as knowledge is available), date of introduction, and draft of the legislation (e.g. first reading, Committee substitute, Committee recommendation with amendment, etc.)
- Clause 2: Legislation will also be numbered with the first two digits corresponding to the number of the Senate session in office (e.g. all legislation from the 49th Senate would be numbered "49xxx"). Each category of legislation will have a separate numbering system beginning with 001. (e.g. SGA49001).
- Clause 3: Resolutions do not need to reference a Committee in their labeling.

### **Section 3: Return to Vetoed Senate Legislation**

- Clause 1: At the first meeting after a piece of legislation is returned to the Senate by the President with their objection, or during the same meeting the President's veto is announced, the Senate will automatically proceed to reconsider the legislation or to determine the time of reconsideration of the legislation over the President's objections.
- Clause 2: A two-thirds ( $\frac{2}{3}$ <sup>rd</sup>s) vote of the members of the Senate present and voting will be required to pass the legislation overriding the President's veto.

### **Section 4: Classification of Legislation**

- Clause 1: University Bills will be passed by the Senate when the matter of consideration involves action by areas or departments of the University other than the Student Government Association; University Bills will be passed by the Senate in order to make, on behalf of the Student Government Association, specific proposals which require approval of the President of the University of Houston. University Bills



- Clause 2: will require a majority vote by the Senate members present and voting to pass. Student Government Association Bills will be passed by the Senate on matters within the authority of the Senate and the Student Government Association, including Student Government Association laws and appropriations. Student Government Association Bills will require a three-fourths ( $3/4^{\text{th}}$ ) vote by the Senate members present and voting to pass.
- Clause 3: Student Government Association Resolutions will be adopted by the Senate when the Senate wishes to state a fundamental of continuing policy or theory of the Student Government Association on some issue. Student Government Association Resolutions will require a majority vote by the Senate members present and voting to pass.
- Clause 4: Senate Resolutions will be adopted by the Senate when the Senate wishes to express the position of those members of the Senate present and voting; Senate Resolutions will require a majority vote by the Senate, present and voting to pass, and do not need a Presidential signature for approval.

### **Section 5: Formalities of Enactment**

- Clause 1: The Enacting Clause of University Bills and Student Government Association Bills will approximate the following form: “Be it enacted by the Senate of the Student Government Association of the University of Houston”.
- Clause 2: The resolving clause of Student Government Association Resolutions will approximate the following form: “Be it resolved by the Student Government Association of the University of Houston”.
- Clause 3: The resolving clause of Senate Resolutions will approximate the following form: “Be it resolved by the Senate of the Student Government Association of the University of Houston”.

### **Section 6: Procedures for Enactment of Legislation**

- Clause 1: All Bills considered by the Student Government Senate will be considered through the following process, in the following order:
- a. An introduction and first read of the Bill will take place in front of the Senate; then
  - b. The Senate will vote to refer the Bill back to the relevant governing Committee, as determined by the Senate in the motioning process; then
  - c. The Bill must receive a majority vote of approval from the relevant governing Senate Committee to be sent back to the Senate for a final vote; then
  - d. The Bill will be read once more and voted on by the full Senate; then
  - e. If the Bill receives the required number of votes, the Bill will be presented to the President of the Student Government for final approval; then
  - f. If the President of the Student Government supports the Bill, they will indicate so by signing it, and if they does not support the Bill, they will indicate so by vetoing the Bill. The President may also take no action on a passed Bill



- Clause 2: All Student Government and Senate Resolutions will be considered through the following process, in the following order:
- a. An introduction and first reading of the Resolution will take place in front of the Senate; then
  - b. The Resolution will be read once more, at a meeting of the Senate taking place after the first reading, and voted on by the full Senate; then
  - c. If the Resolution receives the required number of votes, the Resolution will be presented to the President of the Student Government for final approval; then
  - d. If the President of the Student Government supports the Resolution, they will indicate so by signing it, and if they does not support the Resolution, they will indicate so by vetoing the Resolution. The President may also take no action on passed Resolutions.
- Clause 3: A piece of legislation may be read any number of times as determined by the author, with, at a minimum, a first-read and a final-read.
- Clause 4: If the legislation fails at any point, at the following Senate meeting, the author may re-introduce the legislation at the point where the legislation failed.
- Clause 5: Senate Resolutions, Executive Order Abrogation Bills, and Bills attempting to override a Presidential Veto do not have to be presented to the President of the Student Government Association for final approval and will be considered approved after receiving the required number of votes on a final vote.
- Clause 6: An author may skip their Bill being referred back to the relevant governing committee if the Bill has at least ten (10) co-sponsors (including the author).
- Clause 7: A Bill may not be altered in any way which affects its meaning and content after being sent through committee for a final vote. If a Bill is altered in its meaning/content after being sent through committee, the author must start the enactment process over with another first-reading. After a Bill is sent through Committee, the author may make grammatical changes.
- Clause 8: Only after seven (7) days from a piece of Legislation's first reading can a vote on that Bill take place (i.e. first reading at a Senate meeting, then referral back to committee, passing committee, then at the next Senate meeting following the first-reading the Bill may be voted on).
- Clause 9: If legislation is voted on during a special meeting, the Senate must have and/or wait at least twenty-four (24) hours between the special meeting being called (either by the President or a majority of the Senate) and the special meeting taking place.
- Clause 10: Anything which requires a Senate vote may only officially be sponsored by a sitting senator (not including the Speaker). Other individuals may cosponsor legislation if they desire. However, only sitting senator cosponsors will be counted when determining whether or not the proper number of cosponsors is met, in all cases requiring a specific number of cosponsors for an item or piece of legislation (should such a case arise).

## **Section 7: Executive Order Abrogation Bill**

- Clause 1: An Executive Order Abrogation Bills will be passed by the Senate when The Senate wishes to repeal an Executive Order issued by the President that is deemed unnecessary and/or improper.
- Clause 2: An Executive Order Abrogation Bill must have a minimum of ten (10) co-sponsors to be introduced to the Senate, including the author.
- Clause 3: An Executive Order Abrogation Bill may be voted on by the Senate during its first reading, with a two-thirds ( $2/3^{\text{rds}}$ ) vote of members present and voting being required to pass.
- Clause 4: If the Senate wishes to turn down an Executive Order Abrogation Bill, it must be on grounds relating to the nature of the content within the Bill, excluding grammatical or aesthetic reasons.

## **Title II: Rules of the Senate**

### **Article 1: Order of Business**

#### **Section 1: The order of Business for all regular meeting of the Senate will be as follows:**

Clause 1: Call to Order by the Presiding Officer

I. Opening call of the roll

Clause 2: Reading and approval of the Senate minutes from the previous meeting

Clause 3: Recital of the University of Houston Alma Mater

Clause 4: Special Reports

I. University Representatives wishing to address the Senate

II. Students wishing to address the Senate

III. Guest Speakers wishing to address the Senate

IV. Two-minute speeches by the Members of the Senate

Clause 5: Executive, Speaker, Court, and Justice Department Reports

I. Report of the President

II. Report of the Vice-President

III. Report of the Speaker

IV. Report of the Chief Justice

V. Report of the Attorney General

VI. Report of the Chief Election Commissioner

VII. Report of the Chief of Staff

VIII. Report of the Director of External Affairs

IX. Report of the Director of Public Relations

X. Report of the Director of Outreach

Clause 6: Committee Reports

I. Reports of the Standing Committees

II. Reports of the Select Committees

Clause 7: Unfinished Business

Clause 8: New Business

Clause 9: Closing Remarks

I. Comments and announcements of the Officers

II. Open Forum

III. Closing Call of the Roll

Clause 10: Adjournment

## **Article 2: The Senate Minutes**

### **Section 1: Composition of minutes:**

- Clause 1: Senate meeting minutes will contain, at minimum, the following:
- a. A list of the members present and absent for each meeting during any roll call.
  - b. A copy of all legislation that has become law since the previous Senate meeting.
  - c. The written objection of the President regarding any legislation returned to the Senate with their objections.
  - d. The final form of all legislation considered or passed during the meeting.
  - e. Action on nominations and appointments taken and reported on by a Senate Committee or taken by the entire Senate when necessary.
  - f. The result of final votes on any Student Government Association Bills, University Bills, Referendums, Constitutional Amendment Proposals and Resolutions will be recorded through the process of a roll call vote and put into the Senate minutes. The roll call will consist of every Senator's name and vote being recorded after the Legislative Chief of Staff calls it. If the Presiding Officer's vote is needed, it will be recorded as well. Senate votes on appointments and nominations of any kind will not be recorded through the process of a roll call, but merely a numerical recording of the votes will be included in the Senate minutes for record keeping purposes. The Speaker in consultation with the Legislative Chief of Staff will determine the specific format for the record keeping of the roll call vote.
  - g. New Business proposed and considered.
  - h. The time of adjournment.
  - i. Any member of the Senate may include an explanation of their vote in the Senate minutes. A short explanation must be turned into the Speaker prior to the minutes being approved by the Senate. In such cases, the Speaker will instruct the Legislative Chief of Staff to record it in the Senate minutes.
  - j. Minutes and accompanying entries will be posted to the SGA website within seven (7) business days of approval by the Senate.

## **Article 3: Rules for Debate and Parliamentary Procedure**

### **Section 1: Parliamentary Authority**

- Clause 1: The rules contained in the most recent edition of Robert's Rules of Order Newly Revised will govern in all cases in which they are applicable and in which they are not inconsistent with the Constitution of the Student Government Association, Student Government Association Code, Statutes of the Student Government Association, and/or the Rules of the Senate.

## **Section 2: Presiding Officer to Cast Deciding Vote**

Clause 1: The Speaker or Presiding Officer of the Senate may only cast a vote on any question on which their vote would change the result.

## **Section 3: Standing Rules**

- Clause 1: All nominations heard by the Senate must be placed on the Agenda within 24-hours of opening call of the role. Motions to nominate people from the floor will not be entertained except for the following cases: nominations for Speaker of the Senate. Nominations for vacant Senate seats made by fellow Senators, and nominations for Attorney General in the event of the entire Department being vacant.
- Clause 2: Authors of legislation will abstain from final votes involving their legislation.

## **Article 4: Voting**

### **Section 1: Procedures**

- Clause 1: Nomination proceeding is defined as any procedure within the Senate where the Senate votes on whether or not to install an individual into a position. This includes competitive nomination processes (where the Senate chooses amongst multiple people for a position or positions).
- Clause 2: Abstentions are prohibited during nomination proceedings, and during competitive nomination processes a Senator must choose amongst the available, nominated, candidates.
- Clause 3: Abstentions, when allowed and cast, will be taken out of any vote count (i.e. If a University Bill is voted on with a count of 17 for, 16 against, and 3 abstentions, the Bill will be considered passed by a majority of those present and voting, with 33 members present and voting).

### **Section 2: Proxy Voting**

- Clause 1: Voting by proxy is the act of forwarding your voting right to an authorized Officer of the Student Government Association.
- Clause 2: All Senators absent during a meeting of the Senate will have the right to vote by proxy.
- Clause 3: If a Senator wishes to vote by proxy, they will indicate so in writing to the Speaker of the Senate prior to open call of the roll of the Senate meeting they wishes to indicate a proxy voter.
- Clause 4: When indicating a desire to vote by proxy, the Senator must include the following information:
- a. Who their voting right will be forwarded to; and
  - b. When they are forwarding this right.
- Clause 5: A Senator who is physically absent for a meeting, but indicates a proxy voter, may be assessed an absence as determined by the Speaker.

- Clause 6: For the purposes of quorum and votes requiring a portion of the entire membership of the Senate, proxy voters will count as present voters (i.e. A present Senator with two fellow Senator's proxies will count as three Senators present at the meeting).
- Clause 7: A proxy vote may only be delivered to a fellow Senator.
- Clause 8: A Senator may only hold a maximum of one (1) proxy vote during a regularly scheduled Senate meeting and a maximum of two (2) proxy votes during a special meeting of the Senate.

### **Article 5: Time Allotment**

- Clause 1: Students wishing to address the Senate during Clause 4 of the agenda will be allotted 3 minutes, with a maximum of three students being allowed to address the Senate during Clause 4 of the Agenda per meeting.
- Clause 2: University representatives wishing to address the Senate during Clause 4 of the agenda will be allotted 10 minutes maximum, with a maximum of two University representatives being allowed to address the Senate per meeting. University representatives must schedule their speaking time with the Speaker of the Senate in advance of the meeting during which they wish to speak.
- Clause 3: Guest Speakers wishing to address the Senate during Clause 4 of the agenda will be allotted 5 minutes maximum, with a maximum of one guest Speaker being allowed to address the Senate per meeting. Guest Speakers must schedule their speaking time with the Speaker of the Senate in advance of the meeting during which they wish to speak.
- Clause 4: All reports under Clauses 5 and 6 of the agenda will be allotted a maximum of 5 minutes each.
- Clause 5: The Speaker may make special exceptions on time allotment.

## **Title III: The Executive**

### **Article 1: The Student Body President and Executive Branch**

#### **Section 1: General Provisions**

- Clause 1: Each Department will be headed by a Director appointed by the President.
- Clause 2: Director positions are defined by the President, while Assistant Director positions are defined and appointed by the Director.
- Clause 3: Each official serves a term at the discretion of the appointing official, not to extend beyond the natural term of the President.
- Clause 4: Each Department Director will have executive authority over their Department.
- Clause 5: Each Department Director will coordinate the activities of the other officials and staff of their Department.
- Clause 6: Each Department Director will report on activities of their Department to the President and Student Government Association Senate.
- Clause 7: Each Department Director will provide direction and goals for the efforts of their Department.

- Clause 8: Each Department Director will attend each regular meeting of the Senate of the Student Government Association.
- Clause 9: Each Department Director will serve as a mentor in the Emerging Leaders Program.
- Clause 10: Office hours will be defined as hours during which the cabinet member is working on student government business either within or outside of the physical SGA Office, and each Director will maintain least twenty (20) office hours per week.
- Clause 11: Office hours may be completed between the hours of 8:00 a.m. and 10:00 p.m. Monday through Saturday during academic terms.
- Clause 12: A failure to complete office hours for three (3) or more weeks will constitute a Leave of Absence.
- Clause 13: Executive Cabinet members will not be eligible for compensation for the duration of their Leave(s) of Absence.
- Clause 14: Each member of the Executive Branch will assume their office immediately following their appointment, as defined by the Bylaws and Constitution.
- Clause 15: The Executive will inform the Senate of the exact function and duties of all stipend and/or compensated positions of the Executive Branch prior to confirmation. The Senate will be presented with a full list of staff from the Executive Branch prior to the first meeting of the administration.

## **Section 2: Powers, Composition, Structure and Jurisdiction of the Presidential Cabinet**

- Clause 1: The Presidential Cabinet will exist solely as an advisory board to the Student Body President and will have no explicit powers of its own. The cabinet will hear reports from its members regarding entities under their supervision.
- Clause 2: The Presidential Cabinet will consist of the President, Vice President, Chief of Staff, Heads of Departments as defined by this article, and any other executive appointees whom the President deems appropriate.
- Clause 3: Members of the Presidential Cabinet will be in good academic and disciplinary standing with the University of Houston.
- Clause 4: The Presidential Cabinet will advocate in accordance with Student Government Association policy.
- Clause 5: Oversight of the Presidential Cabinet may be exercised by the Committee on Internal Affairs, which will have the power to review the records of the Cabinet, compel report of its members, and to make recommendations to the Directors, President, or Senate regarding its improvement.

## **Section 3: Powers, Duties, and Jurisdiction of the President**

- Clause 1: The Executive Power will be vested in the President of the Student Government Association.
- Clause 2: The President will be authorized to utilize the funds in the Executive Budget, in accordance with all applicable provisions in Title VI of the Bylaws.

- Clause 3: The President will have the power to veto legislation pursuant to a fundamental policy or principle of the Student Government Association within five (5) class days after the legislation passes the Senate.
- Clause 4: The President will have the power to appoint and dismiss personnel of the Student Government Association Executive Branch. Monetarily compensated appointments are subject to a formal application process by which the application is publicly available for a minimum of five (5) days and interviews will be conducted for at least two select applicants, if available, of the President's choosing. Confirmation of these appointments will be by a majority of the Senate present and voting, and dismissal powers will only extend to the President.
- Clause 5: The President will have the authority to create and fill special staff positions to aid carrying out those functions necessary to promote the efficiency and work of the Student Government Association Presidential Cabinet. The President may, at their discretion, create or dissolve special staff positions.
- Clause 6: The President will enter into agreements with agencies and organizations outside the University community by and with the consent of the Senate, and the proper University authorities.
- Clause 7: The President or their designate will prepare, for the Student Fee Advisory Committee (SFAC), a request for funding of the Student Government Association every year.
- Clause 8: The President will maintain a minimum of twenty (20) office hours per week.

#### **Section 4: Powers, Duties, and Jurisdiction of the Vice President**

- Clause 1: The Vice President will: assist in fulfilling the duties and responsibilities designated, by law, to the President, succeed to the Presidency in the event of the vacating of that office, and exercise the powers of the Student Body President if they are prevented from exercising their powers.
- Clause 2: The Vice President will perform specialized assignments delegated by the President or by Senate law.
- Clause 3: The Vice President will regularly seek and nominate candidates for positions in the Student Government Association and university-wide Committees.
- Clause 4: University-wide Committee nominations are not subject to an in-person hearing.
- a. The Vice-President will submit a report at the Senate meeting, including at minimum, nominees' resumes and responses to the application.
  - b. The application will be developed by the Vice-President.
  - c. Candidates will each be confirmed by the Senate with a majority vote of the Senate members present and voting.
  - d. The Senate may motion to hear and vote on any individual's nomination with a majority vote of the Senate members present and voting, at which time the confirmation will be held in person at the next Senate meeting.
  - e. The appointments for the following committees are exempted from this rule and are subject to an in-person hearing: the Activities Funding Board (AFB), the Student Fee Advisory Committee (SFAC), and the University Hearing Board.



- Clause 5: The Vice president will recommend to the President appropriate candidates for various staff positions.
- Clause 6: The Vice President will review the actions of and report on all standing University-wide Committees.
- Clause 7: The Vice-President will publicize and maintain an updated list of all university-wide committee appointments on the SGA website except for the University Hearing Board. Any updates to this list must be made with 3 business days of any changes to committee compositions. This list must include but is not limited to the following information: the name of the appointee, their committee, and their University of Houston e-mail address. The Vice-President will determine the specific format of the maintained publicized list on the SGA Website. Members of any Hearing and Review/Appellate Boards, excluding the Student Fee Advisory Committee, identities will not be publicized due to the sensitivity of their work on these various university committees. Students may opt out of publishing personal information if so inclined.
- Clause 8: The Vice President will serve as an ex-officio member on all University-wide standing Committees.
- Clause 9: The Vice President will maintain a minimum of twenty (20) office hours per week.

#### **Section 5: Powers, Duties, and Jurisdiction of the Chief of Staff**

- Clause 1: The Chief of Staff will be responsible for the coordination of the overall Executive Branch under the supervision of the President.
- Clause 2: The Chief of Staff will coordinate the process for selection of individuals to be appointed by the President.
- Clause 3: The Chief of Staff will plan for meetings of the Presidential Cabinet, under the direction of the President.
- Clause 4: The Chief of Staff will represent the President in cases where the President and Vice President are unavailable.
- Clause 5: The Chief of Staff will perform specialized assignments delegated by the President.
- Clause 6: The Chief of Staff will coordinate the Student Government Association Emerging Leaders Program and serve as Chair of the Emerging Leaders Committee. The Chief of Staff will provide opportunities for Emerging Leaders to develop leadership skills and participate in the ongoing business of the Student Government Association through assisting elected and appointed officials of the Executive, Legislative, and Judicial branches with their duties as student leaders.
- Clause 7: The Chief of Staff will be appointed by the President with advice and consent of a majority of the Senate members present and voting.
- Clause 8: The Chief of Staff is responsible for selecting members of the Emerging Leaders Committee through an application process.
- Clause 9: The Chief of Staff is required to plan an Emerging Leaders Retreat for all chosen Emerging Leaders Committee members.
- Clause 10: The Chief of Staff is required to assign mentors to the members of the Emerging Leaders Committee.
- Clause 11: The Chief of Staff will maintain a minimum of twenty (20) office hours per week.

## **Section 6: Special Presidential Powers**

Clause 1: Executive Orders will be considered formal, written documents containing instructions or orders based upon Presidential powers. Anything that the President may do by simple declaration, they may do by Executive Order. All Executive Orders will be public upon their promulgation.

## **Section 7: Presidential Line of Succession**

Clause 1: Should, for any reason, the presidency be vacated within the specified term, the following will serve as the official line of succession for the presidency, with the specified positions automatically moving up to the presidency, until the expiration of the specified term, in order:

1. Vice-President
2. Speaker of the Senate
3. Pro-Tempore of the Senate
4. Should all three of the above positions be vacated at the same time as the presidency, the most senior Senator will assume the position of President of the Student Government Association

Clause 2: Should the next lowest office be vacant when the Office of the President becomes vacant, the following next lowest office will take its place (for example, if the Presidency becomes vacant, and there is no Vice-President or Speaker of the Senate at the time, but there is a Pro-Tempore of the Senate, the Pro-Tempore of the Senate will automatically become the new President).

## **Article 2: Executive Appointment Process**

### **Section 1: Appointment Process**

Clause 1: The Senate will be provided the responses to the application questions of the chosen candidate(s) and must include a paragraph, originating from the Executive, informing the Senate of why said candidate(s) were chosen.

### **Section 2: Effective Date of Appointments**

Clause 1: All appointments not requiring confirmation will take effect without announcement of the appointment.

Clause 2: All appointments requiring confirmation of the Senate or one of its Committees will take effect immediately upon confirmation.

### **Section 3: Acting Appointments**

Clause 1: In the event of a vacancy in an Executive position, the President may make acting appointments to the position.

- Clause 2: An acting appointment will remain “Acting” until confirmed by the Senate. Upon confirmation by the Senate the position will become the regular position as described by the Bylaws.
- Clause 3: Acting appointments will be announced to Senate.
- Clause 4: Acting appointments are eligible for probated wages up until the Senate meeting where they are first eligible for a confirmation vote.
- Clause 5: Acting appointments who fail to be confirmed by the Senate, at their first eligible confirmation vote, are not eligible for probated wages for the period following their failure to be confirmed.
- Clause 6: No funds granted to the Student Government Association may be disbursed to acting appointments through any mechanism, aside from potential probated wages.
- Clause 7: Acting appointments must be fully informed on Title III, Article 2, Section 3 of the Bylaws of the Student Government Association of the University of Houston.

### **Article 3: Commissions and Special Task Forces**

#### **Section 1: Types of Commissions and Special Task Forces**

- Clause 1: Special Student Government Association Commissions and Task Forces will be chartered by Executive Order and will exist until dissolved by Executive Order or statute.
- Clause 2: Select Student Government Association Commissions and Task Forces will be chartered by Executive Order and will exist for the time specified in the Order, not to extend beyond the natural term of Office of the President creating it.

#### **Section 2: Dissolution of Special Commissions and Task Forces**

- Clause 1: The President will be empowered to dissolve any Special Commission or Task Force by Executive Order.
- Clause 2: The Senate Committee on Internal Affairs will be notified of all dissolutions no less than ten (10) regular semester class days prior to the effective date of dissolution.
- Clause 3: Such dissolutions may be overridden by Senate Resolution.

#### **Section 3: Commission and Task Force Residence**

- Clause 1: Each Student Government Association Commission will be in residence of either the Executive Branch itself, the Executive Office of an Officer, or a single Department.
- Clause 2: Commissions and Task Forces not in residence to the Executive Branch will report to the Cabinet through such entity that they reside within.
- Clause 3: All Special Commissions will be in residence to the branch itself.

#### **Section 4: Commission and Task Force Charter**

- Clause 1: All Commissions and Task Forces will be chartered by either statute or Executive Order. Such a charter will, at minimum, contain: the name of the commission, the charge of the commission or task force, specific duties of the commission or task force, membership minimums and maximums, charter officers in addition to the chair, officers to be elected by the commission or task force, specific requirements for any seat or seats of membership, date of dissolution, if a select commission or task force, and residence of the commission.

#### **Section 5: Commission and Task Force General Duties**

- Clause 1: Student Government Association Commissions will act on their own accord or by instruction of either the President or Senate but will at all times act consistent with their charters.
- Clause 2: In general, and notwithstanding other statutes, Student Government Association Commissions will: Investigate issues of concern by involving the knowledge and opinions of the Student Body; Execute programming consistent with the policies of the Student Government Association; Assist Senate Committees in developing stances on issues; Recommend issues to be taken up by the Senate and its Committees.

#### **Section 6: Non-member participation in Commissions and Task Forces**

- Clause 1: Unless provided for otherwise by statute, non-commission members may participate as follows: University of Houston students will be provided an opportunity to submit either written or oral comments on matters before the commission or task force; Student Government Association officers and Senators will be granted the privilege of speaking during debate, but will have no right to introduce business or vote, unless they are a member of the commission or task force.

#### **Section 7: Parliamentary Authority**

- Clause 1: In cases where there is no applicable rule in these By-laws or the Commission's or Task Force's charter, the rules contained in Roberts Rules of Procedure will govern the procedure of a Student Government Association Commission or Task Force.

## **Title IV: The Justice Department**

### **Article 1: The Attorney General and the Justice Department**

#### **Section 1: Purpose**

Clause 1: The Department of Justice is responsible for enforcing the law, defending the interests of the Student Government Association, and ensuring the fair and impartial administration of the Constitution and Bylaws of the Student Government Association.

#### **Section 2: Name**

Clause 1: The name of this organization will be the Student Government Association Department of Justice and may be simply referred to as the Department of Justice.

#### **Section 3: Composition of the Department of Justice**

Clause 1: The Department of Justice will consist of the following positions:

- a. The Attorney General
- b. The Deputy Attorney General
- c. The Student Government Auditor
- d. The Solicitor General
- e. The Public Defender

Clause 2: The Attorney General will serve as head of the Department of Justice.

Clause 3: The Department of Justice is an entirely independent department within the Student Government Association, not accountable to the Executive Branch.

Clause 4: Members of the Department of Justice will be in good academic and disciplinary standing with the University of Houston.

#### **Section 4: General Provisions**

Clause 1: Each member of the Justice Department will have executive authority over their office.

Clause 2: Each member of the Justice Department will coordinate the activities of the other officials and staff of their office.

Clause 3: Each member of the Justice Department will report on activities of the office to the Attorney General and Senate.

Clause 4: Each member of the Justice Department will provide direction and goals for the efforts of the office.

Clause 5: Each member of the Justice Department will assume office immediately following their appointment, as defined by the Bylaws.

## **Section 5: Attorney General Line of Succession**

- Clause 1: Should, for any reason, the Attorney General's position be vacated within the specified term, the following will serve as the official line of succession for the Attorney General position, with the specified positions automatically moving up to the Attorney General position, until the expiration of the specified term, in order:
1. Deputy Attorney General
  2. Student Government Auditor
  3. Solicitor General
  4. Public Defender
- Clause 2: Should the next lowest office be vacant when the Office of the Attorney General becomes vacant, the following next lowest office will take its place (for example, if the Attorney General's Office becomes vacant, and there is no Deputy Attorney General or Student Government Auditor at the time, but there is a Solicitor General, the Solicitor General will automatically become the new Attorney General).
- Clause 3: Should all of these positions be vacated simultaneously; the Chief Justice or most senior Justice, should the Office of the Chief Justice be vacated, will nominate a new Attorney General after a formal application process and call a session of the Supreme Court, which is not subject to a specific quorum requirement. The nominee must be confirmed by a majority of the Justices present. If there are only two Justices present, the nominee must receive two votes to be confirmed. If there is only one Justice present, the nominee need only the present Justice's vote to be confirmed. The nominating Justice may cast a vote in favor or against a nominee, and the next available member of the Attorney General line of succession will act as Attorney General until the Supreme Court confirms a candidate for the remainder of the term..

## **Article 2: Office of the Attorney General**

### **Section 1: Powers and Duties of the Office of the Attorney General**

- Clause 1: The Attorney General will be responsible for ensuring the legality of legislation and activities of the Student Government Association with respect to the Student Government Association Constitution, Bylaws, and University policy.
- Clause 2: The Attorney General will be responsible for investigative procedures for impeachment proceedings.
- Clause 3: The Attorney General will appoint the Chief Election Commissioner through a formal application process as described in Title III, Article 1, Section 4, Clause 4 of these Bylaws.
- Clause 4: The Attorney General will nominate the Chief Election Commissioner on or before the 2<sup>nd</sup> regular Senate meeting of each Fall semester and oversee the Election Commission.

Clause 5: The Attorney General, or their designee, will attend each regular Senate meeting and each meeting of the Internal Affairs Senate Committee meeting.

## **Section 2: Appointment and Term of Office for the Attorney General**

Clause 1: The Attorney General will serve from October 1<sup>st</sup> to October 1<sup>st</sup> of the following year, each calendar year.

Clause 2: The Attorney General will be appointed through the following procedure:

- a. The sitting Attorney General will nominate a person for the position of Attorney General for the following term; then
- b. The sitting Attorney General must receive written approval of their nominee from the Chief Justice of the Supreme court, or the most senior Justice, should the Office of the Chief Justice be vacated. This Justice will also have the power to review any other applications to the Office of the Attorney General; then
- c. The nominee for Attorney general must be approved by a majority of the present members of the Senate Committee on Internal Affairs; finally
- d. The nominee for Attorney General must receive the approval of three-fourths (3/4<sup>ths</sup>) of the members of the Senate present and voting.

Clause 3: Should the process for selecting a new Attorney General for the following term not be complete by September 30th of each calendar year, the next available member of the Justice Department, as determined by the Attorney General line of succession, will automatically become the Acting-Attorney General and begin the process for selecting an Attorney General for the following term as outlined in Title IV, Article 2, Section 2, Clause 2. The Acting-Attorney General will complete this process within fifteen (15) business days of taking office.

Clause 4: The Attorney General and/or the Acting-Attorney General may self-nominate for the Office of Attorney General for the following term through the procedure outlined in Title IV, Article 2, Section 2, Clause 2 of the Student Government Bylaws.

Clause 5: If the Acting-Attorney General fails to meet the fifteen (15) day deadline, they will be removed from office and the Chief Justice, or most senior Justice, should the Office of the Chief Justice be vacated, will nominate a new Attorney General after a formal application process and call a session of the Supreme Court, which is not subject to a specific quorum requirement. The nominee must be confirmed by a majority of Justices present. If there are only two Justices present, the nominee must receive two votes to be confirmed. If there is only one Justice present, the nominee need only the present Justice's vote to be confirmed. The nominating Justice may cast a vote in favor or against a nominee, and the next available member of the Attorney General line of succession will act as Attorney General until the Supreme Court confirms a candidate for the remainder of the term.

### **Section 3: Limits and Oversight of the Justice Department**

- Clause 1: In no case will the Department, its officials, or its staff advocate a course of action to the student body to an effect contrary to the Student Government Association policy.
- Clause 2: Oversight of the Department may be exercised by the Senate Committee on Internal Affairs, which will have the authority to review the records of the Department, compel report of its members, and to make recommendations to the Attorney General, President, or Senate regarding its improvement.

### **Article 3: Office of the Deputy-Attorney General**

#### **Section 1: Powers and Duties of the Office of the Deputy Attorney General**

- Clause 1: The Deputy Attorney General will assist the Attorney General in all matters the Attorney General deems appropriate.

#### **Section 2: Appointment of the Deputy Attorney General**

- Clause 1: The Deputy Attorney General will be appointed by the Attorney General with advice and consent of two-thirds (2/3<sup>rds</sup>) of the Senate members present and voting and will serve at the discretion of the Attorney General or until they are no longer in good academic or disciplinary standing with the university.

### **Article 4: Office of the Student Government Auditor**

#### **Section 1: Powers and Duties of the Office of the Student Government Auditor**

- Clause 1: The Student Government Auditor will regularly review transactions and receipts pertaining to the Student Government Association of the University of Houston, reporting all activity directly to the Attorney General.
- Clause 2: The Student Government Auditor will have the right to request the itemized budget and/or all receipts from the Student Government Association.
- Clause 3: Upon receiving written request from the Student Government Auditor, the Auditor must receive the itemized budget and/or receipts within 10 business days.

#### **Section 2: Appointment of the Student Government Auditor**

- Clause 1: The Student Government Auditor will be appointed by the Attorney General with advice and consent of two-thirds (2/3<sup>rds</sup>) of the Senate members present and voting and will serve at the discretion of the Attorney General or until they are no longer in good academic or disciplinary standing with the university.



## **Article 5: Office of the Solicitor General**

### **Section 1: Powers and Duties of the Office of the Solicitor General**

- Clause 1: The Office of the Solicitor General will be responsible for representing the interests of the Student Government Association and overseeing litigation on behalf of the Student Government Association in the Supreme Court and lower courts established under the Student Government Association.

### **Section 2: Appointment of the Solicitor General**

- Clause 1: The Solicitor General will be appointed by the Attorney General with advice and consent of two-thirds (2/3<sup>rds</sup>) of the Senate members present and voting and will serve at the discretion of the Attorney General or until they are no longer in good academic or disciplinary standing with the university.

## **Article 6: Office of the Public Defender**

### **Section 1: Powers and Duties of the Office of the Public Defender**

- Clause 1: The Office of the Public Defender will be responsible for providing counsel to any student brought before the Supreme Court as a defendant or in any lower court established under the Student Government Association.

### **Section 2: Appointment of the Public Defender**

- Clause 1: The Public Defender will be appointed by the Attorney General with advice and consent of two-thirds (2/3<sup>rds</sup>) of the Senate members present and voting and will serve at the discretion of the Attorney General or until they are no longer enrolled, in good academic or disciplinary standing with the university.

## **Title V: Judiciary and Judicial Procedure**

### **Article 1: General Provisions**

#### **Section 1: Name and Purpose**

- Clause 1: In accordance with this code, a student judicial system will be established which will act on authority delegated by the Student Government Association Senate.
- Clause 2: Although these courts will perform and adjudicative function, they are not within the super-structure of any federal, state, and local judicial system.

## **Section 2: Rule of Law**

- Clause 1: The Supreme Court will use all applicable law in making decisions. This will include the Student Government Association Constitution, the Student Government Association Bylaws, all legislative instruments of the Student Senate, all Executive Orders, all Rules of Order, the Rules of Court, the Election Code, all University regulations and policy, the Constitution of the State of Texas, the Constitution of the United States of America, and general principles of justice and equity.
- Clause 2: The Supreme Court will hear all evidence that is relevant to the case under review.
- Clause 3: The Supreme Court will be bound by all of its previous decisions, insofar as it deems these decisions relevant to the case question under review.
- Clause 4: All Student Government Association statutes, legislative instruments, all Executive Orders, Rules of Order, Rules of Court, and University regulations and policy will be given a strict construction. Any ambiguous provision will be interpreted in such a way as to give full meaning and affect to that provision, with reference to the intent of the drafters. If the intent of a given provision cannot be determined beyond a preponderance of evidence and moral certainty, the Supreme Court will use the context of the provision, as well as general principles of justice and equity, to give full meaning to the provision in question.
- Clause 5: Provisions of the Constitution of the State of Texas and the Constitution of the United States will not be interpreted by the Supreme Court but will be applied in strict accordance with the jurisprudence of the State of Texas and the United States of America.

## **Section 3: Counsel**

- Clause 1: Any party brought before the Supreme Court has the right to counsel but must elect to be represented by counsel. Any party that elects representation by counsel will be bound to all actions and statements made by said counsel. Counsel must be a student in good academic and disciplinary standing with the University.
- Clause 2: If a party has no counsel to represent it, but desires counsel, then the Public Defender will be made available for its defense. Should the Office of the Public Defender be vacant, the trial will proceed with the party representing themselves.

## **Section 4: Standing**

- Clause 1: Any aggrieved party who is a University of Houston student will have standing to bring a complaint before the Supreme Court.

## **Section 5: Statute of Limitations**

- Clause 1: No case will be heard by the Supreme Court more than sixty (60) calendar days after the alleged act, occurrence, or transaction constitutes the principal matter of the case or reasonable discovery thereof.

## **Article 2: The Supreme Court**

### **Section 1: Membership**

- Clause 1: The members of the Student Government Association Supreme Court will be those appointed according to the Student Government Association Constitution and the Student Government Association Bylaws
- Clause 2: Members of the Court will assume their office immediately following their appointment process, as defined by the Bylaws and Constitution.
- Clause 3: Members of the Supreme Court will be in good academic and disciplinary standing with the University of Houston.
- Clause 4: Justices and officers of the Court serve until they: resign, are no longer a student at the University of Houston, or are no longer in good academic or disciplinary standing with the University or are dismissed due to failure to comply with the attendance policy.

### **Section 2: Composition of the Court**

- Clause 1: One (1) Chief Justice and eight (8) Associate Justices will make up the voting members of the Student Government Association Supreme Court.

### **Section 3: Terms of Office**

- Clause 1: The terms and conditions of office for officials of the Supreme Court will be those designated under Article VI of the Student Government Association Constitution.
- Clause 2: No official of the Supreme Court may be removed during their term of office except for cause after a three-fourths (3/4<sup>ths</sup>) vote of the entire Senate, pursuant to the Student Government Constitution. "Cause" will include the conviction of an official of a felony; disciplinary action against the official which tends to jeopardize the integrity of the court; and/or consistent failure of the official to properly perform the duties of their office.

### **Section 4: Student Government Association Court Session and Business Meetings**

- Clause 1: The Student Government Association Supreme Court will assemble at any time the Chief Justice convenes the Court. The Chief Justice will preside over all the sessions of the Student Government Association Supreme Court. In case of a temporary absence of the Chief Justice (at the most four weeks), the Student Government Association President will name an acting Chief Justice amongst the current justices of the court.
- Clause 2: For any case to be heard, seven (7) justices must be present. If at least seven (7) of the nine (9) justices cannot hear a case, then the Chief Justice will place an alternate on the court. If the Chief Justice is the justice who cannot hear a case, then the most senior justice will preside over the case.

- Clause 3: The Chief Justice will only place an alternate on the court if that alternate was nominated by the President and confirmed by a three-fourths (3/4<sup>ths</sup>) vote of the Senate present and voting.
- Clause 4: The Chief Justice may call the court into session for a special meeting. A majority of the Justices may ask the Chief Justice to call a meeting. If the Chief Justice will refuse to do so, the other Justices may call a meeting with the same quorum and procedural guidelines in effect.
- Clause 5: All Student Government Association Supreme Court sessions will be open to the public unless the Chief Justice decides to have a closed session.

### **Section 5: Power and Responsibilities of the Justices**

- Clause 1: The Justices of the Student Government Association Supreme Court will have the power of judicial review: the power to interpret the meaning on context of the Student Government Association Constitution and Bylaws and any additional documents specified by law.
- Clause 2: No law or legislation will be reviewed unless brought in the form of a case to the Supreme Court.
- Clause 3: The Chief Justice and Associate Justices will automatically be named to fill the seats given to SGA for the University Hearing Board. In the case where there are more Justices than seats available, seniority will determine who is primary and who is an alternative member.

### **Section 6: Powers and Duties of the Chief Justice**

- Clause 1: The Chief Justice will be the Presiding Officer of the Student Government Association Supreme Court.
- Clause 2: The Chief Justice will have all the powers and responsibilities of the Associate Justices.
- Clause 3: The Chief Justice will control the agenda and decide which cases the Student Government Association Supreme Court will consider first.
- Clause 4: The Chief Justice will be responsible for notifying Justices about meeting times and places and will be responsible for ensuring a quorum of Justices for every meeting.
- Clause 5: The Chief Justice will be responsible for notifying all parties in writing of the hearing time and location.
- Clause 6: The Chief Justice will have the authority to assign duties to the members of the Supreme Court that are necessary to meet the objectives of the Court.
- Clause 7: The Chief Justice will announce all Supreme Court resignations and removals at the next meeting following the procedure.

### **Section 7: Attendance Policy**

- Clause 1: Each Justice of the Supreme Court will attend all court hearings and meetings.
- Clause 2: The accumulation of more than two (2) unexcused absences will result in the automatic resignation of that Justice. Three (3) excused absences will result in the automatic resignation of that Justice.

- Clause 3: Excuses for missing meetings and hearings will be turned into the Chief Justice prior to three (3) class days after the absence. Failure to do so will result in an unexcused absence. Excuses for missing meetings and hearings are participation in a University event, class, or illness. Proof of any absence must be provided if requested by the Chief Justice.
- Clause 4: The court will meet regularly at the discretion of the Chief Justice.
- Clause 5: Justices will attend SGA functions, as determined by the Chief Justice to promote SGA and its functions. If a Justice has an excused absence from attending a function pursuant to this clause, that absence will not be applied toward the total count of excused absences for expulsion.
- Clause 6: The Chief Justice will attend all meetings of the Senate. If the Chief Justice cannot attend a Senate meeting, the Chief Justice will assign an Associate Justice to take their place for the meeting(s) they are unable to attend.

### **Article 3: Supreme Court Pre-Trial Procedure**

#### **Section 1: Complaints**

- Clause 1: All causes of action pursued in the Supreme Court will be initiated by the filing of a Notice of Complaint with the Chief Justice.
- Clause 2: The Chief Justice will assign a docket number to the case and notify the Associate Justices of the pendency of action within one (1) class day of receiving a filed complaint.
- Clause 3: Within three (3) class days of receiving a filed complaint, the Chief Justice will notify the complainant and the defendant of the pendency of action and will arrange a date and place for the hearing to be held. Every reasonable effort will be taken to notify parties, including but not limited to multiple emails, phone calls, or text messages.
- Clause 4: All other hearings will be heard by the Supreme Court within twelve (12) class days of the filing of a Notice of Complaint.
- Clause 5: The Chief Justice has the discretion to decide whether or not the court will hear a complaint in the form of a declaratory judgement explaining why the complaint will not be heard by the full court. If four (4) Justices vote to hear the case, the complaint will move forward.

#### **Section 2: Judicial Pre-Trial Meeting**

- Clause 1: The Justices will meet within five (5) class days to discuss the following: whether to issue a writ of certiorari to hear the case and any motions for recusal.
- Clause 2: Any Justice of the Supreme Court will recuse themselves from participating in the adjudication of a case if they believe that, by virtue of their relationship or close association with any of the parties to the case, they are unable to decide the case impartially.

- Clause 3: In the event that one or more of the Justices feel as though a fellow Justice should be recused, the Justices will take a vote. If a majority of the Justices hearing the case vote to recuse the Justice in question, that Justice will be officially recused.

### **Section 3: Briefs**

- Clause 1: A brief is a document filed with the Supreme Court that consists of arguments under the relevant authority that a party intends to argue before the court.
- Clause 2: After the complainant has been notified, both parties to a case and any interested parties (amici) may file briefs with the Chief Justice. Briefs must be received by the Chief Justice no later than twenty-four (24) hours prior to the commencement of a hearing.
- Clause 3: Briefs do not need to conform to any particular template, provided that a brief must contain a listing of the general arguments made by the party during their opening and closing statements.
- Clause 4: A brief will be succinct and to the point. Briefs will be typewritten, doubled-spaced and written in twelve (12) point Times New Roman font with one (1) inch margins. Briefs must be signed by the party that prepared it.
- Clause 5: The Chief Justice will distribute copies of all briefs to entities present before the Court, including the parties, amici, and other interested parties.

### **Section 4: Transcription of Proceedings**

- Clause 1: All proceedings of Supreme Court will be recorded by an audio or visual device or by a stenographer.
- Clause 2: If no audio or visual device is used, then a typed/written transcript of the proceedings will be made by the Legislative Chief of Staff or their designee(s). The transcript will form part of the record of the case and will be entered into the judicial archive.

### **Section 5: Oath or Affirmation of Truth**

- Clause 1: An oath or affirmation of truth will be administered to all parties prior to any testimony before the Supreme Court.
- Clause 2: The oath or affirmation of truth will be administered by the Chief Justice or their designee.
- Clause 3: The form for the oath or affirmation of truth will be as follows:  
With the left hand of the person being sworn in on the Student Government Constitution and Rules of Court, and with the person's right hand upraised, they will state the following oath or affirmation: "I [state your full name] – do solemnly swear (or affirm) – that I will tell the truth, the whole truth, and nothing but the truth – as the Code of Student Conduct of UH dictates."

## **Article 4: Hearings**

### **Section 1: Order of Proceedings**

- Clause 1: All trial and court proceedings and orders of the court will be established by the Chief Justice and published prior to the court session.
- Clause 2: All parties will be given equal opportunity to review the orders, rules, and to present their case.
- Clause 3: The Chief Justice may appoint a Sergeant-At-Arms who will serve as the Bailiff of the Supreme Court. The Sergeant-At-Arms will have the authority to remove disruptive and unruly participants and observers at the request of the Chief Justice.
- Clause 4: At the discretion of the Chief Justice, time may be allotted to meet quorum. No Associate Justice will be able to serve in their position during a particular hearing if they are tardy and the scheduled hearing has begun.
- Clause 5: Each hearing request will be assigned a case number of standard format. The case number will be formatted as the calendar year followed by order number beginning with 001 according to the order which they are received (e.g. beginning September 1, all cases would begin 2012-0001 to 2012.XXX through December 31, 2012.

### **Section 2: Opening and Closing Arguments**

- Clause 1: Both parties may present opening and closing arguments before the Supreme Court.
- Clause 2: The Chief Justice may limit the length of time allotted for opening and closing arguments at their discretion provided that each party will be allowed an equal amount of time to present arguments.
- Clause 3: Any party may waive its right to an opening and/or closing argument.

### **Section 3: Questions from the Bench**

- Clause 1: Any Justice may question the parties at any time during the proceedings for purposes of clarification.
- Clause 2: Any time spent answering questions from the bench will not be included in the total amount of time allotted by the Chief Justice to all parties.

## **Article 5: Supreme Court Post-Trial Procedure**

### **Section 1: Judicial Post-Trial Meeting**

- Clause 1: The Supreme Court will adjourn for a reasonable amount of time to deliberate after closing arguments have been completed. Deliberation will not exceed three (3) class days for election complaints, or five (5) days for all other complaints. University reading periods, finals week, and University sanctioned holidays will not be included in the tabulation of time spent in deliberation.

- Clause 2: When a decision has been reached, the Court will post it publicly within three business days.
- Clause 3: The Chief Justice will choose who writes the opinion of the court amongst the Chief Justice and the Associate Justices.
- Clause 4: Upon receipt of the judgment and opinion, the Chief Justice will forward copies to the Student Body President for executive action and to the Dean of Students, if applicable. Additional copies will be maintained in the judicial archive.

## **Article 6: Failure to Appear**

### **Section 1: Definition**

- Clause 1: A party has failed to appear before the Court when, after being served with process or having actively resisted attempts to receive process, they do not make an appearance, in person or by counsel, at a duly convened proceeding of the Supreme Court.

### **Section 2: Penalties**

- Clause 1: If a Student Government Association official, elected or appointed, knowingly fails to appear before the Supreme Court, they may be suspended from their position with Student Government.
- Clause 2: The decision to suspend a Student Government Association official from their position will be made only by the Supreme Court and will be executed by the President of the Student Government Association.

## **Article 7: Interpretation**

### **Section 1: Interpretation of the Rules of Court**

- Clause 1: The Rules of Court will be strictly interpreted with reference to the precise terms of the document whenever possible.

## **Article 8: Lower Courts**

### **Section 1: Meaning**

- Clause 1: Lower and/or circuit courts are courts established with delegated responsibilities, as determined in the establishment process.

### **Section 2: Establishment and Composition of Lower Courts**

- Clause 1: Lower courts may be established and/or dissolved at the discretion of the Chief Justice of the Supreme Court.
- Clause 2: A voting member of any lower court must be nominated by the Chief Justice and appointed by the Senate with two-thirds (2/3<sup>rds</sup>) of the Senate present and voting before being given voting rights and/or membership to the lower court.



- Clause 3: The Senate may abolish a lower court if two-thirds (2/3<sup>rds</sup>) of the total membership of the Senate vote for a Student Government Resolution calling for such an abolishment.

### **Section 3: Powers and Responsibilities of Lower Courts**

- Clause 1: Lower Courts' powers will be defined by the Chief Justice, and made available to the Senate, in writing prior to convening.
- Clause 2: Lower courts will have their own trial/hearing procedures, as determined by the Chief Justice.
- Clause 3: A lower court cannot have more power and/or overrule the Supreme Court.
- Clause 4: All cases brought to a lower court may be appealed to the Supreme Court.
- Clause 5: The Chief Justice has the discretion to decide whether or not the court will hear an appeal in the form of a declaratory judgement explaining why the appeal will not be granted. If four (4) Justices vote to grant the appeal, the appeal will move forward.

## **Title VI: Fiscal Policies and Procedures**

### **Article 1: General Provisions**

#### **Section 1: Name and Purpose**

- Clause 1: This Title will be known, and may be cited, as the Student Government Association "Fiscal Policies and Procedures."
- Clause 2: The purpose of this title is to specify the manner in which fiscal policies of the Student Government Association will be carried out.

### **Article 2: Budget Development and Procedure**

#### **Section 1: The Student Government Association Budget**

- Clause 1: The Student Government Association Budget will be developed by the Executive Branch and will be submitted to the Senate before August 15th of each year (Each fiscal year will start on September 1st and continue until the next following September).
- Clause 2: The Student Government Association Senate will pass a budget Bill no later than September 30th of each fiscal year. The budget Bill will give the Executive authority to spend funds up to and including the day in which a budget Bill becomes law.
- Clause 3: The Student Government Budget Bill will be categorized as a Student Government Bill, falling under the governing of the Internal Affairs Committee and will be subject to all standards outlined in Title I, Article 10, Section 6, Clause 1 of the Student Government Association Bylaws.

- Clause 4: If the President fails to present/sign a budget Bill and/or the Senate fails to pass a budget Bill, the Student Government will be prohibited from making any form of transaction with discretionary/controllable money (not including stipends), and the Senate Agenda for each subsequent meeting will not include anything other than the Student Government Budget Bill until a budget Bill is passed by the Senate and signed by the President.
- Clause 5: Upon the Bill becoming law, the budget will be effective until the following September.
- Clause 6: Upon full passage of the Student Government Association Budget it will be made available online through the Student Government Association website within seven (7) days. If the website is unavailable it will be accessible by contacting the Chief of Staff.

### **Article 3: Fiscal Procedures**

#### **Section 1: Donations**

- Clause 1: All donations must be approved by a majority vote of the Senate present and voting.

#### **Section 2: Submittal Procedures**

- Clause 1: All requests for expenditures \$500 and above must be submitted to the Internal Affairs Committee describing the nature of the request.
- Clause 2: The President will make a report of all purchases above \$500 at the next scheduled Senate meeting.
- Clause 3: All requests of this nature that are purchases made to non-University regulated companies must include at least two quotes for the services performed or products provided, when applicable.
- Clause 4: All requests as stated above will be thoroughly reviewed by the Committee on Internal Affairs. The Committee will not have to approve or disapprove the above-mentioned purchases.

#### **Section 3: Additional expenses**

- Clause 1: The President of the Student Government Association may authorize additional expenses when the official business of the Student Government Association requires the student to incur unusual expenses such as attendance at banquet, with the advice and consent of the Committee on Internal Affairs.
- Clause 2: All such unusual expenses will be approved in advance by the President of the Student Government Association and all reimbursements under this section will be for the actual amount of the expenses incurred.
- Clause 3: Request for reimbursement under this section will be itemized with a justification statement for each item explaining why the expense was necessary and proper as an official Student Government Association expense. Receipts will also be provided for each item.

- Clause 4: All members who served or are currently serving in the Student Government Association within the Executive, Legislative, or Judicial branches, as well as the Department of Justice or Election Commission members, are eligible to purchase a stole designating their service for the Student Government Association, if they completed their designated term and/or six (6) total months, at the time of graduation in an official, sanctioned, position, as set out by the Bylaws, Constitution, or Election Code. The Speaker and the Legislative Chief of Staff will confirm the duration of a current serving member's time in the Student Government Association.

#### **Section 4 Budget Controls**

- Clause 1: The Executive Branch must set aside from each fiscal year's budget, a minimum of Five-Thousand (5,000) dollars for the following administration.
- Clause 2: The Senate must receive a minimum of ten (10) percent of the Student Government Association controllable budget (not including stipends).
- Clause 3: The Speaker of the Senate will have authority over the entirety of the Student Government Association controllable budget (not including stipends) set aside each year for the Senate.
- Clause 4: No more than ten (10) percent of the Student Government Association controllable budget (not including stipends) may be spent on travel-related expenses.
- Clause 5: The Election Commission must receive a minimum of fourteen (14) percent of the Student Government Association controllable budget (not including stipends).
- Clause 6: The Chief Election Commissioner will have authority over the entirety of the Student Government Association controllable budget (not including stipends) set aside each year for Election Commission.
- Clause 8: If the Speaker of the Senate denies additional expenditure of the Senate budget for any event or initiative deemed important and in representation of the mission and purpose of the Student Government Association, the Senate may overrule the Speaker with a simple majority vote, in the form of a Senate resolution.

### **Title VII: Code of Impeachment**

#### **Article 1: General Provisions**

##### **Section 1: Definitions**

- Clause 1: "Impeachment for nonfeasance and malfeasance" will be defined as proceedings against an elected or appointed official of the Student Government Association for nonfeasance or malfeasance of office by the presentation of written charges entitled "Student Government Association Bill of Impeachment."
- Clause 2: "Nonfeasance" will be defined as the failure of any official, elected or appointed, to perform the duties, responsibilities, or functions of office.

- Clause 3: “Malfeasance” will be defined as the improper or unlawful conduct by any official, elected or appointed, in the performance of the duties, responsibilities or functions of the office which violates trust inherent in the office.
- Clause 4: Double-jeopardy will be defined as the accused facing trial for the same offense more than once.

## **Section 2: General Impeachment Procedures**

- Clause 1: Judgment in cases of impeachment will not extend further than removal from office and disqualification to hold and enjoy an office of honor, trust, or profit under the Student Government Association currently or in the future.
- Clause 2: Unless otherwise specified, time periods will not include weekends or holidays.
- Clause 3: All Bills of impeachment must include the written charges against the individual in question, specifying the bases for instituting such proceedings.
- Clause 4: Only the President, Vice-President, members of the Senate, members of the Court, and members of the Justice Department within the Student Government will be eligible for impeachment.

## **Article 2: Preliminary Procedures of Impeachment Charges**

### **Section 1: Initiation of Impeachment Charges**

- Clause 1: A Bill of impeachment may be brought to the floor of the Senate if one-third (1/3<sup>rd</sup>) of the membership of the Senate co-sponsor such a Bill (including the author).
- a. Should this Bill be approved by a two-thirds (2/3<sup>rds</sup>) vote of the total membership of the Senate. The person or persons in question will be nominated for impeachment.
- Clause 2: A person may also be nominated for impeachment if the Speaker of the Senate and the President come to agreement, and three-fourths (3/4<sup>ths</sup>) of the Senate present and voting approve the Bill of impeachment.

### **Section 2: Notification of Charges**

- Clause 1: The Presiding Officer will inform the accused at least ten (10) class days prior to the designated Senate meeting, at which time the Senate will decide on the matter. A certified letter, return receipt request or oral communication, or two (2) public notices in the campus newspaper and/or the Senate Minutes will be deemed proper notification by the Presiding Officer.

- Clause 2: The notification will include: the time, date, and place of appointed Senate Meeting; the right to the presence of counsel, either attorney or Student Defender during the preliminary hearings; the right of the accused to know the charges; the right of the accused to view the testimony of any witness after such testimony; and the right of the accused to any evidence or testimony acquired by the Attorney General that is favorable to the case of the accused.

### **Article 3: Trial**

#### **Section 1: General Impeachment Trial Procedure**

- Clause 1: The Attorney General will serve as the prosecutor representing the Student Government Association. The accused will be represented by the Public Defender, a current student in good academic and disciplinary standing with the University of Houston or may choose to represent themselves as preferred by the accused.
- Clause 2: The Chief Justice of the SGA Supreme Court, or the most senior Justice if the Chief Justice cannot fulfill their duties, will serve as the Presiding Officer during the impeachment trial, which will take place within seven business days of proper notification of charges.
- Clause 3: If a member of the courts is nominated for impeachment, they will resign their seat temporarily, pending the outcome of the impeachment process.
- Clause 4: Provided the Supreme Court exonerates the accused; the accused will retain all the rights and privileges of the office to which they were elected or appointed, and the Student Government Association will not place the accused in double jeopardy.
- Clause 5: Provided the Supreme Court does not exonerate the accused, and upon presentation of all information concerning the original Bill, the Senate will be given sufficient time to deliberate on its contents and merits. The Senate will then move to a Vote of Impeachment, which requires a two-thirds (2/3<sup>rds</sup>) vote of the total membership of the Senate.
- Clause 6: Provided the Bill of Impeachment fails, the accused will retain all the rights and privileges of the office to which they were elected or appointed, and the Student Government Association will not place the accused in double jeopardy.
- Clause 7: Provided the Vote of Impeachment is approved the accused person or persons will be removed from office.

## **Article 4: Other Forms of Reprimand**

### **Section 1: Censure**

- Clause 1: Any violations of the Code of Ethics, Bylaws, or Constitution may be subject to the following formal reprimands, all of which must be accompanied by a Senate Resolution detailing the offense:
- a. Censure: The Student Government Association member will be publicly reprimanded by the following Senate meeting.
  - b. If applicable, the censured individual may be removed from any Committee, task force, Chairmanship or Vice Chairmanship position(s) etc. by their respective authority if expressed in the Resolution.
  - c. If applicable, the Student Government Association member will be removed from any University Committee(s) positions by their respective authority if expressed in the Resolution.
  - d. In accordance to this Title VII of the Student Government Association Bylaws, the Student Government Association Senate reserves the right to seek impeachment for any violation of the Code of Ethics, Bylaws, or the Constitution.
- Clause 2: Any Resolution of censure must be accompanied by at least one piece of documented proof which may include but is not be limited to:
- a. Original photograph(s)
  - b. Unedited Video
  - c. E-mail(s)
  - d. Any certification of violation of the Student Handbook by the Dean of Students.
  - e. The certified testimony of a Student Government Association official validating the offense
  - f. Any other original document(s) that may serve as proof of violation of the Code of Ethics, Bylaws, or Constitution.
- Clause 3: Any Resolution of censure must be accompanied by at least three (3) members of the Student Government Association serving as witnesses.

## **Title VIII: Student Fees Advisory Committee**

### **Article 1: General Provisions**

#### **Section 1: Purpose**

- Clause 1: The Student Fees Advisory Committee is a University Committee established by Section 54.5062 of the Texas Education Code. The Committee will advise the Vice President for Student Affairs, the President of the University, and the Board of Regents concerning the type, level, collection, allocation, and expenditure of Student Service Fees.

## **Article 2: Membership**

### **Section 1: Membership requirements**

- Clause 1: Each Student Member must be enrolled in not less than six (6) semester hours at the University of Houston.
- Clause 2: No Student Member may be an officer or compensated leader of any Student Service Fee Funded Unit other than the Committee itself.
- Clause 3: There will be five Student Member positions nominated by the Student Government Association.
- Clause 4: Student Members appointed by the Student Government Association will serve one-year terms beginning October 1st of a year and ending September 30th of the following year.
- Clause 5: Other members of the Committee will serve at the leisure of the President of the University of Houston.

## **Article 3: Appointment of Student Members**

### **Section 1: Appointment Procedure**

- Clause 1: Student members will be appointed by the President of the Student Government Association with the advice and consent of two-thirds (2/3<sup>rds</sup>) of the Student Government Association Senate present and voting.
- Clause 2: The Student Government Association President and Senate will duly consider the recommendations and opinions of the Chairperson of the Student Fee Advisory Committee (SFAC) when making and consenting appointments of Student Members to the Committee.
- Clause 3: A vacancy in a Student Member position will be filled in the same manner as the original appointment. Student members appointed to vacant positions are appointed to the position until the expiration of the term of the position.
- Clause 4: The President of the Student Government Association will have the power to appoint an Interim Student Member to a vacant student member position if the SFAC Chair deems that such is necessary for the work of the Committee to proceed and requests that the SGA President do so. Such request will be made in writing and the SGA President will appoint an Interim Student Member within three (3) class days of such a request or before the convening of the next meeting of the Committee, whichever is later. An Interim Student Member will serve until an appointment to the position is made and approved by the Senate or until three weeks from the date of appointment, whichever is sooner.

## **Section 2: Student members and other members' reappointment and removal**

- Clause 1: The Senate will have the power to remove a Student Member of the Committee on the grounds of nonfeasance or malfeasance with the concurrence of two-thirds (2/3<sup>rds</sup>) of the members of the Senate presiding. In removal of a Student Member, the Senate will duly consider the recommendations and opinions of the SFAC Chairperson.
- Clause 2: The President of the Student Government Association will not have the power or authority to request or demand the resignation of a Student Member.
- Clause 3: The Committee will have the authority to include, in its by-laws, a provision for the automatic removal of its own members due to poor attendance at Committee meetings. Under no other circumstances will the Committee have the authority to remove its own members.
- Clause 4: Appointment and removal of other Committee positions will be the responsibility of the President of the University.

### **Article 4: Committee Chairperson**

#### **Section 1: Election**

- Clause 1: The Chairperson of the Committee will be a Student Member elected by a majority of the Committee to serve as Chairperson for a one-year term beginning on October 1st and ending on September 30th the following year.

### **Article 5: Operation Procedures**

#### **Section 1: Committee Governance**

- Clause 1: The Committee may adopt its own by-laws and rules of order which will remain in effect until altered by the Committee.
- Clause 2: Any such by-laws or rules may not be inconsistent with the Constitution and Bylaws of the Student Government Association or with University Policy. (The "Policies and Procedures Governing the Collection, Allocation, and Expenditure of Student Service Fees" are and have full authority of University Policy.)
- Clause 3: The rules contained in the current edition of Robert's Rules of Order Newly Revised will govern SFAC in all cases to which they are applicable and in which they are not inconsistent with the Constitution and By-laws of the Student Government Association and any special rules the Committee may adopt.

#### **Section 2: Committee Meetings Access**

- Clause 1: All meetings of the Committee will be open to the University community.
- Clause 2: All meetings of the Committee will be announced and publicized not less than seven (7) calendar days in advance.



## **Title IX: Code of Ethics**

### **Article 1: Purpose**

- Section 1: The result of adhering to this code will be an effective, efficient, and respected Student Government Association.
- Section 2: This Code will provide a detailed guidance needed for certain common situations or when faced with particular circumstances to translate the Core Values into actions as Senators and/or Student Government Association Representatives engage within Student Government Association, students, faculty, the administration and in any function where they will be representing the University of Houston.
- Section 3: The Code will also encourage an ethical future for the members of Student Government Association upon graduation.
- Section 4: The Code will instill trust and confidence as Student Government officials demonstrate their commitment by exercising their core values and standing by The Code of Ethics.
- Section 5: All members of the Student Government Association, including but not limited to all appointed or elected officials of the legislative, executive, and judicial branch, should keep the Code of Ethics at the forefront of their actions, and always be prepared to give account of their actions and words.
- Section 6: Members of the Student Government Association will represent their constituencies, first, by expressing their interests and concerns within the Student Government Association, and second, by being their example of conduct in the discharge of their duties; they should provide an example to the outside world of the best the UH Student Body has to offer.

### **Article 2: Core Values**

- Section 1: Promoting opportunity: All of the Student Government Association officials will be committed to helping University of Houston students reach their full potential in order to build a better future for the University of Houston students, whom they serve.
- Section 2: Acting responsibly: Student Government Association officials are aware that their decisions and actions affect the University of Houston as a whole, and therefore Student Government Association officials will hold each other accountable for the discipline and management of behavior becoming of a Student Government Association official.
- Section 3: Trust in the members of Student Government Association: All Student Government Association officials will strive to be consistent and straight forward in their communications and interactions with one another.
- Section 4: Delivering results to the students: All Student Government Association officials will execute their given tasks in a diligent manner, which will lead to sustainable and long-term performance.

### **Article 3: Accountability**

- Section 1: Members of the Student Government Association should encourage their colleagues to adhere to the Code of Ethics by holding each other accountable while striving to be examples themselves. Members should ensure enforcement, while at the same time showing their commitment to the Code and Core Values to the rest of the Student Body.

### **Article 4: Additional Provisions and Guidance**

- Section 1: No official will knowingly misrepresent the truth while acting in their capacity as an officer of the UH Student Government Association.
- Section 2: No official of the Student Government Association will bestow favors, make undue use of influence of powers of office, or offer special considerations of any kind in exchange for anything of value.
- Section 3: No official of the Student Government Association will misuse, mismanage, or misappropriate their position and/or equipment, facilities, or funds of the Student Government. Each Student Government Association official must be able to give a thorough account of all funds allocated by student fees spent by them and a thorough inventory of all goods and/or services received.
- Section 4: Each Student Government official must make every reasonable attempt to fulfill their responsibilities to the best of their ability. Each member must discharge their duties in good faith and with due regard for the welfare of the entire Student Body.
- Section 5: Each Student Government official will vote with only their constituents in mind.
- Section 6: Each Student Government official must represent both Student Government Association and UH in a dignified manner.
- Section 7: Each Student Government official must actively seek to be informed of as well as attempt to remedy campus problems and controversies.
- Section 8: Each Student Government official, while acting in an official capacity, will represent the student body by maintaining a professional demeanor.