

# Bylaws of the Marist College Student Government Association

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## Amended

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## Article I Name and Purpose

- Section 1** The name of this organization shall be the Marist College Student Government Association.
- Section 2** It is our mission to empower students and to create change in the Marist College community by serving as a liaison between the student body and the administration. The Marist College Student Government Association is dedicated to effectively addressing student concerns and promoting a diverse environment for all.

## Article II The Executive Branch

- Section 1** **General Provisions**
- A. The Executive Branch of the Marist College Student Government Association shall be known as the President's Cabinet.
  - B. The President's Cabinet is responsible for advising the Student Body President on issues concerning their respective positions and Student Government Association operations, but has no official voting power.
  - C. The Student Body President may call for a vote of confidence from the Cabinet, but has no obligations to follow the decision of the board.
  - D. No member of the Cabinet may hold another elected or appointed position within the Student Government Association.
  - E. Presidential committees may be formed by the Student Body President to investigate matters of student interest. Such committees are ad-hoc, and will terminate the day of transition into the new administration.
  - F. All members of the Cabinet shall learn all paperwork-involving requests for funds through college-operated accounts.
  - G. All members of the President's Cabinet shall check their Student Government mailboxes on a regular basis and respond to all internal and external communications in a timely manner so as not to hinder or cause to damage other parties.
- Section 2** **Office Hours**
- A. All members of the Cabinet are required to hold at least six (6) office hours per working week.
  - B. Members must be available and present in the Student Government Association office during their committed hours.
  - C. President's Cabinet members may choose to delegate a maximum of two (2) of their scheduled office hours to their respective deputies.

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- D. If a member cannot hold their office hours for that day, they will notify the Executive Assistant at least one (1) hour prior to the start of their scheduled start time. The Executive Assistant will post a note saying the member is not available at that time, and write a memo to the Executive Vice President explaining the situation by the end of the day.
- E. Office hours shall not be scheduled during regular Cabinet or Senate meetings, or during individual board meetings.
- F. Office hours shall be submitted to the Executive Vice President before the end of the second full week of the semester, and may be changed with notice to the Executive Vice President.
- G. A copy of the office hours will be posted inside the Student Government Office, and also on the official Marist Student Government Association website.
- H. Failure to honor posted office hours on a continuous basis may result in impeachment and removal from office pursuant to Article VIII of these Bylaws.

### **Section 3 President's Cabinet Reports**

- A. Members of the President's Cabinet shall be required to report on their weekly departmental activities. These reports shall include the following information:
  - 1. An account of ongoing projects or initiatives and progress that has been made.
  - 2. A summary of council/committee meetings and what was accomplished.
  - 3. A description of student concerns brought to the member's attention which are relevant to his/her position and proposed solutions.
  - 4. A list of goals and objectives for the upcoming week.
- B. President's Cabinet Reports shall be submitted electronically to the Executive Vice President for review by no later than Sunday at 11:59 PM, unless otherwise noted.

### **Section 4 Executive Council Budgets**

- A. All Executive Board Councils shall be allotted funds at the discretion of the Chief Financial Officer and the Student Body President.
- B. Student Government Association members shall use funds judiciously and will not request more funds than necessary for the council.
- C. The designated official within each executive council shall handle the requesting of budgets in accordance to their Bylaws.
- D. All councils requesting funds through the Financial Board shall follow the same procedures as outlined for the clubs requesting funds.
- E. No Student Government Association Council shall be given special treatment in any way during the budget process.

### **Section 5 Student Body President**

- A. Shall be a full-time undergraduate student enrolled at Marist College.
- B. Shall serve for one administrative term, the time from inauguration to the transition ceremony of the following year.
- C. Shall ensure that all business within the Student Government Association is in accordance with the Constitution and these Bylaws.
- D. Shall act in accordance with the best interests of the Student Government Association and the student body at large.
- E. Shall, in addition to attending regular Cabinet meetings, meet:
  - 1. Weekly with the Executive Vice President, Speaker of the Senate, and Chief Justice.
  - 2. Regularly with the Vice President of Student Affairs, and Student Government Advisors.
  - 3. With the Board of Trustees and Student Life Committee of the Board of Trustees.

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4. With any administrative, faculty, or Board of Trustees Committees upon request.
- F. Shall have the exclusive power to veto all Student Government Association legislation, subject to override by the Senate.
- G. Shall be permitted to form Presidential ad-hoc committees and cabinet-level positions for the purpose of investigating specific issues concerning the student body.
  1. Ad-hoc members shall not have the formal standing of other Cabinet-level positions and do not assume a place in the line of succession, but may cast a vote of confidence for issues that are brought before the Executive Board.
  2. Ad-hoc positions shall have a statement of purpose which cannot overlap with that of an established Cabinet position, applicable to Judicial Board review.
  3. Ad-hoc members may be summarily dismissed by the Student Body President, with no further avenue of appeal.
  4. All ad-hoc positions and committees shall terminate at the end of the administrative year.
- H. Shall author a State of Campus Report during the first week of the Spring Semester of their administrative term.
  1. This report shall descriptively outline the events, issues, accomplishments, and future plans of the administrators, faculty, staff, and Student Government Association members.
  2. This report shall be submitted to the Vice President of Student Affairs for approval and will be distributed to Trustees, administrators, faculty, staff, and made available to students.
- I. Shall deliver a State of the Campus Address to the student population before the end of his/her term of office. This address shall be broadcasted through all available forms of Marist Media.
- J. Shall approve the archive of Student Government Association files from their administration at the end of their term.

### **Section 6**

#### **Executive Vice President**

- A. Shall serve as the Chief of Staff for the Executive Branch of the Student Government Association, responsible for assisting the Student Body President in ensuring the completion of assigned tasks by Student Government Association members, boards, and committees.
- B. Shall chair all President's Cabinet meetings in the absence of the Student Body President.
- C. Shall, in the event of an equal-division in the Senate, cast a tie-breaking vote.
  1. The Executive Vice President must be physically present at the Senate meeting to vote.
  2. If the Executive Vice President cannot be present, the matter for consideration will be tabled until the next meeting when the Executive Vice President is present.
  3. This provision applies to all legislation including appointments.
- D. Shall ensure that all eligible Executive Councils request funds through the Financial Board and the Student Body President.
- E. Shall, with the advice and consent of the Student Body President, hire all Student Government Association Office Assistants.
  1. Shall administer an application for employment and conduct interviews with potential Office Assistants.
  2. Shall ensure that Office Assistants are performing all work in accordance with their job descriptions that are set out by the Executive Vice President at the beginning of their term.
  3. Shall have the authority to terminate the employment of any Student Government Association Assistants who are not performing their work in accordance with their job descriptions.
    - i. Terminations of Office Assistants shall become effective immediately upon approval from the Student Body President.

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- ii. Office Assistants shall have the option of appealing their termination to the Judicial Board of the Student Government Association if it meets the required criteria.
- iii. Office Assistants shall not work during the appeal process until a decision is rendered.
- F. Shall distribute transition binders for all Cabinet positions before the end of the administration.
- G. Shall assume the duties of the Student Body President should that office be vacated or the Student Body President becomes incapacitated.
- H. Whenever the Student Body President transmits to the Speaker of the Senate his/her written declaration that he/she is unable to discharge the powers and duties of the office, and until he/she transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Executive Vice President as Acting Student Body President.

### Section 7

#### Chief Financial Officer

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Financial Board.
- B. Shall oversee the allotment of funds to student organizations in accordance with the policies and guidelines enumerated in the *Financial Board Guidelines and Procedures of Student Organizations*.
- C. Shall determine, with the input of the Director of Student Activities, a timeline for budget allocations for each semester before the date of midterm exams.
- D. Shall communicate this timeline and all information regarding budgets and finances to clubs via written notice, the Student Government Association website, voicemail, e-mail, club councils, and any other effective means of communication.
- E. All financial requests shall be submitted to the President's Cabinet for review before being brought to the Senate for a vote.
  - 1. The President's Cabinet has no power to reject budgets or additional allocations, but may make suggestions to the Chief Financial Officer to reconsider certain allotments.
  - 2. Should the Chief Financial Officer reconsider certain allotments, they must be reviewed by the Financial Board and then returned to the Cabinet unless otherwise motioned.
  - 3. The Chief Financial Officer will then present all budget allocations to the Senate for approval. The Senate must either approve or reject budgets as a whole.
  - 4. Budgets are approved with a simple majority vote of the Senate.
- F. Shall hold a seminar regarding club finances with the assistance of the Director of Student Activities once every semester.
- G. Shall have a firm grasp of all paperwork involving club affairs and requesting funds from college-controlled accounts.
- H. Shall provide the President's Cabinet and the Senate with an update on the current balance of the Student Government Association's accounts and cash flow statements at the first meeting of every month.
- I. Shall hold a workshop at the onset of the fall semester to educate other Student Government Association members about the various financial forms related to the organization and other club's operations.
- J. Shall be responsible for the appointment of a Deputy Chief Financial Officer, upon majority approval of the Senate.
  - 1. Shall be responsible to and report directly to the Chief Financial Officer.
  - 2. Shall be as familiar with the position and the financial process as the Chief Financial Officer in order to assist in daily operations.
  - 3. Shall attend all meetings of the Student Government Financial Board.
  - 4. Shall not have the authority to authorize the disbursement of funds.

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5. In the event that the Chief Financial Officer can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Chief Financial Officer shall become acting Chief Financial Officer until a permanent replacement can be appointed.
6. The Chief Financial Officer may give temporary power to the Deputy Chief Financial Officer should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 8 Chief Information Officer**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Information Technology.
- B. Shall serve as the liaison between the Student Government Association and Marist College Office of Information Technology.
- C. Shall act as webmaster and administrator of the Student Government Association website.
- D. Shall consult with the Chief Communications Officer on the design and content of the Marist College Student Government website and related applications.
- E. Shall, on a continual basis, assess the current information processes of the Student Government Association and propose improvements where needed.
- F. Shall serve as a learning resource to all members of Student Government concerning matters dealing with computer technology and information processes.
- G. Shall hold a seminar at the beginning of the fall semester outlining the Student Government Association standards for club websites, teaching club officers about what technology is available to them and how it may be used.
- H. Shall orient student leaders in how to use the computerized information systems needed for club functions, how to use the online priority point system, and how to use any other computer systems or software which student leaders may be required to use for club business.
- I. Shall work in coordination with the Vice President of Club Affairs in overseeing and setting standards for the design and creation of club websites.
- J. Shall meet on an as needed basis with the webmasters of the various clubs.
- K. Shall be responsible for the appointment of a Deputy Chief Information Officer, upon majority approval of the Senate.
  1. Shall be responsible to and report directly to the Chief Information Officer.
  2. Shall be as familiar with the position as the Chief Information Officer in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Information Technology Council.
  4. In the event that the Chief Information Officer can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Chief Information Officer shall become acting Chief Information Officer until a permanent replacement can be appointed.
  5. The Chief Information Officer may give temporary power to the Deputy Chief Information Officer should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 9 Chief Communications Officer**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Public Affairs Committee.
- B. Shall handle all public relations and communication tasks involving Student Government Association affairs. This includes organizational promotion and event advertising.
- C. Shall issue press releases regarding Student Government Association events, meetings, and pertinent issues to campus media sources when appropriate.

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- D. Shall produce e-mails on behalf of the Student Government Association which will be forwarded to the Vice President of Student Affairs to be released in the form of “MAR-STU.”
- E. Shall serve as the administrator for all Student Government Association social media accounts. The creation of any new social media accounts must be approved by the Senate.
- F. Shall coordinate special events to improve the relations of the Student Government Association with the Marist community including town hall forums.
- G. Shall see to it that all internal and external communication are in accordance with the Student Government Association *Crisis Management and Prevention Guide*.
- H. Shall handle all publicity pertaining to Student Government Association elections and expand those efforts in every way possible to increase voter turnout.
- I. Shall be responsible for the appointment of a Deputy Chief Communications Officer, upon majority approval of the Senate.
  - 1. Shall be responsible to and report directly to the Chief Communications Officer.
  - 2. Shall be as familiar with the position as the Chief Communications Officer in order to assist in daily operations.
  - 3. Shall attend all meetings of the Student Government Public Affairs Committee.
  - 4. In the event that the Chief Communications Officer can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Chief Communications Officer shall become acting Chief Communications Officer until a permanent replacement can be appointed.
  - 5. The Chief Communications Officer may give temporary power to the Deputy Chief Communications Officer should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 10 Vice President of Club Affairs**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Club Affairs Board.
- B. Shall be responsible for researching and bringing to the table concerns of all campus clubs.
- C. Shall conduct a review of all clubs before the halfway-mark of each semester unless the Senate explicitly grants an extension by majority vote.
  - 1. Club review shall cover all clubs chartered by the Student Government Association and will include progress reports as well as discipline reports.
  - 2. Club review should be presented to the Student Government Association in written format.
  - 3. The Vice President of Club Affairs shall present the club review report before a Joint Session of the Student Government Association.
    - i. The members of both the Senate and the President’s Cabinet may ask questions and debate pertinent topics. Should they feel that any portion of the document is unjust, they may vote to have the Vice President of Club Affairs reconsider the report.
    - ii. If the report is not adopted by the Senate with a majority vote, it is considered a vote of no confidence of the Vice President of Club Affairs forcing the reevaluation and resubmission of the document with the recommended changes or choose to stand by the original report.
    - iii. If the Vice President of Club Affairs chooses not to reconsider the report, the Senate may challenge the decision through the Judicial Board.
  - 4. Upon reconsidering the report, the aforementioned process is repeated.
  - 5. Any club that is sanctioned due to an incident during the club review process will be notified in writing of the violation and its corresponding sanction following the adoption by the Senate and approval of the Student Body President.

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- D. Shall be responsible for the organization and execution of two activity fairs.
  - 1. All chartered clubs must attend both activity fairs.
  - 2. The Fall Activity Fair shall be held no later the second full week of the fall semester during Activity Hour.
    - i. Club leaders will be notified and afforded the chance to register over summer break.
    - ii. The Vice President of Club Affairs will work with the Office of Student Activities and Student Programming Council to organize events and entertainment for the fair.
    - iii. Should be held outside on the Campus Green, weather permitting.
  - 3. The Spring Activity Fair shall be held no later than the second full week of the spring semester during Activity Hour.
    - i. Club leaders will be notified of the fair and must register before winter intercession.
    - ii. Will be held on the third floor of the Student Center.
- E. Shall be responsible for executing an annual Club Leadership Conference.
  - 1. All club leaders must attend the Leadership Conference unless specifically excused for a legitimate reason by the Vice President of Club Affairs.
  - 2. The Leadership Conference will be held in the fall semester following the Activity Fair.
  - 3. Notification of the Leadership Conference will be made over summer break.
  - 4. The Leadership Conference will run for approximately two hours.
  - 5. All workshops to be given at the Leadership Conference are at the discretion of the Vice President of Club Affairs.
  - 6. It is strongly advised that Student Government Association members attend the conference.
- F. Shall oversee the chartering process for all new student clubs and organizations.
  - 1. Any student interested in forming a new club shall first submit an application detailing the purpose of the club, current interest, and any relevant ideas.
  - 2. Once the Student Government Association has received notice of this application, the Vice President of Club Affairs shall assign the new organization.
    - i. If the cap for that council has not been reached, the chartering process will continue.
    - ii. If the council is currently capped, the new organization will be placed on the waiting list until another spot opens up.
  - 3. The new organization shall find an advisor and draft a set of Bylaws.
  - 4. Once Bylaws are drafted, the Vice President of Club Affairs, Club Affairs Board, and Office of Student Activities shall review them.
  - 5. When the organization has made the appropriate revisions to their Bylaws, successfully found an advisor, and submitted a list of at least twelve (12) members, they shall make a presentation to the Club Affairs Board.
    - i. The Club Affairs Board may either approve of the club charter, deny the club charter in whole, or deny the club charter with condition for reconsideration.
    - ii. If the club charter is temporarily denied, members must repeat the aforementioned steps before presenting to the Club Affairs again.
  - 6. The student organization shall then make a presentation to a Joint Session of the Student Government Association. The Senate will vote to charter the organization by majority upon conclusion of this presentation.
- G. Shall administer club sanctioning in accordance with the NOCCAR Disciplinary Matrix.
  - 1. For a specific incident listed on the Matrix, the Vice President of Club Affairs may never give a sanction not specified by the Matrix for that incident.
  - 2. The Vice President of Club Affairs shall use prior precedent in addition to the Matrix when sanctioning clubs.

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3. Determination of what sanction to give a club according to the Matrix is dependent on the severity of the incident.
  4. The Vice President of Club Affairs shall consult with the Student Body President, Speaker of the Senate and the Chief Justice before issuing any sanction.
  5. The Vice President of Club Affairs does not need Senate approval for club discipline, but may be judicially challenged on any sanction.
  6. Any club, organization, or person may challenge a sanction through the Judicial Board of the Student Government Association. Such appeals must still meet the eligibility criteria for a Judicial Board hearing.
  7. For any incident not listed on the Matrix, the sanction will be at the discretion of the Vice President of Club Affairs after consultation with the Student Body President, Speaker of the Senate and the Chief Justice. The Vice President of Club Affairs shall, after the sanction has been given, draft a proposal to amend the Matrix to add that incident.
  8. The Vice President of Club Affairs shall ensure the completion of all community service given as a sanction as explained in the NOCCAR Disciplinary Matrix.
- H. Shall require Senate approval to revoke a club charter unless specifically called for by the NOCCAR Disciplinary Matrix.
1. The club may challenge this decision through the Judicial Board of Student Government.
  2. If a club challenges this revocation, its charter will remain suspended and all funds frozen until this matter is decided.
- A. Shall recommend the Club, Class, Social Service Club, and Council of the Year in a fair and objective manner. These recommendations will be presented to a Joint Meeting of the Cabinet and Senate, where a vote of consensus will take place.
- I. Shall maintain a personal file of all internal and external correspondence that will be archived at the end of the administration.
- J. Shall meet weekly with the Director of Student Activities, or his/her designee.
- J. Shall be responsible for the appointment of a Deputy Vice President of Club Affairs, upon majority approval of the Senate.
1. Shall be responsible to and report directly to the Vice President of Club Affairs.
  2. Shall be as familiar with the position as the Vice President of Club Affairs in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Club Affairs Board.
  4. In the event that the Vice President of Club Affairs can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Vice President of Club Affairs shall become acting Vice President of Club Affairs until a permanent replacement can be appointed.
  5. The Vice President of Club Affairs may give temporary power to the Deputy Vice President of Club Affairs should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 11 Vice President of Student Life**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Student Life Council.
- B. Shall be responsible for researching and bringing to the table concerns of both resident and commuter students which do not fall under the realm of other established positions.
  1. Shall confer regularly with Residence Hall Council Presidents to address the concerns of resident students.



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2. Shall maintain a constant dialogue with the Commuter Student Council to better address commuter student issues.
3. Shall draft and present proposals to the Marist College Department of Student Affairs which develop comprehensive solutions to these concerns.
- C. Shall conduct weekly meetings with members of the Student Life Council.
  1. The Student Life Council shall consist of seven (7) student members.
    - i. The Vice President of Student Life
    - ii. The Deputy Vice President of Student Life
    - iii. Housing and Residential Life Representative
    - iv. Dining Services Representative
    - v. Community Outreach Representative
    - vi. Campus Sustainability Representative
    - vii. Accommodations and Accessibility Representative
  2. The Vice President of Student Life shall appoint members of the Student Life Council at his/her discretion, with the exception of the Deputy Vice President of Student Life, who requires Senate Confirmation.
  3. Members of the Student Life Council shall investigate student concerns which fall under each of their respective positions.
    - i. The Housing and Residential life Representative will act as the liaison to the Marist College Student Life Association, and report on concerns which arise within Residence Hall areas.
    - ii. The Dining Services Representative will serve as a representative on the Marist College Culinary Council and bring to light issues with campus dining outlets.
    - iii. The Community Outreach Representative will network with the greater Poughkeepsie community to organize the annual Student Government Civility Campaign and other charitable fundraisers.
    - iv. The Campus Sustainability Representative will coordinate initiatives which promote environmentally-conscious choices on campus.
    - v. The Accommodations and Accessibility Representative will work with administrators to provide individualized support to students with disabilities and ensure their access to a complete education.
- D. Shall work closely with the Chief Communications Officer to host at least two (2) Town Hall meetings per semester.
  1. Town Hall events will be open to all members of the student body, administrators, faculty, and staff.
  2. Each event may focus on a specific topic facing Marist College students, but other issues may be raised by attendees.
  3. All members of the Executive and Legislative Branches of the Student Government Association are expected to attend Town Hall Events.
- E. Shall meet regularly with the Associate Dean of Student Affairs or his/her designee.
- F. Shall confer with the Vice President of Academic Affairs on student issues relating to both positions.
- G. Shall be responsible for the appointment of a Deputy Vice President of Student Life, upon majority approval of the Senate.
  1. Shall be responsible to and report directly to the Vice President of Student Life.
  2. Shall be as familiar with the position as the Vice President of Student Life in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Student Life Council.

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4. In the event that the Vice President of Student Life can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Vice President of Student Life shall become acting Vice President of Student Life until a permanent replacement can be appointed.
5. The Vice President of Student Life may give temporary power to the Deputy Vice President of Student Life should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 12 Vice President of Academic Affairs**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Student Academic Council.
- B. Shall be responsible for researching and developing solutions to the academic concerns of both resident and commuter students.
- C. Shall serve as a sitting member of the Marist College Academic Affairs Committee.
  1. Shall report all business conducted during these meetings to members of the Student Government Association.
  2. If the Vice President for Academic Affairs is unable to attend Academic Affairs Committee meeting, a Student Academic Council representative shall be appointed as a substitute.
- D. Shall draft and present academic proposals to Marist College administration and faculty which cover a variety of topics across all six schools and their respective majors.
- E. Shall organize and host the annual Faculty of the Year Awards.
  1. Students will have the opportunity to nominate faculty members during the Spring Student Government elections.
  2. The nominations will be tallied and six department awards will be presented to the faculty member with the most votes for each school or division. Faculty is defined as professors teaching at least one class, including adjuncts.
  3. An overall award will be presented to the full-time faculty member with the most collective votes. An award will also be presented to the adjunct faculty member with the most votes out of that pool.
    - i. In the occurrence of a tie, an interview of faculty credentials and service to Marist College community will take place.
    - ii. The Vice President of Academic Affairs, departmental representatives, and others appointed to the task shall conduct the interview.
    - iii. A full Student Academic Council will decide tiebreakers based upon the interview answers.
  4. Faculty members who receive each award will be notified via official correspondence from the Vice President of Academic Affairs.
  5. The annual Faculty of the Year Awards Ceremony will be held prior to the culmination of the administration.
  6. The name of the Faculty of the Year Award winner will be added to the perpetual plaque.
- F. Shall be responsible for the appointment of a Deputy Vice President of Academic Affairs, upon majority approval of the Senate.
  1. Shall be responsible to and report directly to the Vice President of Academic Affairs.
  2. Shall be as familiar with the position as the Vice President of Academic Affairs in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Student Academic Council.
  4. In the event that the Vice President of Academic Affairs can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Vice President of Academic

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Affairs shall become acting Vice President of Academic Affairs until a permanent replacement can be appointed.

5. The Vice President of Academic Affairs may give temporary power to the Deputy Vice President of Academic Affairs should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 13 Vice President of Athletic Affairs**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Student Athletic Affairs Committee.
- B. Shall be responsible for researching and developing solutions to the concerns of both varsity and non-varsity student athletes.
- C. Shall serve as a sitting member of the Marist College Athletic Affairs Committee.
  1. Shall report all business conducted during these meetings to members of the Student Government Association.
  2. If the Vice President for Athletic Affairs is unable to attend Athletic Affairs Committee meeting, a Student Athletic Affairs Committee representative shall be appointed as a substitute.
- D. Shall meet regularly with the Assistant Athletic Director for Internal Affairs and the Senior Athletic Director.
- E. Shall attend all Marist College Captain's Council Meetings.
- F. Shall work towards maintaining high levels of membership and participation in the Intramural and Club Sports programs throughout the year.
  1. Shall confer regularly with the Sports Club Representative from the Club Affairs Board on issues that pertain to both positions.
  2. Shall meet regularly with the Director of the Intramural and Club Sports Program and the Intramural Representative for all sports.
- G. Shall keep in close contact with the athletic administration in the McCann Center as well as the Student Affairs Division.
- H. Shall be responsible for the appointment of a Deputy Vice President of Athletic Affairs, upon majority approval of the Senate.
  1. Shall be responsible to and report directly to the Vice President of Athletic Affairs.
  2. Shall be as familiar with the position as the Vice President of Athletic Affairs in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Student Athletic Affairs Council.
  4. In the event that the Vice President of Athletic Affairs can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Vice President of Athletic Affairs shall become acting Vice President of Athletic Affairs until a permanent replacement can be appointed.
  5. The Vice President of Athletic Affairs may give temporary power to the Deputy Vice President of Athletic Affairs should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 14 Vice President of Safety and Security**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Safety and Security Committee.
- B. Shall be responsible for researching and developing solutions to safety and security issues.
- C. Shall conduct weekly meetings with members of the Safety and Security Committee.
  1. The Safety and Security Committee shall consist of six (6) student members.

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- i. The Vice President of Safety and Security
  - ii. The Deputy Vice President of Safety and Security
  - iii. Health and Wellness Representative
  - iv. Buildings and Grounds Representative
  - v. Title IX Representatives (2)
2. The Vice President of Safety and Security shall appoint members of the Student Life Council at his/her discretion, with the exception of the Deputy Vice President of Safety and Security, who requires Senate Confirmation.
  - i. One Title IX Coordinator shall be a male student, and one shall be a female student.
  - ii. This clause is not indented to be gender-discriminatory in any way, but will ensure that students have access to a representative of the sex with whom they feel comfortable discussing sensitive and confidential information with, should the need arise.
3. Members of the Safety and Security Committee shall investigate student concerns which fall under each of their respective positions.
  - i. The Health and Wellness Representative will act as the liaison to the Marist College Office of Health and Wellness, and report on issues which arise concerning the physical and mental health of the student body.
  - ii. The Buildings and Grounds Representative will bring to concerns issues pertaining to physical plant operation and campus facilities. This includes parking and transportation.
  - iii. The Title IX Representatives will assist the Office of Human Resources with the promotion and enforcement of campus Title IX policy, which includes information sessions, student training, and support for those who seek advice.
- D. Shall organize monthly fundraisers, projects, seminars, information sessions, and/or awareness campaigns on topics pertaining to Safety and Security.
- E. Shall plan and execute all Student Government Association Emergency Response and Disaster Relief initiatives.
- F. Shall meet regularly with the Marist College Director of Safety and Security, acting as a liaison for all major Student Government Association safety and security projects.
- G. Shall be responsible for the appointment of a Deputy Vice President of Safety and Security, upon majority approval of the Senate.
  1. Shall be responsible to and report directly to the Vice President of Safety and Security.
  2. Shall be as familiar with the position as the Vice President of Safety and Security in order to assist in daily operations.
  3. Shall attend all meetings of the Student Government Safety and Security Committee.
  4. In the event that the Vice President of Safety and Security can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Vice President of Safety and Security shall become acting Vice President of Safety and Security until a permanent replacement can be appointed.
  5. The Vice President of Safety and Security may give temporary power to the Deputy Vice President of Safety and Security should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 15 Director of Elections Commission**

- A. Shall act in accordance with the provisions and guidelines enumerated in the Bylaws for the Marist College Student Government Elections Commission.
- B. Shall serve as the head of the Elections Commission and will carry out the Fall and Spring Elections of the Marist College Student Government Association.

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- C. Shall meet regularly with the Student Body President, Speaker of the Senate, Chief Justice, and Student Government Association Advisors during the election cycle.
- D. Shall serve as a neutral source of information and assistance for all student candidates.
- E. Shall enforce all policies enumerated in the *Marist College Student Government Association Document of Campaign Regulation*, and is responsible for sanctioning candidates in violation.
- F. Shall promote active participation in the Student Government Association Elections through the use of campus media in coordination with the Chief Communications Officer.
- G. Shall oversee the creation of the online voting ballot by the Chief Information Officer prior to the voting period, as well as its maintenance and upkeep.
- H. Shall be responsible for the appointment of a Deputy Director of Elections Commission, upon majority approval of the Senate.
  - 1. Shall be responsible to and report directly to the Director of Elections Commission.
  - 2. Shall be as familiar with the position as the Director of Elections Commission in order to assist in an organized election process.
  - 3. Shall attend all meetings of the Student Government Elections Commission.
  - 4. In the event that the Director of Elections Commission can no longer carry out the duties of the office, either by resignation or impeachment, the Deputy Director of Elections Commission shall become acting Director of Elections Commission until a permanent replacement can be appointed.
  - 5. The Director of Elections Commission may give temporary power to the Deputy Director of Elections Commission should he/she decide to study abroad for a semester or need to take a sabbatical from his/her duties.

### **Section 16 Student Body Historian**

- A. Shall oversee all archiving tasks involving the Student Government Association, systemically organizing and collecting all material from the administration at the request of the Student Body President, Speaker of the Senate, and the Chief Justice.
- B. Shall be responsible for taking photos of the Student Government Association members, meetings, and sponsored events.
- C. Shall coordinate with the Chief Information Officer to update the visual content of the Student Government Association website.
- D. Shall work closely with the Chief Communications Officer to provide images for all Student Government Association social media accounts and releases.
- E. Shall be responsible for maintaining the Student Government Association shared drive and the digital archive of all files created during the administration.
- F. Shall, at his/her discretion, compile a Marist College Video Yearbook documenting the major events that occur over the course of the academic year.
- G. Shall coordinate with Class Historians on collective projects under the Council of Historians.
  - 1. The Council of Historians shall meet at the discretion of the Student Body Historian.
  - 2. Membership will include the Student Body Historian and all four (4) Class Historians.
  - 3. Each member shall possess one (1) vote when making collective decisions.
  - 4. The council will spearhead all internal and external creative projects of the Student Government Association, and collaborate towards uniform organizational archiving.

### **Section 17 Parliamentarian**

- A. Shall see to it that Student Government Association members act in accordance with the guidelines outlined in the Constitution and these Bylaws.

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- B. Shall interpret parliamentary rules as contained in *Robert's Rules of Order, Newly Revised*, and shall advise the chair of all questioned procedures during any Student Government Association meeting.
- C. Shall oversee the proper execution of all legislation and any revisions made to the Student Government Association Constitution and Bylaws.
- D. When cause arises, shall act as general counsel to the Student Body President.
- E. Shall give a presentation at the beginning of each administration regarding parliamentary procedure, if so asked by the Student Body President.
- F. If, for any reason, the Parliamentarian cannot fulfill a certain duty, he or she shall contact the Chief Justice to fill this role or designate another Judicial Board member to do so.

### **Section 18 Executive Assistant**

- A. Shall act in accordance with the provisions and guidelines enumerated *Student Government Association Executive Assistant Procedural Manual*.
- B. Shall be responsible for all activities regarding the Student Government Association Office. This includes scheduling meetings, responding to telephone calls and e-mails, the purchase and distribution of all supplies, and the overall cleanliness and aesthetic of the office space.
- C. Shall assist the Student Body President and Speaker of the Senate in the preparation of meeting agendas for the Cabinet and the Senate.
- D. Shall record and prepare minutes of all official Cabinet and Senate meetings in the format established by the Student Body President and Speaker of the Senate at the beginning of the administration.
- E. Shall keep and maintain a master copy of all agendas, minutes, and bills on the Student Government Association shared drive.
- F. Shall make meeting minutes and non-confidential Student Government Association records public domain as soon as reasonably possible following the meeting
- G. Shall forward a copy of all signed legislation to the Office of the Vice President of Student Affairs within three (3) working days of passage.
- H. Shall assist the Student Body President with all other duties as needed.

## **Article III The Legislative Branch**

### **Section 1 General Provisions**

- A. The Legislative Branch of the Marist College Student Government Association shall be known as the Senate.
- B. The Senate is responsible for making decisions that affect campus policy issues and Student Government Association operations.
- C. No member of the Senate may hold another elected or appointed position within the Student Government Association.
- D. All members of the Senate shall learn all paperwork-involving requests for funds through college-operated accounts.
- E. All members of the Senate shall check their Student Government mailboxes on a regular basis and respond to all internal and external communications in a timely manner so as not to hinder or cause to damage other parties.

## **Bylaws of the Marist College Student Government Association**

### **Section 2 Membership**

- A. The Student Government Association Senate shall consist of eleven (11) voting members known as Senators.
  1. Five (5) legislative seats shall be granted to Resident Senators.
    - i. Resident Senators must be registered as full-time undergraduate students and live on the campus of Marist College.
    - ii. Resident Senator Seats shall be granted to those resident students receiving the five (5) highest totals of the popular vote.
  2. Two (2) legislative seats shall be granted to Commuter Senators.
    - i. Commuter Senators must be registered as full-time undergraduate students and live off the campus of Marist College.
    - ii. Commuter Senator Seats shall be granted to those resident students receiving the two (2) highest totals of the popular vote.
  3. Four (4) legislative seats shall be granted to Class Presidents.
    - i. Class Presidents must be full-time undergraduate students who are members of their respective class by matriculation.
    - ii. Class President Seats shall be granted to the student receiving the highest total of the popular vote in their respective class.
    - iii. The Freshman Class President seat shall remain vacant until the election of the freshman class officers, which shall be held in the fall semester.
    - iv. Freshman officers shall be exempt from the 2.50 cumulative G.P.A. requirement until the end of the fall semester of their first academic year.
- B. At the beginning of each administration, Senators shall elect a Speaker of the Senate to lead the Legislative Branch of the Student Government Association.
  1. The Speaker of the Senate shall convey the interests of the Senate before the President's Cabinet and Marist College administration when necessary.
  2. The Speaker of the Senate shall meet weekly with the Student Body President, Executive Vice President and Chief Justice to discuss Student Government Association matters.
- C. Senators shall also elect a Senate Speaker Pro Tempore after the election of the Speaker of the Senate to be the second-in-command of the Legislative Branch.

### **Section 3 Office Hours**

- A. All members of the Senate are required to hold at least three (3) office hours per working week. The Speaker of the Senate reserves the right to extend the minimum required hours.
- B. Members must be available and present in the Student Government Association office during their committed hours.
- C. If a member cannot hold their office hours for that day, they will notify the Executive Assistant at least one (1) hour prior to the start of their scheduled start time. The Executive Assistant will post a note saying the member is not available at that time, and write a memo to the Speaker of the Senate explaining the situation by the end of the day.
- D. Office hours shall not be scheduled during regular Senate or Cabinet meetings, or during individual Class Board or committee meetings.
- E. Office hours shall be submitted to the Speaker of the Senate before the end of the second full week of the semester, and may be changed with notice to the Speaker of the Senate.
- F. A copy of the office hours will be posted inside the Student Government Office, and also on the official Marist Student Government Association website.
- G. Failure to honor posted office hours on a continuous basis may result in impeachment and removal from office pursuant to Article IX of these Bylaws.

## **Bylaws of the Marist College Student Government Association**

### **Section 4 Senatorial Reports**

- A. Members of the Senate shall be required to report on their weekly departmental activities. These reports shall include the following information:
  - 1. An account of ongoing projects or initiatives and progress that has been made.
  - 2. A summary of council/committee meetings and what was accomplished.
  - 3. A description of student concerns brought to the member's attention which are relevant to his/her position and proposed solutions.
  - 4. A list of goals and objectives for the upcoming week.
- B. Senatorial Reports shall be submitted electronically to the Speaker of the Senate for review by no later than Sunday at 11:59 PM, unless otherwise noted.

### **Section 5 Senate Meetings**

- A. The Senate shall meet weekly during activity hour, or at a designated time agreed upon at the beginning of every administration.
- B. The Senate may be called into emergency session by the Speaker of the Senate.
- C. The Speaker of the Senate shall chair all meetings of the Senate. In the temporary absence of the Speaker of the Senate, the Speaker of the Senate Pro Tempore shall chair the meeting.
- D. For official business to be conducted, quorum is required, which shall be defined as two-thirds (2/3) of total Senate membership minus any vacancies.
- E. The Senate may move into legislative session for the purpose of discussing confidential matters and legislation.
  - 1. Only members of the Senate may be present during legislative session, permitted that the legislative session is called during a non-joint meeting, unless invitations are extended to outside individuals.
  - 2. All matters discussed during legislative session shall be held strictly confidential and shall never be disclosed to any outside party.
  - 3. All minutes recorded in legislative session shall be sealed following the close of legislative session and remain confidential.
  - 4. Breach of legislative session confidence shall be considered gross negligence of duty and/or misconduct for purposes of impeachment.
- F. Senators and Class Presidents must attend all Senate meetings.
  - 1. Only the Speaker of the Senate may issue excused absences for Senate meetings.
  - 2. If a member of the Senate has two (2) unexcused absences in a term, his or her membership within the Student Government Association is automatically subject to review.
  - 3. If a member of the Senate has six (6) excused absences in a term, his or her membership within the Student Government Association is automatically subject to review.
- G. Senate meetings are open to the entire Marist College community unless the meeting has been moved into legislative session.
- H. The Speaker of the Senate shall set the agenda for all Senate meetings. The Speaker of the Senate shall also have a say in what is placed on the President's Cabinet agenda.
- I. The minutes from all meetings of the Senate and every Senate committee shall be submitted to the Speaker of the Senate no later than one week after the date of the meeting.
  - 1. Senate minutes will be approved upon majority vote within the Senate.
  - 2. Senate minutes shall be made available for public viewing once approved.

### **Section 6 Legislative Process**

- A. Before legislation can be debated, the Speaker of the Senate must assign it a number.



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1. Bill numbers must be assigned before copies of the proposed legislation are submitted to members of the Senate.
2. Before bill numbers are assigned, the Speaker of the Senate must check past records to ensure the bill number has not been previously used.
- B. Legislation sponsored by Senators will bear the designation “F” if proposed during the fall semester and “S” if proposed during the spring semester, followed by the year and assigned number – which will increase sequentially beginning with “001” (i.e. F2017-001).
- C. Bill numbers may only be used once, regardless of whether the legislation is passed or not.
- D. Once a bill number is assigned to a bill, it becomes eligible for debate.
- E. All legislation becomes passed with a simple majority vote in the Senate in the affirmative, unless the bill is an amendment to the Constitution or Bylaws, which requires a two-thirds (2/3) vote in the affirmative.
  1. The Speaker of the Senate is responsible for delivering all legislation passed by the Senate to the Student Body President.
  2. The Student Body President reserves the right to discuss legislation passed by the Senate with the Cabinet prior to signing it.
- F. Upon passage by the Senate, the Student Body President may sign the legislation into law by placing his/her signature on the bill.
  1. Likewise, upon passage by the Senate, the Student Body President may veto the legislation by writing or stamping in red ink the word “VETO” near the top left edge of the bill and then placing his/her signature underneath said veto.
  2. If legislation is neither signed nor vetoed by the Student Body President, it automatically becomes law after midnight of the fifth (5<sup>th</sup>) normal academic term day after passage by the Senate.
- G. The Senate may overturn a presidential veto within ten (10) normal academic term days after the legislation is vetoed.
  1. For all regular Senate legislation, a two-thirds (2/3) vote in the affirmative is required to override a presidential veto.
  2. For legislation pertaining to the Constitution or Bylaws, a three-quarters (3/4) vote in the affirmative is required to overturn a presidential veto.
- H. All legislation signed into law is subject to judicial review by the Judicial Board and administrative review by the Vice President of Student Affairs.
- I. All legislation that is passed, rejected, vetoed, or judicially or administratively rejected shall be archived by the Speaker of the Senate.
- J. The proper execution of this procedure is the responsibility of the Speaker of the Senate.

### **Section 7**

#### **Residence Hall and Commuter Student Council Visits**

- A. Each Senator shall visit at least two (2) different Residence Hall Council or Commuter Student Council meetings per semester, based upon their constituency.
  1. Resident Senators may visit any two Residence Hall Councils during the semester.
  2. Commuter Senators shall visit the Commuter Student Council twice per semester.
  3. Class Presidents may visit any two Residence Hall Councils which house students from their respective class, or, if they so choose, the Commuter Student Council.
- B. Senators visiting these meetings are entitled to no greater privileges than other visitors to these meetings. The Senator’s main role is to observe student opinions and provide information on issues when asked.
- C. The Speaker of the Senate is responsible for the proper execution of senatorial visits to Residence Hall Council and Commuter Student Council meetings.

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### Section 8 Senatorial Committees

- A. There shall be one (1) standing committee in the Student Government Association Senate.
  1. The Rules and Administration Committee shall be responsible for reviewing and proposing amendments to the Constitution and Bylaws of the Marist College Student Government Association.
    - i. Membership shall consist of five (5) sitting members of the Senate.
    - ii. At the beginning of each administration, a motion shall be made to elect a chair of the committee. A Senator becomes a chair when a motion passes with a majority vote.
    - iii. The Chair shall then appoint four (4) other Senators to serve on the committee.
    - iv. The Rules and Administration Committee shall convene at discretion of the Chair.
  2. Standing committees shall be permanent and will terminate only upon subsequent amendment of these Bylaws by two-thirds (2/3) vote of the Senate.
    - i. Additional standing committees may be created by two-thirds (2/3) vote of the Senate.
    - ii. Membership, chairmanship requirements, and meeting frequency shall be determined upon formation of new standing committees.
- B. To more effectively handle issues facing the student body through pooled resources and division of labor, the Senate may enact select committees through a simple majority vote.
  1. Any sitting member of the Senate may draft proposals for the creation of select legislative committees.
  2. A mission statement outlining the purpose, objectives, make-up, and frequency of meetings of the committee shall be drafted and submitted for Senate approval before the select committee begins operations.
    - i. It is the responsibility of the committee chair, with the guidance of the Speaker of the Senate, to see that this is completed in a timely manner.
    - ii. The mission statement must be approved by a majority vote in the Senate.
  3. Select legislative committees may be composed of Senators, other members of the Student Government Association, or non-Student Government Association members as stipulated in the legislation.
  4. Upon creation of a committee, a motion must be made to elect a Senator as chair of the committee. A Senator becomes a chair when a motion passes with a majority vote.
  5. A select committee may be disbanded when it has obtained its objectives laid out in the mission statement, the committee does not function correctly, or the committee no longer has a practical purpose.
    - i. The Senate may remove any select committee with a majority vote.
    - ii. This decision is subject to appeal to the Judicial Board.
- C. All standing and select legislative committee chairs shall report directly to the Speaker of the Senate and are required to give updates on their progress at weekly Senate meetings.
  1. It is the responsibility of the Speaker of the Senate to ensure that committee reports are placed on the agenda for weekly Senate meetings.
  2. The Speaker of the Senate shall also inform the President's Cabinet of progress within Senate Committees.

### Section 9 Class Boards

- A. Class Presidents shall serve as the chairperson of an elected Class Board, which is responsible for developing solutions to student concerns unique to their class and for organizing events which address specific topics.
- B. Aside from the Class President, board membership shall consist of an elected Vice President, Treasurer, Secretary, and Historian.

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- i. The Vice President shall assist the Class President in all operations of the Class Board, including charring meetings, planning events, and addressing student concerns.
  - ii. The Treasurer shall allocate for funding through the Student Government Association Financial Board for class events and activities and is responsible the completion of all relevant forms and paperwork.
  - iii. The Secretary shall assist the Class President with the formation of agendas, and take detailed minutes at each Class Board meeting.
  - iv. The Historian shall serve as the chief publicity-person for events and initiatives, and shall handle all archiving for the Class Board in coordination with the Council of Historians.
- C. Class Boards shall convene on a weekly basis at an agreed-upon time, but not during regularly-scheduled Senate or Cabinet meetings.
- D. Each member of the Class Board shall possess one (1) vote when making collective decisions.
- E. At the discretion of the Class President, general members meetings may also be held to receive input and feedback at various points throughout the year.
- F. In the event that the Class President is absent at a Senate meeting, the Vice President may take his/her place to deliver a Board Report, though he/she may not vote on any legislation.

### **Section 10 Junior Senate**

- A. The Junior Senate shall be a division of the Legislative Branch of the Student Government Association overseen by the Speaker of the Senate.
- B. Members of the Junior Senate need not be appointed, but shall become a member upon submission of a written statement of interest and approval of the Speaker of the Senate.
- C. Members of the Junior Senate shall be expected to attend all meetings of the Senate and are held to the same attendance policy of Senators.
- D. Members of the Junior Senate shall not hold official voting power, but may cast a vote of confidence at the discretion of the Speaker of the Senate.
- E. Members of the Junior Senate shall work with elected Senators to assist with individual and/or committee projects. A Junior Senator may be assigned to a specific Senator, or may be involved in multiple Legislative Branch initiatives.
- F. Members of the Junior Senate may be summarily dismissed at any time by the Speaker of the Senate for failure to comply with the above stipulations. This decision may be appealed to the Judicial Board.

### **Section 11 Speaker of the Senate Elections**

- A. The election for Speaker of the Senate shall be held during the first Senate meeting after transition, which shall be chaired by the outgoing President of the Senior Class.
- B. A Senator shall be declared eligible for consideration when he or she nominates himself or herself, or is nominated by another Senator and receives a second. The chair may not make a nomination.
- C. Once all nominations for Speaker of the Senate have been made, a period of discussion and debate will follow.
1. The discussion period will begin with the nominees making opening statements.
  2. Senators and other members present may then make any statements of support or dissent, or may ask the nominees questions.
  3. Discussion will end with the nominees making closing statements.
- D. Senators shall vote by secret ballot. If there are three (3) or more candidates for the Speaker seat, there will be rounds of voting by secret ballot with the lowest vote being eliminated until a majority between the remaining two candidates is reached.

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- E. The Parliamentarian or a Student Government Association Advisor shall tally the ballots and report the results to the Senate.
- F. Immediately following the election of the Speaker of the Senate, a Speaker Pro Tempore shall be elected in accordance with the same procedures proscribed for Speaker of the Senate.
- G. The Speaker of the Senate shall not be eligible for the position of Speaker Pro Tempore.
- H. Senators reserve the right to call for new Speaker of the Senate elections at any time with the approval of two-thirds (2/3) of the Senate.

### **Article IV The Judicial Branch**

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

- A. The Judicial Board shall handle all appeals rendered to it by the students of Marist College.
- B. The Judicial Board shall hear cases involving club affairs.
- C. The Judicial Board shall ensure that the Executive and Legislative branches operate within the framework of the *Constitution of the Marist College Student Government Association* and the *Bylaws of the Marist College Student Government Association*.
  - 1. An appeal is defined as the examination of the condition under which an incident is dealt with by a supervising official.
  - 2. The appeals process is not automatic and the decision to hear a case is left solely to the Chief Justice.
  - 3. The only grounds for an appeal to the Judicial Board are faulty procedure or prejudice.
  - 4. The Judicial Board renders judgment on a common sense basis where reasonable belief exists that an action has either occurred or been missed where sanctioning is appropriate.
  - 5. The Judicial Board and Marist College do not operate under the “beyond a reasonable doubt” standard.
- D. The Judicial Board shall review all Student Government Association Senate legislation for constitutionality, fairness, proper procedure, and clarity.
  - 1. Unconstitutionality is when legislation is in direct violation of the *Constitution of the Marist College Student Government Association*.
  - 2. Fairness ensures that legislation does not show extreme bias toward one group or individual.
  - 3. Proper procedure mandates that all legislation passed is in accordance with these Bylaws.
  - 4. Clarity determines whether legislation clearly outlines its purpose.

#### **Section 2 Membership**

- A. The Student Government Association Judicial Board shall consist of five (5) members:
  - 1. The Chief Justice, who shall be a student appointed by the Student Body President upon confirmation by a two-thirds (2/3) vote of the Senate.
  - 2. Four (4) Associate justices, who shall be appointed by the Student Body President upon confirmation by a majority vote of the Senate.
- B. Judicial Board members shall remain on the board according to the following provisions:
  - 1. The Chief Justice shall remain in office while a student at Marist College, or until resignation or impeachment and subsequent removal by the Senate.
  - 2. Associate Justices shall serve terms which run concurrent to each administration and shall be eligible for re-appointment.
- C. An annual review of all Judicial Board members including the Chief Justice shall be conducted by the Student Body President during the Spring Semester and presented to the Senate.

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### Section 3 Judicial Board Meetings

- A. The Judicial Board shall meet at least bi-weekly at a designated time, or more often at the discretion of the Chief Justice.
- B. All members of the Judicial Board must be notified of all meetings.
- C. The Judicial Board may be called into emergency session by the Chief Justice.
- D. For official business to be conducted, quorum is required, which shall be defined as one less than the total number of sitting Judicial Board members.
  - 1. There must always be three (3) people present to conduct official business.
  - 2. In the event that there are less than three members on the Judicial Board, the Chief Justice shall give temporary judicial power to his/her designee(s) to conduct official business.
  - 3. This temporary power shall be limited to one (1) meeting of the Judicial Board.
- E. The Judicial Board may move into Judicial Session for the purpose of reviewing and deciding upon parking ticket appeals and the discussion of other confidential matters as necessary to protect the privacy interests of identifiable individuals.
  - 1. Only Judicial Board members may be present during Judicial Session.
  - 2. All matters discussed in Judicial Session shall not be recorded in the minutes.
  - 3. All matters discussed during Judicial Session shall be held strictly confidential and shall never be disclosed to any third party.
  - 4. Breach of Judicial Session confidence shall be considered gross negligence of duty and/or misconduct for purposes of impeachment.
- F. Members of the Judicial Board must attend all meetings.
  - 1. Only the Chief Justice may issue excused absences.
  - 2. Two (2) unexcused absences by a member per semester shall result in an automatic review of membership eligibility by the Senate.
  - 3. Six (6) excused absences shall result in an automatic review by the Senate.
- G. The Judicial Board shall review all Student Government Association legislation during regularly scheduled meetings
  - 1. Should the Judicial Board find any legislation unconstitutional, unclear, unfair, or passed using faulty procedure, a hearing will convene to allow the Student Body President and a member of the affirmative side of the Senate to defend the legislation.
  - 2. Should the Judicial Board uphold its decision, the legislation will no longer be valid.
  - 3. Any member of the Student Government Association may appeal this decision within three (3) working days to the Vice President of Student Affairs or his/her designee who will render the final decision.
  - 4. If the decision is upheld, the legislation is to be archived as “unconstitutional,” “unclear,” “unfair,” or “faulty procedure,” depending on the grounds of invalidity as aforementioned in Section 1(d) of this article.
- H. Minutes shall be taken at every regular Judicial Board meeting.
  - 1. Minutes shall be reviewed and approved at the following meeting of the Judicial Board.
  - 2. A copy of minutes shall be made available to any member of the Marist College community who requests one.

### Section 4 Guidelines for Appeal

- A. The Judicial Board shall use the *Constitution of the Student Government Association*, the *Bylaws of the Student Government Association*, the NOCCAR Club Disciplinary Matrix, the bylaws of student organizations, and any other governing documents of the Marist College Student Government Association to guide all decisions.

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- B. At times, the Judicial Board may also reference the *Marist College Student Handbook* and Code of Conduct in rendering decisions.

### **Section 5 Appeal Requests**

- A. All appeal requests must be submitted to the Chief Justice either in paper or electronically.
- B. An appellant shall have fourteen (14) normal academic term days to file an appeal after the party has rendered the decision in question.
- C. Upon receipt of the request for appeal, the Chief Justice shall inform in writing the Vice President of Student Affairs or his/her designee, the Student Body President, and the office associated with the appellant (if applicable).
- D. The Chief Justice shall decide whether to hear the case, conferring with the Judicial Board Advisor before a decision is rendered.
- E. The Chief Justice shall gather information pertinent to the appeal including the collection of documents, conduction of interviews, and research into precedent.
- F. The Chief Justice shall meet with the appellant to clarify any questions or concerns regarding the appeal. In this meeting, the Chief Justice:
  - 1. Shall render a final decision as to whether there is enough evidence for an appeal hearing.
  - 2. Shall inform the appellant, Judicial Board, and Student Body President of his/her decision in writing.
  - 3. Shall make clear that the appellant carries the burden proof at all times in requests and hearings.
- G. Common-sense judgment shall be used in determining whether the student was denied due process or the decision showed signs of prejudice.
  - 1. If evidence does not indicate prejudice or lack of due process, then the appellant shall not be granted an appeal hearing.
  - 2. Should faulty procedure or prejudice be evident, the student shall be granted an appeal.

### **Section 6 Pre-Appeal**

- A. The Chief Justice shall set the date and time of the appeal hearing and will inform the following parties of the case:
  - 1. The Vice President of Student Affairs or his/her designee.
  - 2. The sitting members of the Judicial Board.
  - 3. The Student Body President.
  - 4. The Speaker of the Senate.
  - 5. All parties involved in the appeal.
- B. At this time, the Chief Justice may then call another meeting with the appellant to discuss pertinent information to the appeal.
- C. All documents and records that will aid in the fair evaluation of the case shall be made available to members of the Judicial Board at least twenty-four (24) hours in advance of the hearing.
- D. Any additional evidence regarding the appeal may be turned into the Chief Justice no later than forty-eight (48) hours before the appeal hearing.
- E. The Chief Justice shall present copies of all evidence to all parties involved prior to the appeal hearing.

### **Section 7 Appeal Hearing**

- A. The proper procedure for the appeal shall be made clear to the participants at the beginning of the hearing.
- B. The proper procedure for an appeal hearing is as follows:

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1. Presentation of the case by the appellant.
  2. Presentation of the case by the opposing party.
  3. Judicial Board requests for clarification from both sides.
  4. Any necessary testimony of witnesses for the appellant.
  5. Any necessary testimony of witness for the opposing party.
  6. Summation by the appellant.
  7. Summation by the opposing party.
  8. Deliberation by the Judicial Board in Judicial Session.
  9. The Judicial Board may request for clarification from either side if any questions arise during deliberation.
  10. The ruling of the Judicial Board that will be expressed in writing to all parties involved.
- C. All appeal hearings shall be closed to the public, with exceptions granted by the Chief Justice.
- D. The sides of the appeal may not converse with each other during the hearing.
- E. Both sides may have an advisor available for support and guidance, but each side must speak on their own behalf. The advisor may not directly address the Judicial Board.
- F. Each side shall have thirty (30) minutes to present their case.
- G. Upon request, the Judicial Board can decide, at its sole discretion, to extend this time limit.

### **Section 8 Post-Appeal**

- A. All decisions of the Judicial Board shall be communicated in written format to all parties involved, the Student Body President, Speaker of the Senate, and the Vice President of Student Affairs or his/her designee.
- B. All material pertaining to the case, other than the Chief Justice's records, shall be collected at the conclusion of the case from the Judicial Board members and the parties in the appeal. These materials will be destroyed.
- C. The Chief Justice shall ensure that his/her appeal records are sealed and secured to maintain confidentiality and to protect the rights of the involved parties.
- D. No Judicial Board member shall share any information regarding the case with any member of the college community or media.
- E. However, the Chief Justice may discuss the results of the case with the Student Body President, Speaker of the Senate, and the Vice President of Student Affairs or his/her designee.

### **Section 9 Parking Violation Appeals**

- A. The Judicial Board shall govern the parking violation appeals process and set any terms and conditions of appeal for said process at its sole discretion.
- B. The decisions rendered by the Judicial Board regarding parking violation appeals are final and cannot be appealed further.
- C. Parking violation appeals shall be considered separate from other appeals under the jurisdiction of the Judicial Board. Therefore, any section other than Section 9 of this Article shall not apply to the parking violation appeal process.
- D. The terms and conditions of the parking violation appeal process shall be made available in writing through physical and/or electronic mediums.
- E. A violation shall be governed according to the terms and conditions in effect at the time the violation was issued.

# Bylaws of the Marist College Student Government Association

## Article V Meeting Procedures

### Section 1 General Provisions

- A. All meetings and sessions of the President's Cabinet, Senate, and Judicial Board shall be run in accordance with the Constitution and these Bylaws.
- B. Unless a motion to suspend the rules is passed with a two-thirds (2/3) vote, all meetings and sessions shall also be run in accordance with *Robert's Rules of Order, Newly Revised*.
- C. The Cabinet and the Senate of the Student Government Association shall meet at least once a week at a pre-determined and agreed upon time.
  - 1. Quorum for Cabinet meetings shall constitute one-half (1/2) of sitting Cabinet members.
  - 2. Quorum for Senate meetings shall constitute two-thirds (2/3) of sitting Senate Members.
- D. All meetings of the Student Government Association President's Cabinet and Senate shall be announced to the public at least twenty-four (24) hours in advance.
- E. Meeting duration shall be contingent upon the completion of all agenda items, or until the chair otherwise calls for an adjournment.
- F. The Student Body President shall chair all meetings of the President's Cabinet, and the Speaker of the Senate shall chair all meetings of the Senate.
  - 1. The Student Body President or his/her designee shall be given the right to speak at Senate meetings for the purpose of updating the Senate on President's Cabinet matters.
  - 2. The Speaker of the Senate or his/her designee shall be given the right to speak at President's Cabinet meetings for the purpose of updating the President's Cabinet on Senate matters.
  - 3. The Student Body President and Speaker of the Senate shall serve as co-chairs in the case that a Joint Meeting is called.
  - 4. The Executive Vice President shall chair all President's Cabinet meetings in the absence of the Student Body President.
  - 5. The Senate Speaker Pro Tempore shall chair all Senate meetings in the absence of the Speaker of the Senate.
- G. Cabinet and Senate meetings are open to the entire Marist College Community, unless Executive Session or Legislative Session is called.
  - 1. The Student Body President may call Executive Session of the Cabinet at his/her discretion.
  - 2. The Speaker of the Senate may call Legislative Session of the Senate at his/her discretion.
  - 3. Any Senator may motion for a legislative session at any time without being requested to do so by the Student Body President.
    - i. This motion must be passed by a majority vote in the Senate.
    - ii. Only members of the Senate may stay for Legislative Session unless invitations are extended to other Cabinet Members in the motion.
    - iii. Should an invitation not be granted to the Student Body President, the Speaker of the Senate shall chair the meeting until the Senate comes out of Legislative Session.
- H. The Student Body President may call emergency meetings of the President's Cabinet and the Speaker of the Senate may call emergency meetings of the Senate should the need arise.
- I. The Student Body President or Speaker of the Senate may cancel a meeting of their respective branch only for a legitimate reason.
  - 1. This decision shall be discussed with Student Government Association Advisors prior to announcement.
  - 2. Meeting times can only be rescheduled with the consent of the affected branch.



## **Bylaws of the Marist College Student Government Association**

### **Section 2 Meeting Agendas**

- A. The Student Body President shall set the agenda for all President's Cabinet meetings and shall have the opportunity to give input on Senate agendas.
- B. The Speaker of the Senate shall set the agenda for all Senate meetings and shall have the opportunity to give input on President's Cabinet agendas.
- C. The Student Body President and the Speaker of the Senate shall set the agenda collaboratively for all Joint Sessions, but the Speaker shall reserve the final say for joint agenda items.
- D. All Student Government Association agendas shall be typewritten, clear, readable, and contain the official organization logo.
- E. Copies of meeting agendas shall be made available to all members of the Student Government Association as far in advance as possible, but will be distributed no later than twelve (12) hours prior to the scheduled meeting time.
  - 1. All meeting agendas should be forwarded to all Advisors and the Vice President of Student Affairs when distributed.
  - 2. Meeting agendas should also be made available to the student body in advance of the meeting through electronic posting.
- F. The first meeting agenda of each branch after transition shall be numbered as one (1), and continue to increase until the end of the administration.
- G. A copy of the agenda for each branch shall be included with its accompanying minutes when archived in the form of a digital copy on the shared drive.

### **Section 3 Meeting Minutes**

- A. Minutes shall be recorded as part of the duties of the Executive Assistant at every meeting of the President's Cabinet and Senate of the Student Government Association.
- B. Meeting minutes shall be typed in the format that is dictated by *Robert's Rules of Order, Newly Revised*, or in another format specified by the Student Body President.
- C. Minutes from the previous meeting shall be distributed to members of the Student Government Association at least twelve (12) hours prior to the start of the next meeting.
- D. Minutes from the previous meeting shall then be reviewed by all members present at the next meeting and accepted by voice vote.
- E. Corrections may be made to the master copy of the minutes and a clean form of the minutes shall be distributed or archived in the following manner.
  - 1. One (1) electronic copy shall be given to the Vice President of Student Affairs and all Advisors of the Student Government Association.
  - 2. At least one (1) copy posted either in hardcopy or electronically for student viewing.
- F. For every new administration, a folder on the shared drive shall be created to contain a digital copy of the minutes.

### **Section 4 Meeting Attendance**

- A. All members of the President's Cabinet are expected to attend regularly-scheduled Cabinet meetings unless excused by the Student Body President.
- B. All members of the Senate are expected to attend regularly-scheduled Senate meetings unless excused by the Speaker of the Senate.
- C. All members of the President's Cabinet and the Senate are expected to attend joint meetings unless excused by the Student Body President.
- D. All members must be punctual for meetings so that they may begin on time.

## **Bylaws of the Marist College Student Government Association**

### **Section 5 Joint Meetings**

- A. A Joint Meeting of the Student Government Association is defined as a meeting between the President's Cabinet and Senate where issues can be debated simultaneously by both boards.
- B. Joint Meetings of the Student Government Association may only be called by the Student Body President but may be requested by any member of the organization.
- C. All members of the President's Cabinet and Senate are required to attend Joint Meetings.
- D. Minutes from Joint Meetings should be provided to all members at least twelve (12) hours before the next regularly-scheduled Joint Meeting.
- E. Should Executive or Legislative Session be called during a Joint Meeting, all members from both boards must be included in the meeting.
- F. The Student Body President shall call a Joint Meeting of the President's Cabinet and Senate the first week following transition period, and may call further meetings with the approval of the Speaker of the Senate.

## **Article VI Election Procedures**

### **Section 1 General Procedures**

- A. The Student Government Association shall act in good faith, in conjunction with the Director of Elections Commission, to ensure that the Elections Commission always has eight (8) sitting committee members for both the Fall and Spring Elections as per the *Marist College Elections Commission Bylaws*.
- B. The schedule for Fall Elections shall be set by the Director of Elections Commission and approved by the Student Body President no later than the first week of the Fall Semester.
- C. The schedule for Spring Elections shall be set by the Director of Elections Commission and approved by the Student Body President no later than the last meeting prior to the Winter Intercession.
- D. The elections for all elected offices within the within Student Government Association shall be held no later than the first full week of March.
- E. The elections for freshman class officer positions and open seats on the Senate and other class boards and shall be held no later than the fifth full week of the Fall Semester.
- F. The *Document of Campaign Regulation* shall be reviewed by the Senate and Cabinet prior to the information sessions for the Fall and Spring Elections. Any changes to the document must be approved by a two-thirds (2/3) majority of the Senate.
- G. During the last meeting before the online voting period begins, the Director of Elections Commission shall present the sitting administration with copies of what will appear on the ballots for each voting class to review.
- H. The Director of Elections Commission, with approval of the sitting administration, shall have the authority to adjust the election procedures of the Marist Student Government Association as he/she sees fit.

### **Section 2 Election and Appointment Qualifications**

- A. Any full-time, undergraduate student with no less than a 2.50 cumulative index, who is not on academic probation, may hold an elected or appointed position within the Marist College Student Government Association.
- B. In addition, nominees for the position of Student Body President must maintain active membership in at least one (1) Marist College club or organization.

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### Section 3 Declaration of Candidacy

- A. The Director of Elections Commission shall hold at least three (3) informational meetings for interested students at the beginning of the election process.
  - 1. It is mandatory that all students interested in running for elected positions attend one of the three meetings.
  - 2. Make-up information sessions may be held by a member of the Marist College Elections Commission at the discretion of the Director of Elections Commission.
- B. All candidates shall submit a “Declaration of Candidacy” form to the Director of Elections Commission before further campaign activity commences.
  - 1. This declaration shall include the candidate’s name, student identification number, campus address, and signature.
  - 2. The Director of Elections Commission reserves the right to amend this rule, but must notify all candidates at informational meetings.
- C. Upon filing declaration of candidacy, each candidate shall be given petition forms on which signatures of their constituency must be attained by the deadline established by the Director of Elections Commission. No candidate may declare candidacy for more than one position.
  - 1. In order to run for Student Body President and Executive Vice President, candidates must receive a minimum of 400 signatures from their constituency, collectively.
  - 2. In order to run for Resident Senator, candidates must receive a minimum of 250 signatures from their constituency.
  - 3. In order to run for Commuter Senator, candidates must receive a minimum of 100 signatures from their constituency.
  - 4. In order to run for Class President, candidates must receive a minimum of 150 signatures from their constituency.
  - 5. In order to run for all other Class Board positions, candidates must receive a minimum of 100 signatures from their constituency.
- D. When candidates petition for signatures, they are only permitted to speak of their positions on issues related to their own candidacy.
  - 1. Candidates are not permitted to hand out campaign materials during the petitioning period.
  - 2. The same signature may not appear on the same petition twice, but an individual may sign more than one petition.
  - 3. Any violation of the above will result in appropriate censure by the Elections Commission.

### Section 4 Campaigning

- A. All candidates must abide by all rules and regulations stated in the *Document of Campaign Regulation* and *Marist College Student Handbook*. The Elections Commission reserves the right to censure any candidate for failure to adhere to these documents.
- B. At least one (1) full week shall be dedicated to campaigning per each election cycle.
- C. Active campaigning shall begin once the candidate has submitted his/her Declaration of Candidacy and petition forms to the Director of Elections Commission on the designated date. This active campaigning period will end upon the completion of the election process.
- D. Campaigning at any social or athletic function at Marist College is permitted only when all candidates are given the opportunity to attend.
  - 1. No materials can be given out within the vicinity of an event without the approval of the Director of Elections Commission.
  - 2. Active campaigning is not permitted within the Student Government Association Office.
  - 3. The Elections Commission reserves the right to prohibit other areas around campus from campaigning at their discretion.

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- E. Areas permitted for the display of printed campaign materials will be announced in the *Document of Campaign Regulation*.
  - 1. All printed materials must first be approved by the Director of Elections Commission and then by the Office of Student Activities.
  - 2. Candidates are limited to one poster per designated communal bulletin board which shall not exceed 8 ½" x 11".
- F. All candidates are to be given equal access to Marist College media outlets.
- G. Candidates are permitted to utilize established social media networks where the Student Government Association Elections Commission possesses an account to campaign.
  - 1. All candidates shall sign a contract to adhere to the "Spirit Clause of Online Campaigning" upon declaration of candidacy.
  - 2. *Spirit Clause*: Candidates must not engage in any activity online that is in conflict with the mission of the Student Government Association or Marist College. This includes items such as cyber bullying, lying about another candidate, name-calling, etc. Candidates must remain civil towards their opponents and make an attempt to have any negative post that was made on their behalf removed if they have knowledge of its existence. Failure to adhere to this clause is grounds for immediate disqualification from the election.
  - 3. The Elections Commission shall use their discretion should a candidate be found not in compliance with the above provision.
- H. Candidates are required to attend all election-related events sponsored by the Student Government Association unless otherwise excused by the Director of Elections Commission.
  - 1. The Elections Commission shall sponsor the following events for the main election cycle of Student Government Association: Speech Night, Meet the Candidates, Student Body Presidential Debate, and Election Results Announcement Party.
  - 2. The Director of Elections Commission reserves the right to disqualify those candidates who do not attend the above events.
  - 3. These events may be changed, modified, or added to with the approval of the sitting administration.
- I. Student Body Presidential candidates shall have an option to run as a ticket with a candidate for Executive Vice President.
  - 1. If he/she chooses to run as a ticket, the ballot will contain the name of both the Student President Nominee and Executive Vice President Nominee.
  - 2. The ticket will be considered one and both members must attend all election related events, though the Executive Vice President candidate is not required to give a speech at the speech night or participate in the Student Body Presidential Debate.
  - 3. If he/she chooses not to run as a ticket, then the Student Body Presidential candidate will appoint an Executive Vice President if he/she wins the election.

### Section 5 Online Voting

- A. Voting shall take place online for three (3) consecutive calendar days at a specified URL.
- B. Only full-time, undergraduate students are eligible to vote, and no student may vote in a given election more than once.
  - 1. All full-time, undergraduate students are eligible to vote for Student Body President and Executive Vice President.
  - 2. All full-time, undergraduate students who live on the Marist College campus are eligible to vote for Resident Senators.
  - 3. All full-time, undergraduate students who do not live on the Marist College campus are eligible to vote for Commuter Senators.

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4. Concerning Class Board elections, a student may vote for officers for that class which is designated by his/her total credit hours.
- C. Voting is not permitted to take place in the Student Government Association office.
- D. Candidates are not allowed to campaign or distribute any materials near online voting stations.

### **Section 6 Election Results**

- A. An "Election Results Party" will be held where the winners of each race will be announced.
  1. A candidate shall be declared the winner when he/she receives the plurality of the votes cast for that office.
  2. In the event of a tie, a runoff election must occur within five (5) normal academic term weekdays.
- B. The results of the election must be printed on official letterhead and signed by the Director of Elections Commission, Speaker of the Senate, and Student Body President.
  1. After their endorsement, the results must be forwarded to the Chief Justice who will place the seal of the Judicial Board on the results.
  2. The Chief Justice will then forward the official results to the Vice President of Student Affairs and Student Government Association Advisors.
  3. During this time, the winners of the election shall be considered the official winners unless an appeal is registered with the Judicial Board.
- C. Any member of the student body may request the official vote totals from the Director of Elections Commission.
  1. The results shall be disclosed within the Student Government Office by the Director of Elections Commission or his/her designee.
  2. No copy of the results shall be taken from the office, or distributed in any other manner.
- D. If any question arises related to the posted official results, campaign procedures, or practices of a candidate(s), the Director of Elections Commission shall investigate such claims and present his/her findings to the Student Government Association Judicial Board within one (1) week after the announcement of elections results.
  1. An extension of this one week period may be granted by the Chief Justice.
  2. Appeals must be registered with the Elections Commission within three (3) weekdays after the announcement of the official election results.

### **Section 7 Transition**

- A. The Student Government Association transitional period shall be between the day after the announcement of election results and the annual Transition Ceremony, when all newly-elected and appointed members of the Student Government Association take office.
- B. The transition period shall be no less than twenty (20) and no more than twenty-seven (27) academic-term weekdays.
- C. It is the ultimate responsibility of the Student Body President to ensure the transitional process is carried out properly.
- D. The Executive Vice President shall oversee the training of all incoming President's Cabinet members with the direction and guidance of the Student Body President. It is the responsibility of each Cabinet member to train the replacement for his/her position.
- E. The Speaker of the Senate shall be responsible for the orientation of all newly-elected Senators.

### **Section 8 Student Referendums**

- A. A referendum question may be placed on the ballot during any regularly-scheduled election.
- B. Any member of the Student Body may propose a referendum question to a Senator.

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1. The Senate shall vote whether or not to place the question on the ballot.
  2. A simple majority vote in the affirmative places the question on the ballot.
  3. This vote is not subject to Presidential veto.
- C. A referendum is officially passed if it receives a simple majority of “yes” votes.
- D. A referendum, once passed by the Student Body, is not subject to Presidential veto. It can be repealed only if challenged and found unconstitutional by the Judicial Board, or if it is repealed by another referendum.

### **Article VII Appointments**

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

- A. All President’s Cabinet and Judicial Board positions shall be appointed by the Student Body President and confirmed by the Senate, with the exception of the Executive Assistant, who does not require Senate approval.
- B. Should a vacancy arise after elections, the Student Body President shall make appointments to the positions of Resident Senators and Commuter Senators. These appointments shall only be valid until the next regularly-scheduled election.
- C. Should a permanent vacancy occur in the position of Class President, the vacancy shall be filled by the following order of succession: Vice President, Treasurer, Secretary, and Historian. If the vacancy cannot be filled by the current class officers, the Student Body President shall appoint a student of said class to the position of Class President. This appointment shall only be valid until the next regularly-scheduled election.
- D. Should a vacancy arise on a Class Board, the Class President shall appoint a person of said class to that open position. This appointment shall only be valid until the next regularly-scheduled election.
- E. In order to ensure that the Senate has a vested interested in the new administration, all incoming Cabinet and Judicial appointments shall be confirmed by the outgoing Senate

#### **Section 2 Requirements for Appointment**

- A. The applicant must meet the minimum standard of a 2.50 cumulative grade point average, which shall be verified through the Office of Student Activities.
- B. The applicant cannot otherwise be on academic probation.
- C. Freshman Class Officers shall be exempt from the 2.50 cumulative grade point average requirements until the end of the fall semester of their first academic standard.
- D. All applicants must fill out a Student Government Association Application for Appointment.
- E. In addition, all applicants must attach their professional resume and submit at least one (1) letter of recommendation with their application.
- F. Applicants shall be interviewed either by the Student Body President or Executive Vice President for President’s Cabinet and Judicial Board appointments.
- G. Applicants shall be interviewed by Class Presidents for all Class Board appointments.
- H. At this time, the applicant shall be made aware of the time, efforts and demands of the position.

#### **Section 3 Appointment Process**

- A. When the Student Body President or Class President has made his/her decision for the position, he/she shall inform the Speaker of the Senate of the appointment as with as much time as possible before the next regularly-scheduled Senate meeting.

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- B. The Student Body President or Class President shall also provide a short biography of the candidate to be included on appointment legislation prior to the Senate vote.
- C. The Student Body President is encouraged, but not required, to obtain President's Cabinet approval of appointments before presentation to the Senate.
- D. Nominees must be present at the time of the confirmation hearing by the Senate to answer any questions that may arise.
- E. Any issues of serious or confidential nature that may arise during the appointment process should be handled in closed Legislative Session.
- F. The Senate shall confirm all appointments made by the Student Body President and Class Presidents by simple majority vote, with the exception of the Chief Justice, who must be confirmed by a two-thirds (2/3) vote.
- G. A candidate who is denied approval cannot be brought back to the Senate floor for appointment to any position for a span of no less than six (6) months.
  - 1. If the Senate does not confirm the appointee by a majority vote, the Student Body President must nominate a new candidate for the position.
  - 2. This clause does not apply administration to administration.
    - i. If a candidate fails to be confirmed by a majority vote of the Senate, and a new Administration comes into power before the six (6) months have passed, the new Student Body President may bring the candidate back for appointment under the new Senate.
    - ii. The candidate must then gain a supermajority (3/4 of the sitting Senate members) to be approved by this method.
    - iii. A candidate that was denied approval for a second time cannot be brought back to the Senate floor for appointment to any position for a span of no less than six (6) months.
    - iv. If the Senate does not confirm the appointee by a supermajority vote, the Student Body President must nominate a new candidate for the position.

### **Section 4 Interim Appointments to Elected Positions**

- A. Elected positions are defined as the following: Resident Senators, Commuter Senators, Class Presidents, and all other Class Board members.
- B. No appointee, regardless of circumstance, shall be reappointed for that elected position within the same administrative term.
- C. Should an appointee want to continue in that position, he/she must run in the next regularly-scheduled election.
- D. Should an interim appointee choose not to run in the election for that office or if they do not win re-election, the procedure shall be as follows:
  - 1. If the next Student Government Association Election is during the fall semester, the appointee shall relinquish power and the newly elected student shall take his/her position upon the posting of the election results by the Director of Elections Commission.
  - 2. If the next Student Government Association Election during the spring semester, the appointee shall relinquish power and the newly elected student shall take his/her position after the Transition Ceremony.
  - 3. If the position is left vacant, the Student Body President or Class President shall fill the position with a new applicant for appointment.

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## **Article VIII**

### **Discipline, Impeachment, and Removal from Office**

#### **Section 1 Applicability of this Article**

- A. All members of the Student Government Association in any of the three branches, and underlying positions of title therein, are subject to judicial discipline, impeachment and removal from office.
- B. Any member who violates the entrustment of confidence made by the Student Body or the Student Government Association – by blatantly disregarding the responsibilities of office or perpetuating, by word or action, a specified violation – may be removed as a member of the Student Government Association and the position held by the individual will become vacant.

#### **Section 2 Definitions and Scope of Violations**

- A. The following shall be considered violations of the entrustment of confidence made by the Student Body or the Student Government Association and are grounds for the discipline or impeachment of a Student Government Association member:
  - 1. Malfeasance, which shall be defined as the commission of, or performance of an act, which said member has no explicit or implicit right or authority granted to them by the Student Government Association to transact. This shall include, but is not limited to, the following:
    - i. Misuse of Student Government Association physical or intellectual property including, but not limited to, money, keys, passwords, and letterhead.
    - ii. Breach of Executive, Legislative, Judicial, or other closed session confidence.
  - 2. Misfeasance, which shall be defined as the improper performance of an act which by law is not improper, but the performance of said act is done in such a manner that it shall be considered improper or infringes on the rights of others.
  - 3. Nonfeasance, which shall be defined as the nonperformance of an explicit or implicit duty or responsibility of said member's position, whether or not said member is aware of such duty or responsibility. This shall include, but is not limited to, the following:
    - i. Unexcused absence from more than two (2) Student Government Association meetings, or mandatory Student Government Association functions, is within the definition of negligence of duty.
    - ii. Excused absence from more than six (6) Student Government Association meetings or mandatory Student Government Association functions is within the definition of inability to serve one's constituency.
    - iii. Whether an absence is excused or unexcused is solely within the purview of the Speaker of the Senate when a Senator is involved, the Student Body President when a Cabinet member is involved, and the Chief Justice when the Judicial Board is involved.
  - 4. Violation(s) of the student code of conduct severe enough to warrant disciplinary action by the College, or the conviction of a felony, in regards to any federal, state, or local law.
- B. Any member of the Student Government Association whose cumulative grade point average falls below a 2.50 shall resign immediately upon becoming aware that this is the case. Any member who does not resign may be summarily removed by the Marist College administration with no further avenue of appeal.

#### **Section 3 Judicial Sanctions**

- A. Discipline administered to a Student Government Association member following a written or oral warning must be handled by the Judicial Board.



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1. Discipline shall be defined as any action taken by the Judicial Board in order to enforce the offenses listed in Section 2 of this Article.
  2. This excludes discipline pertaining to elections, which will be handled in accordance with the *Bylaws of the Marist College Elections Commission*.
- B. The Judicial Board shall administer discipline through use of the following actions:
1. Judicial Warning: A documentable notification that is signed by the Chief Justice and the member in question.
    - i. A Judicial Warning can be issued by the Chief Justice or any other Student Government Association member with the express permission of the Chief Justice.
    - ii. The document must clearly outline the violation and actions that can be taken if further violations continue.
    - iii. The member in question must always be given the opportunity to add a statement to the warning before it is archived.
    - iv. Judicial Warnings will be valid for the entire duration of the member's time in the Student Government Association.
    - v. Judicial Warnings do not require procedural investigation.
  2. Responsibility Sanction: Suspends a Constitutional duty or responsibility of a Student Government Association member for a period of one week, two weeks, or one month (30 days) upon a majority vote of the Judicial Board.
    - i. A Responsibility Sanction may only be used on members of the President's Cabinet, excluding the Student Body President and Executive Vice President.
    - ii. Responsibilities suspended from a member of the President's Cabinet will immediately be delegated to the respective deputy.
    - iii. If the member of the President's Cabinet does not have a deputy, or the deputy position remains vacant, the Executive Vice President shall be responsible for choosing an appointed subordinate to fulfill the suspended responsibility
  3. Representative Suspension: Issued for a period of one week, two weeks, or one month (30 days) upon a majority vote of the Judicial Board or an indefinite period upon majority vote of the Judicial Board and the approval of the Vice President of Student Affairs.
    - i. The Chief Justice may issue a three (3) day suspension to a member of the Student Government Association for the purpose of conducting a procedural investigation.
    - ii. During a Representative Suspension, the member may not conduct activity associated with their position or make use of the Student Government office or office resources in any manner whatsoever.
    - iii. Conducting activity associated with a member's position during a Representative Suspension will be considered nonfeasance and shall result in additional disciplinary action up to and including impeachment.
    - iv. In extenuating circumstances where a Representative Suspension would suspend the actions of a member that would result in significant consequences for the Student Government Association or the student body, the Chief Justice may exempt the member from the Representative Suspension for a specified period of time.
    - v. The decision of the Chief Justice to exempt a reprehensive from a suspension can be appealed to the Judicial Board by the member in question, Student Body President, Executive Vice President, or Speaker of the Senate.
    - vi. The Chief Justice will not have the ability to determine the acceptance of the appeal and it must go before an appeal hearing.

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### Section 4 Procedural Investigation

- A. In order to begin impeachment proceedings against a member of the Executive or Legislative Branches, the Chief Justice of the Judicial Board must receive a letter from a member of the Marist College community specifying the grounds for impeachment.
- B. Upon receiving the letter, the Chief Justice will inform the relevant parties, the Student Body President, and Vice President of Student Affairs of his or her decision to investigate.
  1. Should the Chief Justice decide that further action is necessary, he or she will begin the process of Procedural Investigation.
  2. Procedural Investigation shall be defined as an investigation conducted by the Chief Justice and/or his or her designees, consisting of fact-gathering through personal interviews, review of documentation and other relevant procedures conducted, with the goal of attaining information pertinent to the matter in question.
  3. Procedural Investigation must be completed prior to the initiation of Representative Suspensions, Responsibility Sanctions, and Impeachment Proceedings.
  4. A Procedural Investigation Committee may be formed at the discretion of the Chief Justice. The committee may consist of students and faculty appointed by the Chief Justice who will aid in the Procedural Investigation.
    - i. The Judicial Board Advisor must be informed of any actions of a Procedural Investigation Committee and will be allowed to terminate at their sole discretion.
    - ii. If a Procedural Investigation Committee is terminated, the Chief Justice must continue the process on his or her own.
- C. To issue a Responsibility Sanction or Representative Suspension, Procedural Investigation will be satisfied by the completion of two (2) stages.
  1. Administrative Assessment: This stage will be the first stage of a Procedural Investigation, and will consist of addressing administrators relevant to the matter.
    - i. The decision to address an administrator is at the discretion of the Chief Justice and/or his/her designees.
    - ii. All Student Government Association Advisors must be contacted to fulfil this stage.
  2. Information Collection: This Stage will be the second stage conducted in a Procedural Investigation and will consist of thorough personal interviews, review of documentation, and other relevant procedures conducted with the goal of attaining information pertinent to the matter in question.
    - i. This stage will be satisfied when the Chief Justice decides that sufficient evidence exists to warrant a response from the Judicial Board.
    - ii. Evidence collected must be documented in order to be used in a hearing. Acceptable forms of evidence are: First or second hand dispositions, photographs and videos, recordings of interviews done with the consent of all parties, and other pertinent documented or electronic materials.
- D. To approve an impeachment hearing, the Procedural Investigation will require an additional Conduct Consultation stage.
  1. Conduct Consultation: This Stage requires that the Chief Justice meet with the Director of Student Conduct or his/her designee to confirm that the planed actions of the Judicial Board would not interfere with any Student Conduct investigations.
  2. If the Office of Student Conduct is investigating the matter in question, the Chief Justice must immediately suspend the case until the investigation of the Office of Student Conduct is completed.

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- E. Upon completion of Procedural Investigation, the Chief Justice will notify the relevant parties, the Student Body President, and the Vice President of Student Affairs of the results of the investigation and of his/her decision to continue to impeachment proceedings.

### **Section 5 Impeachment Proceedings**

- A. Impeachment proceedings for members of the Executive and Legislative Branches will be held in accordance with the guidelines for general appeals enumerated in Article IV of these Bylaws.
  - 1. During the hearing of the Judicial Board to determine removal of office, the accused shall be permitted to present evidence, bring witnesses, and/or address the Judicial Board.
  - 2. Any member of the Judicial Board shall be permitted to question the accused and to present evidence, bring witnesses, and/or address the Judicial Board, either in behalf of or against the accused.
  - 3. At the close of the presentation of evidence, the Judicial Board shall move into closed session to deliberate without the accused or non-members being present.
  - 4. At the close of deliberation, the Judicial Board shall, by majority vote, move to reopen discussion on the articles of impeachment, or move to a public roll-call vote.
  - 5. A two-thirds (2/3) vote of the Judicial Board shall be required for the accused to be removed from office.
  - 6. The findings of the Judicial Board shall be announced publicly.
- B. In order to begin impeachment proceedings against a member of the Judicial Branch, a resolution must be passed by a simple majority vote of the Senate detailing the complaint against said member.
  - 1. The Senate will notify the accused in writing and in person of the charges, for which the accused will have five (5) normal academic term weekdays to respond in writing.
  - 2. Within seven (7) normal academic term weekdays after receiving the response, the Senate must issue a resolution, passed by a majority vote, as to whether the charges have been sufficiently answered.
  - 3. If the response is not deemed sufficient by the Senate, then the Justice is considered to be “impeached,” and a Senate hearing, chaired by the Chief Justice, shall be held within ten (10) normal academic term days of the Senate passing the resolution.
  - 4. If the Chief Justice is impeached, the Senate hearing shall then be chaired by the Student Body President.
  - 5. The provisions of Section 5(a) of this Article shall be applied pertaining to hearing procedures, with the word “Senate” substituted in the place of the word “Judicial Board.”

### **Section 6 Post-Termination Stipulations**

- A. Any student who is removed from office shall immediately relinquish office swipe access, all documents, passwords, letterhead, and any other Student Government Association property.
- B. Failure to surrender the aforementioned will result in a request from the Judicial Board for the college to encumber said student, until compliance is realized.
- C. Any student impeached and subsequently removed from office shall not be permitted to hold any elected or appointed office or serve in any capacity within the Student Government Association for the remainder of their attendance at Marist College.
- D. Any student who has been removed from a Student Government Association office has the opportunity to appeal the decision to the Marist College Vice President of Student Affairs on the sole grounds of prejudice or procedure contrary to the provisions of this article. The student will have three (3) days to submit the appeal request.

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## **Article IX Presidential Succession**

### **Section 1 Line of Succession**

- A. The Student Body President is the highest office of the Student Government Association.
- B. The official line of succession to the Office of the Student Body President shall be the following: Executive Vice President, Speaker of the Senate, Senate Speaker Pro Tempore, Chief Financial Officer, Chief Information Officer, Chief Communications Officer, Vice President of Club Affairs, Vice President of Student Life, Vice President of Academic Affairs, Vice President of Athletic Affairs, Vice President of Safety and Security, Director of Elections Commission, Student Body Historian, Parliamentarian, Executive Assistant, Resident Senators (by seniority), Commuter Senators (by seniority), Class Presidents (by seniority).

### **Section 2 Exceptions and Exemptions**

- A. The line of succession shall only be used until a new Student Body President is found.
- B. This sequence does not pertain to the succession for Executive Vice President, as that position shall be determined by the new Student Body President.
  - 1. In the case of a vacancy left by the Student Body President, the Executive Vice President shall become the Student Body President until the next Spring Election.
  - 2. The new President will then appoint a new Executive Vice President to be confirmed by the Senate.
  - 3. For example, in the event of the Student Body President leaving office, the Executive Vice President would become the new Student Body President. The new Student Body President would then appoint a new Executive Vice President.
  - 4. In the event that both the Student Body President and the Executive Vice President are leaving office, then the Speaker of the Senate would become the Student Body President and appoint an Executive Vice President.

## **Article X Sustainability Initiative**

### **Section 1 General Guidelines**

- A. The Marist College Student Government Association shall operate in a sustainable and eco-conscious way, making every effort to reduce our carbon footprint on the environment.
- B. The specific regulations outlined below shall be followed at all times, or members may be subject to disciplinary action pursuant to Article IX of these Bylaws.
- C. All chartered clubs shall adopt an altered version of this article within their bylaws to ensure that sustainability spreads throughout other student organizations.

### **Section 2 Internal Communication**

- A. All communication (memos, letters, notices, proposals, agendas, minutes) shall be transmitted in electronic format only.
- B. Printing shall be limited to official documents only. Personal and academic printing should be done at a public computer lab on campus.
- C. Only one (1) official copy legislation shall be printed for signatures and record-keeping.
- D. No documents shall be distributed in paper format to members of the Marist College Student Government Association during meetings, unless deemed necessary for conducting business.

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- E. An internet-based shared drive shall be created for all relevant internal documents and shall be kept by the Historian or the Executive Assistant.
- F. Transition Binders may be prepared on a flash drive for all new incoming members of the Marist College Student Government Association at the discretion of the author.

### **Section 3 External Communication**

- A. Members of the Marist College Student Government Association shall make every effort to utilize electronic means to communicate with the student body.
- B. All external communication including advertisements and posts must first be approved by the Chief Communications Officer.
- C. Paper advertisements should be limited to thirty (30) copies maximum.
  - 1. The Chief Communications Officer may grant express permission to increase this amount.
  - 2. This section does not apply to paper campaign materials.

## **Article XI Ratification and Amendment**

**Section 1** The *Bylaws of the Marist College Student Government Association* shall become operative upon approval by a two-thirds (2/3) majority of the Senate.

**Section 2** Amendments to these Bylaws shall be enacted by a two-thirds (2/3) vote of the Senate, or by a majority of students voting in a referendum.

**Section 3** These Bylaws shall be the document used to carry out all of the daily operations of the Student Government Association.

**Section 4** All clubs and organizations presently chartered by the Student Government Association, and all clubs and organizations to be chartered in the future, are mandated to revise and update their Bylaws, contingent to any pertinent changes made in this document.