

Constitution and General Statutes of the Student Government Association



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Student Government Association Constitution East Carolina University

Preamble

We, the students of East Carolina University, in order to establish a government that will protect our rights, will provide us opportunity to interact with our faculty, staff and administration, provide student based solutions for the future of East Carolina University, will with resolute determination preserve the best in our tradition of responsible self-government, assert our goals to preserve order, establish justice, and maintain a lasting opportunity for responsible individual and collective action, while enhancing the total student experience, do hereby ordain and establish this constitution for the Student Government Association of East Carolina University.

Article I – Declaration of Students Rights

Section I – Basic Rights. The Student Government realizes that all students are guaranteed certain rights under the constitution and laws of the State of North Carolina and the United States of America. The Student Government shall not make nor attempt to enforce any law abridging these basic rights.

Section II – Students are also granted the following rights under this constitution:

1. The right to submit referendums and initiatives for ratification by the electorate.
2. The right to recall and remove any elected official.
3. The right to address its student body officials.
4. The right, through the Student Government Association, to have any grievance heard and acted upon.
5. The right to hold any office in a single branch during a term that student so desires.
6. The right to not be discriminated against by race, ethnicity, culture, national origin, ability, religion, orientation, age, intellectual position and perspectives.

Section III – The authority of the Student Government Association lies solely with the students. No non-student shall have authority over the Student Government Association.

Article II – Legislative Powers

Section I

1. Tri- cameral system with a house of organizations, an Undergraduate Student Senate and a Graduate/ Professional Student Senate will comprise the student congress.
 - a. House of organizations
 - b. Undergraduate Student Senate
 - c. Graduate /Professional Student Senate
 - d. All three come together for issues that affect all students.

Section II – Term of office for the Undergraduate Student Senate members shall extend from the second to last week of the spring academic semester until the same week of the next spring semester. All members of Undergraduate Student Senate must maintain a 2.25 semester and they must be a full time student.

Section III – The Summer Undergraduate Student Senate shall be composed of Senators elected during spring elections that are enrolled for at least one session during the summer sessions and wish to serve as members of the Undergraduate Student Senate. All decisions made by the Undergraduate Student Senate must be reaffirmed by the full House of Organizations within thirty days of the first meeting.

Section IV

Congress shall be composed of three houses, two of which reside within the undergraduate student senate and the third to be composed of graduate /professional students. These houses shall exist as follows:

1. The House of Organizations
 - a. Shall be the lower house of the undergraduate student senate
 - b. Shall be composed of all SGA funded organizations
2. The Undergraduate Student Senate
 - a. Shall be the upper house of the undergraduate student senate
 - b. Shall be composed of forty to fifty undergraduate students of the following:
 - i. one representative per one-thousand students in each college
 - ii. one representative per one-thousand undergraduate undecided students
 - iii. one representative per college that does not have an enrollment of one-thousand students
 - iv. two representatives from each class (freshman, sophomore, junior, senior)
3. The Graduate / Professional student senate
 - a. Shall be independent of the undergraduate Student Senate

Section V – Powers of the House of Organizations. The House of Organizations shall have the authority to:

1. Review and approve new student organizations;
2. Determine, by a plurality, its rules and procedures;
3. Censure or expel a member by two-thirds vote;
4. Determine the time, place, and period of its meetings;
5. Provide for the replacement of its members upon a vacancy in office;
6. Determine, by majority, to enter into closed session;
7. Expel any nonmembers from meetings of the House of Organizations due to disruptive behavior;
8. Require information and appearance from any student government official or officer of any organization receiving funds;
9. Create any committees it deems necessary and proper for carrying out the powers granted in this Constitution;
10. Draft legislation that it deems necessary and proper to be sent to the Undergraduate Student Senate for consideration;
11. Approve legislation drafted by the Undergraduate Student Senate to become statute.
12. Vote on Undergraduate Student Senate funding and disbursement resolutions for approval;
13. Require information and appearance from any student government official or officer of any organization receiving funds.
14. Summon any party receiving student funds to a House of Organizations meeting with a two-thirds majority vote.
15. Override any presidential veto of legislation, along with the Undergraduate Student Senate, by a two-thirds majority vote.
16. Override any treasury veto of financial legislation, along with the Senate, by a two-thirds majority vote;

17. Affirm or deny, by a majority, the Undergraduate Student Senate's recommendations of the salaries of the Student Body President, Student Body Vice President, Student Body Secretary, Student Body Treasurer, and Undergraduate Student Senate President, changes to which shall not exceed 15% per year.
18. Call a vote of no-confidence in its officers; removing them with a two-thirds majority vote with new elections following immediately.

Section VI – Officers of the House of Organizations

1. ***The Speaker of the House of Organizations*** shall be the chief authority within the lower house. It shall be his/her responsibility to conduct meetings of the House of Organizations. The Speaker shall have the authority to delegate any power not expressly granted to any other officer as long as it is not in violation of the Student Government Constitution. This person shall be elected at the first House of Organizations meeting two weeks before the end of the spring semester by a majority of the Representatives.

2. ***The Speaker Pro Tempore of the House of Organizations*** shall be the chief authority within the lower house with the absence or resignation of the Speaker. He/she shall act on behalf of the Speaker and conduct activities he/she shall desire.

3. ***The Clerk of the House of Organizations*** shall be the chief bookkeeper of the House of Organizations. Their responsibilities include keeping minutes, documenting bills and resolutions, sending official paperwork, and any other archival functions as needed. This person is the Student Government Association Secretary.

4. ***The Parliamentarian*** serves to maintain order during all official meetings for the House of Organizations. Their responsibilities include making sure the House of Organizations follows the Student Government Constitution, the Statutes of the Undergraduate Student Senate, and Roberts Rules of Order. This person shall be appointed by the Speaker of the House of Organizations and confirmed by the House of Organizations by a majority vote.

5. ***The Sergeant-at-Arms*** serves to assist the Parliamentarian to maintain physical order during all meetings of the House of Organizations. This person shall be appointed by the Speaker of the House of Organizations and be confirmed by the House of Organizations by a majority vote.

Section VII- Powers of the Undergraduate Student Senate

1. Determine, by a plurality, its rules and procedures;
2. Censure or expel a member by two-thirds vote;
3. Determine the time, place and period of its meetings;
4. Shall be the supreme authority over all Elections Laws;
5. Provide for the replacement of its members upon a vacancy in office;
6. Approve the appointments and recommendations of the Student Body President;
7. Regulate, by a majority, the disbursement of the congressional funds;
8. Determine, by majority, to enter into closed session;
9. Expel any nonmembers from meetings of the Undergraduate Student Senate due to disruptive behavior;
10. Require information and appearance from any student government official or officer of any organization receiving funds;
11. Enact all laws necessary and proper for the general well being of the Student Body;
12. Override any presidential veto of legislation by a two-thirds majority vote;
13. Override any treasury veto of financial legislation by a two-thirds majority vote;

14. Create any committees it deems necessary and proper for carrying out the powers granted in this Constitution;
15. Determine and approve, by a plurality, the salaries of the Student Body President, Student Body Vice President, Student Body Secretary, Student Body Treasurer and President of the Undergraduate Student Senate. The approval must be concurred by the SGA Advisor for determining financial feasibility.
 - a. Changes to salaries granted by the Undergraduate Student Senate shall not be greater than 15% a year.

Section VIII- Officers of the Undergraduate Student Senate

1. **The President of the Undergraduate Student Senate** shall be the chief authority within the upper house. It shall be his responsibility to conduct meetings of the Undergraduate Student Senate. The president shall have the authority to delegate any power not expressly granted to any other officer, so far as the Undergraduate Student Senate confirms these delegations by majority rule. This person will be elected at the first Undergraduate Student Senate meeting two weeks before the end of the spring semester by majority rule.
 - a. The President of the Undergraduate Student Senate shall be required to attend summer school.
2. **The President Pro Tempore of the Undergraduate Student Senate** shall assist the President in conducting the meetings and any administrative actions the President shall so desire. The Rules & Judiciary Chair will serve in this capacity.
3. **The Chief Clerk of the Undergraduate Student Senate** shall be the chief bookkeeper of the Undergraduate Student Senate. Their responsibility includes keeping minutes, the archiving of all bills and resolutions, and any other archival functions so needed. The full time professional student government secretary shall act in this capacity.
4. **The Chief Clerk Pro Tempore of the Undergraduate Student Senate** shall be to assist the chief bookkeeper of the Undergraduate Student Senate. Their responsibility includes keeping role call, assisting with minutes and resolutions, recording official votes and any other function so needed. This person is appointed by the Student Body President.
5. **Parliamentarian** serves to maintain order during all official meetings for the Undergraduate Student Senate. Their responsibility includes making sure the Undergraduate Student Senate follows this Constitution, the Statutes of the Undergraduate Student Senate and Roberts Rules of Order. This person shall be appointed by the President of the Undergraduate Student Senate and confirmed by the Undergraduate Student Senate.
6. **Sergeant-at-Arms** serves to assist the Parliamentarian to maintain physical order during all meetings of the Undergraduate Student Senate. This person shall be appointed by the President of the Undergraduate Student Senate and confirmed by the Undergraduate Student Senate.

Section IX – Joint Session of Congress

1. The Undergraduate Student Senate, House of Organizations, and the Graduate/Professional Student Senate shall meet in Joint Session to approve any increase in Student Fees and any other legislation to affect the university community as a whole.
2. The Officers of the Undergraduate Student Senate shall preside over all joint sessions of the Undergraduate Student Senate and the House of Organizations and the Graduate/Professional Student Senate.

3. The Officers of the Undergraduate Student Senate will follow the Constitution, the Statues and Roberts of Order.

Section X

The Undergraduate Student Senate and the Graduate / Professional Student Senate shall function independently of each other and with their own constitutions except when meeting in joint session.

Article III – Executive Powers

Section I. All executive authority within the Student Government Association shall exist within the Office of the President of the Student Government Association. All executive officers (president, vice president, secretary, treasurer) must have and maintain a 2.5 cumulative grade point average during their term of office. They must also maintain at least a 2.0 semester grade point average, including summer sessions.

Section II. The officers of the executive branch shall be:

1. **The President of the Student Government Association** shall be the supreme authority over the executive branch. The President's term of office shall extend from installation at the Student Government Association Banquet until the same time the following year.
2. **The Vice President of the Student Government Association** shall be the secondary authority to the President. The Vice President's term of office shall extend from installation at the Student Government Association Banquet until the same time the following year.
3. **The Treasurer of the Student Government Association** shall be the authority over the budget of the Student Government. The Treasurer's term of office shall extend from installation at the Student Government Association Banquet until the same time the following year.
4. **The Secretary of the Student Government Association** shall be the authority over the record keeping of the Student Government Association. This person will also serve as the Clerk of the House of Organizations as stated in the Legislative Powers in Article II Section V. The Secretary's term of office shall extend from installation at the Student Government Association Banquet until the same time the following year.

Section III – Powers and Duties of the President.

1. Ensure that all provisions of this constitution and the General Statutes of the Undergraduate Student Senate are faithfully executed;
2. Provide a "State of the Student Government" address to the Undergraduate Student Senate once per term of office;
3. Create all committees or commissions not provided for in this Constitution, which he or she may deem necessary;
4. Call special meetings of the Undergraduate Student Senate;
5. To veto any act of the Undergraduate Student Senate he or she deems necessary. Any legislation not vetoed in ten days shall become law;
6. To be the chief representative of the Student Body of East Carolina University in all matters, both internal and external;

7. To create any executive cabinet he or she deems necessary and proper for carrying out the powers he is granted in this Constitution;
8. Any other power expressly provided for in this constitution.

Section IV – Executive Cabinet. The President shall appoint, with the consent of a majority of the members of the Undergraduate Student Senate, the officers of the executive cabinet who shall be responsible to him or her for the execution of their duties.

Section V – Powers and Duties of the Vice President. The Vice President shall exercise the powers and duties of the Office of the President in the absence of the President. The Vice President shall be responsible for special programs and projects for SGA that promote student involvement such as the Shipmates Program.

Section VI – Powers and Duties of the Treasurer.

1. The Treasurer shall be responsible for the complete and accurate accounting of all student body funds;
2. The Treasurer shall sign all requisitions of said funds;
3. The Treasurer shall serve as a member of the Student Congress Appropriations Committee.
4. The Treasurer shall have the authority to create any positions deemed necessary and proper for carrying out the powers he is granted in this Constitution;
5. The Treasurer shall present the Student Government Association budget report once per semester to the Undergraduate Student Senate.

Section VII – Class Officers. One officer for each the sophomore, junior, and senior, will be elected by the student body each fall semester. These persons shall serve solely to advocate for the needs of their constituents. A freshmen class advocate will be chosen from the Student Government Association Shipmates Program.

Section VIII – Succession. In the event that the President is unable to fulfill his duties, the following line of succession shall occur; Vice President, President of the Undergraduate Student Senate, Rules and Judiciary Committee Chair.

Section IX – The President, Vice President, Secretary, and Treasurer shall be required to attend the entire summer session, registering for at least one summer session. They must maintain at least a 2.0 summer session grade point average and a 2.5 cumulative grade point average.

Article IV - Judicial Powers

Section I - The supreme judicial power shall be vested in the Review Board.

Section II - The Review Board shall be the board of final appeal from all boards established under the authority of this constitution. It shall have the power to affirm, dismiss for violation of students' rights, or refer back for further deliberation the decision of any lower board brought to it on appeal. The Review Board shall also have the final authority to interpret this constitution and the laws passed under its authority.

Section III - The Review Board, sitting as a Board for the Redress of Grievances, shall have exclusive jurisdiction over cases of a nondiscriminatory nature where a student is being or would be harmed by any on-campus student organization. The board shall have such power as is necessary to redress grievances brought to its attention.

Section IV - There shall be such residence hall councils as shall be established for the maintenance of good order in the residence hall, provided that the original jurisdiction of these boards does not extend beyond one or a group of residence halls and that the decision of these boards may be appealed to a higher board.

Section V – The following all-campus boards are hereby established: the Honor Board and the Academic Honor Board. These boards shall have such powers, duties, and original or appellate jurisdiction as the legislature shall from time to time grant to them, including the power to interpret the constitution and laws of the Student Government Association as it pertains to disciplinary matters.

Section VI – The legislature may establish such other all-campus boards as it deems necessary and proper for the orderly administration of student justice.

Section VII – Final appeal from the decision of the Review Board shall be to the Chancellor of the University or their designee.

Section VIII – No person except a full-time student, faculty member, or administrative official at East Carolina University shall be a member of any judicial board or council.

Section IX – There shall be an Attorney General who shall be the coordinator of the judicial system.

A. There shall be a selection committee composed of the chair of the Review Board and the Honor Board, the incumbent Attorney General, and two administrators appointed by the Chancellor of the University or their designee, which shall select two names and submit them to the President of the Student Government Association. The President of the Student Government Association shall approve the prospective Attorney General, subject to the approval of the Rules and Judiciary Committee prior to confirmation by the Undergraduate Student Senate. The Attorney General shall take office by April 20th of each year. The compensation of the Attorney General and Advocate for the Accused Student shall be determined by the Joint Judicial Board with approval from the Judicial Advisor and the SGA Advisor in determining financial feasibility.

B. The Attorney General shall enjoy the following powers and duties:

1. He shall appoint and assist in the training of his staff, which shall be representative of the student body.
2. He shall review all cases and complaints and shall determine the proper board to hear the case.
3. In all questions or constitutional interpretation and procedures, he shall issue advisory opinions which shall stand unless questioned before the Review Board.

4. He shall be responsible for the publication of and compliance with guidelines, not inconsistent with this constitution, for the operation of the judiciary.

5. If deemed necessary, he or she shall select and appoint a secondary Attorney General, subject to the approval of the Rules and Judiciary Committee prior to confirmation by the legislature, to assist with the review and adjudication of cases and complaints.

Article V– Elections

Section I – The Elections Committee is appointed by the Elections Selection Committee and confirmed by majority vote of the Undergraduate Student Senate. The Elections Selection Committee will be comprised of one person from each of the branches of the Student Government Association appointed by the head of the branch.

Section II – All Student Government sanctioned elections will be conducted and overseen by the Elections Committee.

Section III – The Elections Committee will hold at least two general elections each academic year; one in the fall semester and one in the spring semester. The elections will be governed by the Elections Laws.

Section IV- No person shall hold two SGA Offices at the same time, including all offices within the Executive, Legislative and Judicial Branches.

Article VI – Impeachment

Section I – All elected officials are subject to impeachment.

Section II – The comprised of the Undergraduate Student Senate, House of Organizations, and the Graduate/Professional Student Senate shall provide in its General Statutes the definition of the filing date of an impeachment resolution, provided that a minimum of one student representative must co-file the impeachment resolution and that the person affected must receive a true copy of the impeachment resolution.

Section III – The impeachment body shall be the Rules and Judiciary Committee, with representation from the House of Organization, and the Graduate /Professional Student Senate in a meeting open only to the members of that committee and the parties included in the impeachment resolution. The President of the Undergraduate Student Senate and President of Graduate/Professional Student Senate shall sit as an ex-officio member in this preceding.

Section IV – The Rules and Judiciary Committee may impeach with a two-thirds vote.

Section V – A person impeached by the impeachment body shall be suspended from the office until acquitted by the trial body.

Section VI – The Undergraduate Student Senate shall act as the trial body following the impeachment of an official. The Attorney General shall preside over these hearings. A three-fourths vote of the trial body shall be required to find the person responsible for alleged charges.

Section VII – If an official is found responsible for the alleged charges, they shall be immediately removed from the office. The procedures for replacing the officer shall commence immediately.

Section VIII- Any official who fails to maintain at least a 2.5 cumulative grade point average or at least a 2.0 semester grade point average will be removed from office. Any official who is placed on university conduct probation will be removed from office. This removal will be official via a written letter of notification from the SGA Advisor to the Undergraduate Student Senate.

Article VII – Amendments

Section I – Amendments to this constitution must be proposed by one of the following methods:

- a. Before the body of the Undergraduate Student Senate in the form of new business; or
- b. Presented by any non-congressional member in writing to the President of the Undergraduate Student Senate.

Section II – All proposed amendments to this Constitution must be reviewed before voting by the Rules and Judiciary Committee of the Undergraduate Student Senate to ensure consistency in both form and content.

Section III – Enactment. All amendments shall receive this first reading in the Undergraduate Student Senate.

Section IV – Amendments must be passed by two-thirds of the votes cast in a general election of the student body. The student body must be provided with the proposed amendments via a student forum, publication in the campus newspaper and other means as deem necessary and appropriate at least three weeks prior to the general election in which the amendments will be voted on.

Section VI – A Committee on Constitutional Review shall meet every two years beginning in 2008 to review this constitution and shall have the authority to present revision to the Joint Session of Congress for confirmation.

Article VIII – Ratification, Effective Date and Authority

Section I – Ratification. The procedure for ratification is as follows:

1. Unanimous vote of the Executive Council;
2. Two-thirds plurality of the 2005-2006 Student Senate;
3. Concurrence from Assistant Vice Chancellor for Student Experience and SGA Advisor; and
4. Concurrence the Vice Chancellor for Student Life, as stipulated in a memorandum dated 07 October 2005.

Section II – Effective Date. This Constitution shall become effective June 1, 2006.

Section III – Prior Constitutions. This Constitution shall be the Supreme Authority of the Student Law. Any bills, resolutions, rules or procedures enacted prior to the ratification of this Constitution shall be considered null and void.

CHAPTER 100 THE SYSTEM OF THE STUDENT BODY STATUTES

- 100.1** All Student Body Laws of permanent effect and general public interest, or of legal or historical significance, shall be compiled in a codification known as the Student Body Statutes. This codification shall include the constitution in its entirety and all by-laws of the Student Congress. Except in unusual circumstances, this codification shall exclude non-governmental organizational charters, authorizations, resolutions, proposed constitutional amendments, the budget and amendments thereto, and contracts of limited duration.
- 100.2** The Student Body Statutes shall be arranged by subject matter within six (6) titles, each composed of a number or numerically-designated chapters, according to the following scheme:
Title I (Ch. 100-199) General Provisions
Title II (Ch. 200-299) The Executive
Title III (Ch. 300-399) The Legislature
Title IV (Ch. 400-499) The Judiciary
Title V (Ch. 500-599) Elections
Title VI (Ch. 600-699) Financial
- 100.3** Each chapter shall be subdivided by means of a decimal arrangement carried out to two or three decimal places. The first decimal place shall represent a chapter's section. The second decimal place shall represent a section's subsection. If used, the third decimal place shall represent a subsection's subsection. For example Chapter 152 would begin with 152.000 with potential subsection 152.01 and potential sub-subsection 152.011. Subsections shall relate back to the previous section. Sub-subsections shall relate back to the previous subsection.
- 100.4** The Student Congress Rules & Judiciary Committee shall further classify laws according to Section 100.2 to provide a logical, orderly, and comprehensive arrangement of the Student Body Statutes by subject matter. Such classification shall be made prior to debate on a proposed statute in the Student Congress.
- 100.41** The Chief Clerk of the Undergraduate Student Senate has the authority to make corrections only to spelling and non-punctuation typographical errors.
- 100.5** A copy of the Student Body Statutes, the Undergraduate Student Senate Rules and Procedures, and the Guide to the Statutes shall be made available to each newly elected Senator and each newly appointed Senator prior to their first Undergraduate Student Senate meeting.

CHAPTER 102 OATH OF OFFICE

- 102.1** All Student Government Association executive, judicial, and legislative members shall take the following oath: "I, _____, hereby pledge myself to uphold the Constitution of the Student Government Association of East Carolina University, to advocate for my student constitutes, to promote the highest ideals of honor and integrity, and to execute to the best of my ability the duties of my office."
- 102.2** Any member of any constitutionally established judicial body, who has previously taken the oath, shall be empowered to administer.

CHAPTER 110 CHANGES TO THE GENERAL STATUTES

- 110.1** Each section of the General Statutes is governed by a separate division of the Student Government Association. Methods for change are outlined in this chapter.
- 110.2** Changes may be made to any title or chapter by the Committee on Constitutional Review, as outlined in Article VIII, Section VI of the Student Government Association Constitution.
- 110.3** Changes to Chapters 100-199 are made by a two-thirds vote of the Undergraduate Student Senate upon the adoption of a bill detailing the changes.
- 110.4** Changes to Chapters 200-299 are made by the Student Body President.
- 110.5** Changes to Chapters 300-310 are made by a two-thirds vote of the Undergraduate Student Senate upon the adoption of a bill detailing the changes.
- 110.51** Changes to Chapters 311-399 are made by a majority vote of the Undergraduate Student Senate upon the adoption of a bill creating the chapters.
- 110.6** Changes to procedures in Chapters 400-499 are made by the Joint Judicial Board.
- 110.61** Changes to policies and penalties in Chapters 400-499 are made by a majority vote of the Undergraduate Student Senate.
- 110.7** Changes to Chapters 500-599 are made by the Undergraduate Student Senate.
- 110.71** Changes to Chapters 500-599 are proposed by the Elections Committee to the Undergraduate Student Senate.
- 110.8** Changes to Chapters 600-699 are made by the Student Body Treasurer to the Executive Council.
- 110.9** Changes to any of the chapters must be in concurrence with the SGA Advisor and the Vice Chancellor for Student Life or their designee.

CHAPTER 200 OFFICERS OF THE EXECUTIVE BRANCH

- 200.1** **The President of the Student Body** shall represent the Student Body in dealings with faculty, the administration, the Board of Trustees, the Board of Governors, official guests, visitors of the University and with students from other schools. He or she shall create an executive cabinet and committees or other offices as deemed beneficial to the student interests. He or she shall appoint student members to University committees by request of the Chancellor and other administrative personnel and require reports from these students. He or she will make appearances at University functions and events as the representative of the Student Body. He or she will give monthly reports to the Undergraduate Student Senate as well as approve or veto acts of the Undergraduate Student Senate. He or she will enact and enforce laws of the Student Government Association within his jurisdiction. He or she shall approve the Attorney General (primary & secondary). He or she will attend meetings of the University of North Carolina Association of Student Governments (UNCASG) and appoint delegates to the organization. He or she will attend and serve as a voting member at all East Carolina University Board of Trustee Meetings. The President must maintain a good standing with the University for the entire length of his or her term, or he or she will be removed from office.
- 200.2** **The Vice President of the Student Body** will serve in the absence of the President and assume all duties and responsibilities (i.e. meetings, public functions) of the office. He or she will organize all retreats of the executive branch. He or she will serve as an outreach to student organizations and campus committees. He or she will serve as the Director of the Shipmates Program and see to all functions needed. He or she will attend all East Carolina University Board of Trustee Meetings. The Vice President must maintain a good standing with the University for the entire length of his or her term, or he or she will be removed from office.
- 200.3** **The Treasurer of the Student Body** serves as the Chief Financial Officer for the Student Government Association. He or she approves payroll for student employees of all branches, oversees appropriations for student organizations, contributes and edits the Student Government Association Funding Manual as well as creating financial policies for the Student Government Association. He or she will give advice and consent on matters going to the Appropriations Committee of the Undergraduate Student Senate as needed. He and she will aid student organizations through the annual and emergency funding processes. He and she will correspond with appropriate University financial officials on matters of the Student Government Association budget. The Treasurer will attend all meetings of the East Carolina University Board of Trustees. The Treasurer must maintain a good standing with the University for the entire length of his or her term, or he or she will be removed from office.
- 200.4** **The Secretary of the Student Body** corresponds with executive council and other branches on matters of Student Government Association business. He or she will serve as Clerk of the House of Organization by taking minutes for all meetings and keeping attendance for all House of Organizations. This position is appointed by the Student Body President. He or she will aid in the coordination of the end of year banquet. The Secretary

must maintain a good standing with the University for the entire length of his or her term, or he or she will be removed from office.

CHAPTER 201 THE EXECUTIVE COUNCIL

- 201.1** Executive Council shall be comprised of the President, Vice President, Treasurer, Secretary and Chief of Staff. This council shall meet once weekly to discuss the business of the Executive Branch with the Student Government Association Advisor or their designee.
- 201.2** Elected SGA Executive Officers, including but not limited to, the President, Vice President, Secretary, and Treasurer shall be limited to holding the same elected position as an elected SGA Executive Officer for no more than two terms as defined by the SGA Constitution.

CHAPTER 202 THE EXECUTIVE CABINET

- 202.1** The Executive Cabinet shall be made up of the following positions as appointed by the Office of the President:
- A. Chief of Staff
 - B. Director of Academic Affairs
 - C. Director of Athletic Affairs
 - D. Director of Environmental Affairs
 - E. Director of Diversity
 - F. Director of Campus Affairs
 - G. Director of Student Organization Relations
 - H. Director of Community Relations
 - I. Director of Public Relations
 - J. Director of Health Relations
 - K. Director of Media Relations
 - L. Director of Student Programming
 - M. Historian
- 202.11** One elected officer from each class (freshman, sophomore, junior, and senior) will also serve as a member of the cabinet. These officers will advocate for the needs of their classes.
- 202.12** The President has the authority to create additional positions or omit positions (listed in 202.1) within the cabinet as deems worthy.
- 202.13** SHIPMATES: The program allows freshmen to discover, design and deliver their leadership skills, provide knowledge about current campus issues and events, and give freshmen an outlet to meet other involved students. The program is dedicated to providing a collegiate environment that fosters effective communication and interpersonal skills, leadership development, social responsibility and lifelong learning. The Shipmates program is committed to cultivating the leadership and social skills necessary to become future leaders at East Carolina University.
- 202.131** Participants will be chosen from the incoming freshman class by application process each summer.

CHAPTER 203 EXECUTIVE COMPENSATION

- 203.1** Salaries for the Executive Officers are as follows:
- 203.11** President \$600 per month
- 203.12** Vice President \$450 per month
- 203.13** Treasurer \$500 per month
- 203.14** Secretary \$400 per month
- 203.2** Officers shall be compensated for a maximum of seven hours (7) of in-state tuition for the entire summer.
- 203.21** A book stipend of up to \$150 will be allowed for the entire summer upon presenting receipts for book expenses.
- 203.22** A declining balance meal card in the value of \$250 will be provided for each officer for the entire summer.

CHAPTER 300 ADMINISTRATIVE STATUTES OF THE UNDERGRADUATE STUDENT SENATE

- 300.1** Convening Hour. The Undergraduate Student Senate shall convene at the hour fixed by the preceding meeting. In the event the Undergraduate Student Senate adjourns the preceding meeting without having fixed an hour for convening, the Undergraduate Student Senate shall convene on the following Monday at 5:00 p.m.
- 300.2** Opening the Session. The Undergraduate Student Senate President shall, upon order being obtained, have the sessions of the legislature opened with a moment of silence.
- 300.3** Convening in Absence of Undergraduate Student Senate President. In the absence of the Undergraduate Student Senate President, the Chair of the Rules and Judiciary Committee shall be Speaker Pro Tempore and shall perform all duties of the Undergraduate Student Senate President until such time as the Undergraduate Student Senate President may assume the chair.
- 300.4** Quorum. A quorum consists of a majority of all the qualified members of the Undergraduate Student Senate. When a lesser number than a quorum convenes, the members may sit as a body politic, but no business can be concluded in the name of the Undergraduate Student Senate.
- 300.5** Approval of Minutes. After the moment of silence, and upon the presence of a quorum, the Undergraduate Student Senate shall ask for additions or corrections to the printed minutes. Upon hearing objections and after concluding additions and deletions, the Undergraduate Student Senate President shall approve the minutes without the necessity of a vote of the Undergraduate Student Senate.
- 300.6** Order of Business shall be as follows:
- A. Call to Order
 - B. Moment of Silence
 - C. Attendance
 - D. Call for Quorum
 - E. Approval of Minutes
 - F. Officer Reports
 - G. Standing Committee Chair Reports
 - H. Select Committee Chair Reports (if applicable)
 - I. Special Orders
 - J. Old Business
 - K. New Business
 - L. Announcements
 - M. Adjournment
- 300.7** Rules of Debate. Debate shall be structured as follows:
- Round One - five minutes affirmative, five minutes negative.

- All rounds that follow, until round five, three minutes affirmative, three minutes negative.
- Following round five, debate can be extended by 60% majority vote.

300.71 No member shall speak more than once in the affirmative on the main motion until all other members who wish to speak have done so.

300.72 Any voting member may yield their time to any member or non-member.

300.8 General Decorum. The Undergraduate Student Senate President shall preserve order and decorum. Decency of speech shall be observed and personal reflection carefully avoided.

300.9 General Admittance to Room. No person except members, officers, and employees of the Undergraduate Student Senate and advisors shall be permitted on the floor of the Undergraduate Student Senate during its meetings unless permitted by the Undergraduate Student Senate President or provided by the constitution of the Student Government Association, but shall remain in the area designated for visitors by the Undergraduate Student Senate President.

CHAPTER 301 OFFICERS OF THE UNDERGRADUATE STUDENT SENATE

- 301.1** **The President of the Undergraduate Student Senate** shall have general direction of the floor of the Undergraduate Student Senate and shall be authorized to take such action as is necessary to maintain order. In case of any disturbance or disorderly conduct in the gallery or hall, the President shall have the power to order the same cleared.
- 301.11** The President of the Undergraduate Student Senate is a non-voting member of the body and only has the authority to vote in the event of a tie or can vote in closed ballot.
- 301.12** President of the Undergraduate Student Senate cannot debate unless they relinquish the chair.
- 301.2** **The Speaker Pro Tempore of the Undergraduate Student Senate** shall be the Rules and Judiciary Committee Chairman. In the absence of the President, the Speaker Pro Tempore shall assume the full authority of the President of the Undergraduate Student Senate.
- 301.3** **Chief Clerk of the Undergraduate Student Senate** shall be the full-time professional secretary of Student Government. The Chief Clerk shall be responsible for the general bookkeeping of the Congress.
- 301.4** **Clerk Pro Tempore of the Undergraduate Student Senate** shall be a member of the legislature and shall be appointed no later than the second session of the newly elected legislature. The clerk pro tempore shall enjoy the following powers and duties: To perform the duties and exercise the powers of the Office of Chief Clerk of Undergraduate Student Senate in the event of the Chief Clerk's absence or incapacity; and to perform those duties delegated by the Chief Clerk. He or she shall also provide the first reading of any legislation.
- 301.5** Parliamentarian as defined in SGA Constitution Article II, Section V, Clause 4,
- 301.6** Sergeant at Arms as defined in SGA Constitution Article II, Section V, Clause 5,

CHAPTER 302 RULES GOVERNING LEGISLATION

- 302.1** All legislation shall be submitted to the Chief Clerk of the Undergraduate Student Senate in quadruplet with motion sheets no later than 5:00pm on the Wednesday prior to the meeting in which the legislation will be introduced. Chief Clerk of Undergraduate Student Senate will affix the Student Government Association stamp to all copies and assign legislative numbering as follows: CB (*meeting number-bill number*) and CR (*meeting number-resolution number*).
- 302.11** All copies of legislation are retained by the Chief Clerk of the Undergraduate Student Senate who will provide copies for all members of the Undergraduate Student Senate on the date the legislation will be placed on the agenda.
- 302.111** If legislation passes, the four original copies are sent to the Office of the President for signature or veto.
- 302.112** If legislation fails, the four original copies are returned to the Congressman who initiated the legislation.
- 302.113** The four copies of the signed legislation are then distributed to the Chief Clerk of Undergraduate Student Senate for her files, Attorney General, President of the Undergraduate Student Senate and the original author of the legislation.
- 302.114** If vetoed, legislation goes back to the Chief Clerk of the Undergraduate Student Senate to be held until recalled.
- 302.115** If the President of the Student Body fails to act on legislation within 10 university calendar days (excluding holidays, reading days, or official university closings), it is returned to the Chief Clerk of the Undergraduate Student Senate and considered enacted legislation.
- 302.2** Effects of Defeated Bill. After a bill has been tabled or has failed to pass, the contents of said bill or the principal provisions of its subject matter shall not be embodied in any other measure in the current legislative session. Upon the point of order, such measure shall be laid upon the table and shall not be taken there from except by a two-thirds vote.

CHAPTER 303 ACTIONS ON THE FLOOR OF THE UNDERGRADUATE STUDENT SENATE

- 303.1** First Reading. Any business, unfinished or new, will be read aloud on the floor of the Undergraduate Student Senate by the Chief Clerk of the Undergraduate Student Senate in the order on the agenda.
- 303.2** The floor will then be opened by the President of the Undergraduate Student Senate for questions for clarification for a period of no longer than five minutes.
- 303.3** In order that the legislation may be passed, a motion shall come from the floor so that the legislation can be adopted. This requires a second.
- 303.4** Debate will occur according to the rules in 300.7.

CHAPTER 304 COMMITTEES

- 304.1** All committees shall be appointed by the Undergraduate Student Senate President unless otherwise specifically ordered by the legislature.
- 304.2** Membership of committee is required for all Representatives-at-Large
- 304.21** Any organization or residence hall representatives who wish to serve on a committee may do so.
- 304.3** Chairman of each committee shall be appointed by the President of the Undergraduate Student Senate.
- 304.4** Standing Committees. At the commencement of the session, the President of the Undergraduate Student Senate shall appoint the following standing committees: Rules and Judiciary, Screening and Appointments, Appropriations, Student Welfare and Parking and Transportation.
- 304.41** All committees with the exception of the Appropriations Committee will have one Chair. The Appropriations Committee will have two co-chairs.
- 304.5** Procedure in the committee shall be governed by the rules which the committee determines applicable for the committee with approval from the President of the Undergraduate Student Senate.
- 304.51** Annual Funding procedures must be followed in accordance with the SGA Funding Policy. Changes to the Funding Manual must be approved by the SGA President, Treasurer and Advisor.
- 304.6** Refer to committee. All legislation may be referred to committee at any time after first reading by majority vote of the Undergraduate Student Senate
- 304.7** Reports from Committee. The committee, according to its rules, shall take action on the legislation and return to the full body with any of following reports:
- 304.71** Favorable report from committee. When a committee reports a bill with the recommendation that it be passed, the bill shall be placed in unfinished business.
- 304.72** Unfavorable report from committee. When a committee reports a bill with the recommendation that it not be passed, the bill shall not be placed on the agenda.
- 304.73** Report without prejudice. When a committee decides to return legislation to the body without taking any action, it is placed in unfinished business.
- 304.74** Majority Opinion. In the event that legislation is not passed with consent of committee, a majority opinion shall be issued by the committee chair.

- 304.75** Dissenting Opinion. The members in the minority of the opinion may write a dissenting opinion to be considered by the Undergraduate Student Senate upon action on the legislation.
- 304.8** Remove from Committee. In the event that a committee does not take action on legislation, the Undergraduate Student Senate votes to bring the legislation to the floor with a two-thirds vote.

CHAPTER 305 ATTENDANCES OF UNDERGRADUATE STUDENT SENATE MEMBERS

- 305.1** Absence from an Undergraduate Student Senate meeting shall constitute one absence.
- 305.2** Absence from a committee meeting or unexcused early leave from an Undergraduate Student Senate meeting shall constitute one half of an absence.
- 305.3** Three unexcused absences in any one semester will constitute removal from the Undergraduate Student Senate.
- 305.31** Congressmen removed shall not be allowed to represent Student Government Association in any official capacity including offices, committees, etc. for one academic year.
- 305.32** Any student organization whose representative is removed under 305.3 shall have their funding frozen.
- 305.4** Excused absences will be granted at the discretion of the President of the Undergraduate Student Senate.

CHAPTER 306 COMPENSATION OF UNDERGRADUATE STUDENT SENATE

- 306.1** President of the Undergraduate Student Senate will be compensated in the amount \$400 per month.
- 306.11** President of Undergraduate Student Senate shall be compensated for a maximum of seven (7) hours of in-state tuition for the entire summer.
- 306.12** A book stipend of up to \$150 will be allowed for the entire summer upon presenting receipts for book expenses for the President of the Undergraduate Student Senate.
- 306.13** A declining balance meal card in the value of \$250 will be provided for the entire summer for the President of the Undergraduate Student Senate.

CHAPTER 400 PRINCIPLES AND POLICIES GOVERNING THE JUDICIAL SYSTEM

- 400.1** The heart of East Carolina University's judicial system is the Honor Code. This code states: "You are on your honor not to cheat, steal, or lie."
- 400.2** East Carolina University recognizes the rights of all students as responsible members of society and as citizens of the United States; the rights to respect and consideration to the constitutionally guaranteed freedoms of speech, assembly, and association; and the rights of all students within the institution to freedom of inquiry and to the reasonable use of the services and facilities of the university which are intended for their education.
- 400.3** In the interest of maintaining order on the campus and guaranteeing the broadest range of freedom to each member of the community, some rules have been established by the students and other members of the university community acting in concert. These rules limit some activities and prescribe certain behavior that is harmful to the orderly operation of the institution and the pursuit of its legitimate goals. All students are held to be informed of these rules, which are printed in the Student Handbook and on the university's site on the World Wide Web. All amendments to this code will be updated on the web site and published in the East Carolinian by October 15 each year. All students need to be aware of the changes, which will take effect annually on November 1.
- 400.4** Any student whose conduct is unsatisfactory as defined in these policies and regulations will be subject to appropriate disciplinary action, including possible suspension or expulsion. Willful disregard of any established university policy or regulation or disciplinary offense is considered an offense subject to disciplinary action, which can be initiated by campus police, administrators, faculty, staff, or students. Charges will be brought against an individual student, group of students, or a university-registered organization when there is sufficient supporting information to believe that a violation of the Code of Conduct, disciplinary offenses, or violation of established policies and regulations may have occurred.
- 400.5** If any student is accused of a violation of any of these rules, he or she has the right to a speedy and fair hearing before an appropriate hearing board. Appropriate due process safeguards have been built into the procedures that govern each of these boards so that no permanent or recorded penalty shall be meted out until the student accused has a fair chance to be heard. Appropriate appeals are allowed from the decisions of these boards. All judicial findings are subject to review by the vice chancellor for student life of East Carolina University, and he or she shall have the final authority to sustain, change, or reverse any findings.

CHAPTER 403 RECORDS

- 403.1** Violations, penalties, and remedies shall be recorded in the Office of Student Conflict Resolution in all cases arising under the university judicial system. Copies of such records shall not be released to outside sources without written consent of the subject of such record. Exceptions to this are made per the East Carolina University application of Family Educational Rights and Privacy Act legislation and will be made when directed by a court order, when there is deemed to be an educational need to know, or at the request of the parents of children upon proof of dependency.

CHAPTER 404 NOTIFICATIONS

- 404.1** All notifications of violations, penalties, and remedies shall be sent as directed by the judicial board to the university officials necessary to make the penalties and remedies effective and to other persons who might provide counseling assistance to the student. For purposes of residence credit, the appropriate university officials shall be notified of penalties involving suspension or dismissal, but such notification shall not become a part of the permanent academic record of the student.

CHAPTER 405 COMPLIANCE

405.1 For noncompliance with penalties or remedies, the student shall be suspended until he or she has complied.

CHAPTER 406 ELECTIONS

406.1 For conduct adversely affecting public order, students may be ejected from the university campus or property, or any part thereof, by the chancellor of the university or his or her designated representative.

CHAPTER 407 DISCIPLINARY HEARING PROCEDURES

407.1 General Information. Penalties by a judicial board become matters of record. Until the affected student has been reinstated or until a particular penalty no longer applies, such students shall be considered to be under probationary status. All disciplinary action becomes effective upon the date of board action unless otherwise specifically designated. Students dismissed by recommendation of the proper board follow the same withdrawal procedure as other students. A student accused of academic dishonesty during the final examination period shall be permitted to take all examinations that come prior to the hearing of the case. Should a student be suspended prior to the completion of his or her final examinations, he or she will be prevented from taking the remaining tests. Any student who leaves or withdraws from the university and seeks readmission while disciplinary action is pending must secure a clearance from the Director of the Office of Students Rights and Responsibilities before being readmitted. In addition to penalties given by the Honor Board, a student found responsible of stealing or knowingly possessing stolen goods shall make immediate and complete restitution.

407.2 Sanction Without Hearing (Administrative) When the associate vice chancellor for student success or student attorney general, after investigating an alleged violation of the Code of Conduct, believes a student has committed a disciplinary offense, he or she shall counsel with such student and may outline disciplinary sanctions. If, after counseling with the associate vice chancellor for student success or student attorney general, the student wishes to have a hearing, the associate vice chancellor for student success or attorney general schedules the hearing and presents the reports and information concerning the alleged disciplinary violation to the Honor Board. From that point on, the associate vice chancellor for student success is concerned with the keeping of records and aiding the student to comply with the sanction decreed by the board.

407.3 Conference with the Attorney General and Advocate for Accused Students

At this conference, which must take place at least seventy-two hours before the hearing (the accused may waive the time limitation), the attorney general or his or her agent shall inform the accused student of these facts:

- A. The composition of the board that shall hear his or her case
- B. The charge against him or her
- C. Possible penalties involved
- D. His or her right to an assigned counsel or a counsel of his or her own choosing from the students under the jurisdiction of the board in which his or her case shall be heard

E. His or her right to mandatory summoning of material witnesses and procurement of evidence

F. His or her right to summon as many as two character witnesses and have a reasonable number of statements attesting to his or her character read in his or her behalf at the hearing

G. His or her right to a separate hearing upon request

H. His or her right to request a reasonable postponement of his or her hearing

I. His or her right to face his or her accuser upon request

J. His or her right to be presented with the hearing procedures, organization, and any other pertinent information

407.4 Honor Board Hearing Protocol

A. The chair calls the session to order and reminds all persons involved in the hearing of the Honor Code and asks each person in the room to introduce himself or herself and state his or her reason for being at the hearing (i.e., board member, accused, observer). He or she questions respondent or respondents as follows: "Have you been advised of your due process rights in regard to this hearing?"

B. If the answer is negative, the chair instructs the attorney general to read the rights to the respondent.

C. After the attorney general reads the rights, the chair again asks the respondent if he or she understands his or her rights.

D. The chair asks the accused if he or she challenges the objectivity of any member of the board. If so, the accused must state the reason(s). The board will meet in executive session to consider the challenge and determine whether or not the member should hear the case.

E. The attorney general reads the charges and specifications to the charge(s) from the incident report. The chair asks for the respondent's plea to each charge.

F. The attorney general may make a brief opening statement.

G. The advocate for the accused student may make a brief opening statement.

H. The attorney general presents the facts and information that substantiate the charge(s).

I. Witnesses in support of the charges are presented. Both sides have, at this time, the right to cross examine the witnesses and to examine any and all documents before being received into information. No member of the staff, faculty, or administration of East Carolina University may be called as an expert witness.

J. The advocate for the accused student or the accused presents the facts and evidence that support the accused.

K. Witnesses in support of the accused are presented. Both sides have, at this time, the right to question the witnesses and to examine any and all documents before being received in evidence. No member of the staff, faculty, or administration of East Carolina University shall be called as an expert witness.

L. The attorney general shall make a closing statement.

M. The advocate for the accused student or the accused shall make a closing statement.

N. The board will make its deliberations in closed session.

O. The board will announce its decision and, if appropriate, the specific action(s) taken. The Judicial Action Report is completed and given to the accused.

P. A record of proceedings will be kept for each Honor Board case.

407.5

Review Board Procedures

(SGA Constitution Review or Honor Board Appeal)

The following procedures will be followed by those appearing before the Review Board.

A. The Review Board shall have original jurisdiction in all cases involving constitutional questions in the interpretation and application of the SGA constitution. In such cases, the Review Board will follow the hearing procedures established for the University Honor Board.

B. The Review Board shall have appellate jurisdiction in all other cases that originate before any board of the SGA judiciary except the Academic Integrity Board.

C. In all appeals cases, the respondent may be represented by student counsel of his or her choice. The university will be represented by the student attorney general or a member of the attorney general's staff.

D. In cases involving appeals of decisions made by the Honor Board, no written briefs will be presented.

E. At the scheduled hearing, each side will be allowed thirty minutes for an oral argument on constitutional issues. Oral arguments will be limited to the issue set forth in the written briefs filed with the Review Board.

F. No new information will be considered on appeal.

G. During oral arguments, board members may ask questions of the parties.

H. After each party has rested the case and all relevant questions have been asked by board members, deliberations will be made by the board in closed session.

I. Actions by the Review Board

1. Affirm the findings and decision of the Hearing Board
2. Amend the original decision (decisions cannot be increased through an appeal)
3. Refer back for further deliberation on specifically defined questions
4. Order a new hearing
5. For any case involving new information discovered subsequent to the hearing below, the case will be referred back for further consideration at the discretion of the Review Board
6. Any case involving violation of a student's constitutional rights may be dismissed

J. A record of proceedings will be kept for each Review Board case.*

In the appeal of all judicial cases involving a property right or action, a record of the proceedings will be made and will be forwarded to the proper authority for appellate review. Appellate review in all cases will be on the basis of and limited to the written or recorded record of the proceedings below.

* All judicial cases and appeals except those heard by residence life administrative hearing officers shall be audiotaped (excluding the judicial body's deliberation).

The tape(s) will be the property of the university and will be retained for the sole purpose of appeal until the time limits for submitting an appeal have elapsed or the accused student's appeal rights have been satisfied. Upon request, the accused student will be provided access to the tape(s) during the normal business hours of the Office of the Associate Vice Chancellor for Student Success in order to prepare for appeal.

407.6 Judicial Appeals Procedure

A. A student found responsible of a violation may request an appeal for one of the following reasons:

1. Insufficient proof of responsibility
2. Violation of student rights
3. Judicial action inappropriate for the circumstances of the violation.

Note: Requests for consideration based on new information are not grounds for action by an appellate body but should be directed to the judicial body of original jurisdiction. The judicial body of original jurisdiction will reopen a case at the request of the accused only if significant new information not available for presentation at the original hearing is to be presented. Whenever possible, the same judicial membership shall serve when a case is reopened.

B. All Honor Board appeals are to be submitted to the Office of the Associate Vice Chancellor for Student Success for delivery to the chair of the appropriate appellate body. An appeal must be requested in writing within forty-eight hours after the judicial decision of the judicial body of original jurisdiction has been announced to the accused. Subsequent appeals, which are permitted only in cases resulting in a recommendation of suspension or expulsion, must be submitted to the Office of the Associate Vice Chancellor for Student Success within twenty-four hours after an appellate body has announced its decision to the accused. Time limits do not include weekends or university holidays.

The specific reason(s) for the appeal and a detailed explanation of the reason(s) must accompany the initial request for an appeal. If a subsequent appeal(s) is/are requested, the accused may request action on any and all reasons listed in the initial appeal; however, new reasons will not be considered after the initial appeal has been completed.

C. Appellate bodies may uphold, reduce, or dismiss charges; uphold or reverse findings; or uphold, alter, or dismiss judicial actions determined by a lower judicial or appellate body. If an appellate body determines that a judicial action should be altered, it may reduce but not increase the term of the judicial action, or it may assign a more appropriate judicial action providing the subsequent action does not constitute a level of probation or separation from the university that is more severe than that assigned by the judicial body of original jurisdiction or lower appellate body. If the appellate body determines that the rights of the accused

have been violated, it may dismiss charges, remand the case to a new board of original jurisdiction for a new hearing, or not do anything to alter the original decision or sanction.

D. If a Review Board hearing is granted, the attorney general, the accuser, and the chair and representatives of the judicial body of original jurisdiction and of appellate bodies that have acted on the case will be notified of the reason(s) for appeal.

E. If at any time the student wishes to stop the appeals process, he or she should immediately notify the associate vice chancellor for student success (Honor Board) or assistant director of residence life (Residence Hall procedures) and then proceed with the last sanction or decision.

CHAPTER 408 MEMBERS OF THE HONOR BOARD, REVIEW BOARD, and ACADEMIC INTEGRITY BOARD (THE JUDICIARY)

- 408.1** Members of these boards are screened and selected by the Judicial Board and approved by the legislature. Members of all judicial boards shall be appointed for one academic year. Student Attorney Generals, which must maintain at least a 2.5 cumulative grade point average while holding office, are screened and selected by the Judicial Board leadership, interviewed and approved by the executive council and the legislature. Members of all judicial boards and Student Attorney Generals shall serve for one academic year. An academic year runs from the first day of fall semester classes until the end of the spring examination period. A Summer Honor Board and Review Board may be appointed, if necessary. A quorum for the Honor Board and Review Board is five members including the chair.
- 408.11** Insofar as possible, it is recommended that the proper officials attempt to be reflective of the student body population, residence hall, and day student representation. Members of all judicial bodies shall be appointed for one academic year.
- 408.2** **Attorney General.** The attorney general works in conjunction with Office of Students Rights Responsibilities on matters relating to the judicial system. He or she is to be completely free and objective in rendering decisions and services with regard to the administration, faculty, and students. Those who seek these positions are screened by the prior Judicial Board Leadership and two student attorney generals are selected with one selected as the lead. Potential candidates are forwarded to the Student Body President, who, with the approval of the Undergraduate Student Senate, chooses the student attorney generals.
- 408.21** The duties of the attorney general include the following:
- A. Involvement with violations of the Code of Conduct and the Honor Code
 - B. Coordination of the judicial system
 - C. Safeguard of the procedural and substantive due process
 - D. Rule on constitutional questions
 - E. When formal charges are filed, only the attorney general has the authority to dismiss them
 - F. When a judicial board is scheduled to meet and several members will be absent, the attorney general has the authority to appoint up to three members from another judicial board.
 - G. As the presider at the preliminary conference
 - 1. States his or her name and duties
 - 2. States the charges against the accused student
 - 3. Notifies the accused student of the date, time, and location of the hearing
 - H. Performance at the hearing

1. Reads to the board the charges against the accused student
2. Presents to the board all relevant facts concerning the case
3. Recommends to the chair that a particular case be tabled due to absence of a witness or any other unusual circumstances. The

chair may agree to table the case or may poll the board for a majority opinion.

408.3 Advocate for the Accused Student. For the purpose of ensuring a completely fair and unbiased presentation of a case, the associate vice chancellor for student success shall appoint advocates to become well acquainted with the appropriate board procedures and to render conscientious service to the accused students. Their job is to be sincere in their beliefs and to ensure the accused student a fair, impartial, and unbiased hearing. The associate vice chancellor for student success reserves the right to replace any of the advocates if recommended by a majority of the board members.

408.31 The duties of the advocate include the following:

- A. Interview the accused at the preliminary conference
 1. State his or her name and duties
 2. Explain the charges and the procedures of the hearing
 3. Go over the rights of the accused student as guaranteed in the student constitution and the procedures of the board involved
 4. Assure the accused student that the board is available to assist the accused student in any way possible, remembering at all times each student's responsibility to the Code of Conduct
- B. Duties at the hearing
 1. Make sure that the accused student's side of the case is presented completely
 2. Make sure that the student's constitutional rights are guaranteed in full
- C. Duties after the hearing
 1. Explain, if necessary, the disposition, the penalty, and the right to appeal to a higher board
 2. If he or she so desires, go with the student to his or her conference with the associate vice chancellor for student success the following morning

CHAPTER 409 RIGHTS OF THE ACCUSED

409.1 Accused students have the following rights.

- A. The presumption of innocence until responsibility is proven
- B. The right to an objective and impartial hearing
- C. The right of timely notice of hearing that shall be defined as not less than seventy-two hours prior to the hearing, unless suspension or expulsion is a probable sanction. Then, not less than ten days notice shall be given
- D. The right to an advocate (student only)
- E. The right to face the accuser
- F. The right to be present in the hearing room at all times while information is being presented and to direct question directly or indirectly to any witness
- G. The right to summon witnesses and present documentary evidence directly related to the incident
- H. No student is required to provide information against them-self
- I. If found responsible, the student has the right to have two character witnesses speak on his/her behalf and to present a reasonable number of character statements
- J. The right of appeal

CHAPTER 410 JOINT JUDICIAL BOARD (PROCEDURAL REVIEW)

- 410.1** The purpose of the Joint Judicial Board is to review periodically the state of the judiciary and recommend changes to the student legislature. The speaker of the legislature shall refer all bills touching on the judiciary to this board for its recommendation unless such bills shall be needed in an emergency and are certified as such by the president of the Student Government Association, the associate vice chancellor for student experiences, and the vice chancellor for student life. Ex-officio members will not have voting privileges.
- 410.2** Recognizing that periodically, the principles and policies governing the judicial system may need to be amended, the Assistant Vice Chancellor for Student Experiences or their designee will annually convene a Joint Judicial Board to review the Code and related procedures. The committee will be composed of the following voting members: the Lead Student Attorney General (chair), the Lead Advocate for Accused Students, two students appointed by the President of the Student Government Association, two students appointed by the President of the Senate, two faculty members from the Academic Integrity Committee of the Faculty Senate, and two members of the Student Life Staff appointed by the Vice Chancellor for Student Life. Nonvoting members will include the Director and professional staff of OSRR, and the professional staff of Campus Living responsible for administering the Student Code of Conduct and Campus Living contractual issues.
- 410.3** Each year, the Director of the Office of Student's Rights and Responsibilities shall prepare an annual report and provide it to the Joint Judicial Board. The report will contain a statistical review of the work of the Office and the Judicial Board including, but not limited to, total number of complaints, source of complaints, letter of the complaints, findings by letter, sanctions imposed by letter, and the class level, gender, and race of accused students, and the number of cases by hearing officer. This report shall be submitted to the JJB no later than July 7th of each year.

Based on this information, the JJB will conduct a procedural audit of the Office and of the workings of the Student Judicial Boards. The JJB, in response to the report, may request additional information and interview the OSRR staff and members of the Judicial Boards. In response to this audit, the JJB may recommend changes in policy, procedure, or the Student Code of Conduct to the Vice Chancellor for Student Life. These changes will be implemented unless a review by the University Attorney finds them to be illegal or a violation of the policies of the University of North Carolina.

CHAPTER 414 MEMBERS OF THE HONOR BOARD, REVIEW BOARD, and ACADEMIC INTEGRITY BOARD (THE JUDICIARY)

- 414.1** Members of these boards are screened and selected by the Judicial Board and approved by the legislature. Members of all judicial boards shall be appointed for one academic year. Student Attorney Generals, which must maintain at least a 2.5 cumulative grade point average while holding office, are screened and selected by the Judicial Board leadership, interviewed and approved by the executive council and the legislature. Members of all judicial boards and Student Attorney Generals shall serve for one academic year. An academic year runs from the first day of fall semester classes until the end of the spring examination period. A Summer Honor Board and Review Board may be appointed, if necessary. A quorum for the Honor Board and Review Board is five members including the chair.
- 414.11** Insofar as possible, it is recommended that the proper officials attempt to be reflective of the student body population, residence hall, and day student representation. Members of all judicial bodies shall be appointed for one academic year.
- 414.2** The Student Attorney General works in conjunction with the Office of Student Conflict Resolution on matters relating to the judicial system. Those who seek these positions are screened by the Executive Council and two student attorney generals are selected with one selected as the lead. Potential candidates are forwarded to the Student Body President, who, with the approval of the Undergraduate Student Senate, chooses the student attorney generals.
- 414.21** The duties of the attorney general include the following:
- A. Adjudication of violations of the Student Code of Conduct
 - B. Coordination of the Judicial Branch
 - C. Safeguard of the procedural and substantive due process
 - D. Rule on constitutional questions
 - E. When formal charges are filed, only the attorney general has the authority to dismiss them
 - F. The Attorney General (AG) assigned to a complaint may resolve it with the accused student or refer it to a judicial hearing panel. If the complaint is referred, the AG will present the University's position at the hearing.
 - G. In addition to the above listed duties, the Lead AG has primary responsibility for complaint management and the selection and training of the Judicial Board members. The Lead AG attends SGA Congress meetings, rules on SGA constitutional issues at the request of any constituent, and assists with appellate procedures involving the SGA Election Committee or SGA constitutional issues.
- 414.3** **Advocate for the Accused Student.** For the purpose of ensuring a completely fair and unbiased presentation of a case, the Judicial Board leadership with their advisor shall appoint advocates to become well acquainted with the appropriate board procedures and

to render conscientious service to the accused students. Their job is to be sincere in their beliefs and to ensure the accused student a fair, impartial, and unbiased hearing. The Judicial Board leadership and advisor reserve the right to replace any of the advocates if recommended by a majority of the board members.

414.31

The Advocate for Accused Students (Advocate) assigned to a complaint will advise any student accused of a Student Code of Conduct violation to assure that the accused student understands the judicial process and receives the rights proscribed by the University and by federal/state law. The Advocate will ensure that the accused student has a fair opportunity to fully present her/his perspective at any hearing before a judicial hearing panel, specifically including the following:

- A. Interview the accused at the preliminary conference
 - 1. State his or her name and duties
 - 2. Explain the charges and the procedures of the hearing
 - 3. Go over the rights of the accused as guaranteed in the student constitution and the procedures of the board involved
 - 4. Assure the defendant that the board is available to assist the accused student in any way possible; remembering at all times each student's responsibility to the Code of Conduct
- B. Duties at the hearing
 - 1. Make sure that the accused student's side of the case is presented completely
 - 2. Make sure that the student's due process rights are guaranteed in full
- C. Duties after the hearing
 - 1. Explain, if necessary, the disposition, the penalty, and the right to appeal to a higher board
 - 2. If he or she so desires, go with the student to his or her conference with the assistant vice chancellor for student experiences or their designee the following morning
- D. In addition to the above listed duties, the Lead Advocate may be called upon to assist students participating in Admissions Falsification proceedings and other similar disciplinary hearings, including Campus Living appeals involving removal under the Zero Tolerance Policy. The

Lead Advocate also assists with appellate procedures involving the SGA Election Committee or SGA constitutional issues.

CHAPTER 415 JOINT JUDICIAL BOARD (PROCEDURAL REVIEW)

415.1 The purpose of the Joint Judicial Board is to review periodically the state of the judiciary and recommend changes to the student legislature. The speaker of the legislature shall refer all bills touching on the judiciary to this board for its recommendation unless such bills shall be needed in an emergency and are certified as such by the president of the Student Government Association, the associate vice chancellor for student experiences, and the vice chancellor for student life. Ex-officio members will not have voting privileges.

415.2 Recognizing that periodically, the principles and policies governing the judicial system may need to be amended, the Assistant Vice Chancellor for Student Experiences or their designee will annually convene a Joint Judicial Board to review the Code and related procedures. The committee will be composed of the following voting members: the Lead Student Attorney General (chair), the Lead Advocate for Accused Students, two students appointed by the President of the Student Government Association, two students appointed by the President of the Senate, two faculty members from the Academic Integrity Committee of the Faculty Senate, and two members of the Student Life Staff appointed by the Vice Chancellor for Student Life. Nonvoting members will include the Director and professional staff of OSCR, and the professional staff of Campus Living responsible for administering the Student Code of Conduct and Campus Living contractual issues.

415.3 Each year, the Director of the Office of Student Conflict Resolution shall prepare an annual report and provide it to the Joint Judicial Board. The report will contain a statistical review of the work of the Office and the Judicial Board including, but not limited to, total number of complaints, source of complaints, letter of the complaints, findings by letter, sanctions imposed by letter, and the class level, gender, and race of accused students, and the number of cases by hearing officer. This report shall be submitted to the JJB no later than July 31 of each year.

Based on this information, the JJB will conduct a procedural audit of the Office and of the workings of the Student Judicial Boards. The JJB, in response to the report, may request additional information and interview the OSCR staff and members of the Judicial Boards. In response to this audit, the JJB may recommend changes in policy, procedure, or the Student Code of Conduct to the Vice Chancellor for Student Life. These changes will be implemented unless a review by the University Attorney finds them to be illegal or a violation of the policies of the University of North Carolina.

CHAPTER 500 GOVERNING RULES

- 500.1** This set of rules governs the conduct and control of all elections which are held under the jurisdiction of the Student Government Association and so provided in its Constitution. Hereafter, the Association shall be referred to as SGA and the University shall be referred to as ECU.
- 500.2** From here on, in this title, the word candidate shall be defined as any student who has duly filed to run for any political office under the jurisdiction of these rules and the Constitution of the SGA.
- 500.3** All other Elections Rules, all acts, and their uses which are in conflict with this act are hereby revoked and superseded.
- 500.4** There will be no SGA sanctioned elections held during the summer sessions.

CHAPTER 501 ADMINISTRATION

- 501.1** The Elections Committee shall have the sole responsibility of publicizing, conducting and supervising all elections for SGA Offices and SGA referenda.
- 501.2** All purchases by the Elections Committee shall be in accord with the Elections Committee budget approved by the Undergraduate Student Senate and subject to the consent of the Student Body Treasurer.
- 501.3** A copy of these rules and a copy of the SGA Constitution shall be provided and signed for by each candidate upon filing.
- 501.4** When a candidate files for office that will be required to sign a document authorizing the SGA Secretary (full time professional staff) to access records to determine eligibility requirements for the office desired. All candidates must have the required cumulative GPA as prescribed in the constitution at the time of filing. Additional eligibility requirements are outlined in the General Statutes.

CHAPTER 502 COMPOSITION OF THE ELECTIONS COMMITTEE

- 502.1** The Elections Selection Committee as defined in the Constitution shall appoint the Elections Committee.
- 502.2** If the Chairman becomes unable to serve a full term for any reason, the Vice-Chairman shall become Chairman. If both the Chairman and Vice-Chairman become unable to serve, the Elections Selection Committee will select replacements for both offices.
- 502.3** The Undergraduate Student Senate shall determine the quality of performance of the Elections Committee Chairman after the Spring Elections, and subsequently act to dismiss or retain the Chairman. The Chairman and Vice-Chairman may serve more than one term in consecutive years.
- 502.4** The Elections Committee Chairman shall appoint at least two students per poll, provided voting precincts are used. Also, two volunteer relief workers per poll and all of these individuals will be selected at the discretion of the Chairman. All of these poll workers shall be confirmed by a majority vote in the Undergraduate Student Senate. If a committee member becomes unable to serve the Elections Chairman will appoint a replacement.
- 502.5** There shall be poll tenders, which shall exist by the guidelines provided herein:
- 502.51** Each voting precinct on campus must have two poll tenders at all times to maintain security and smooth operation.
- 502.52** Any student who is not a candidate or a campaign worker and who is in good standing with the university may be a poll tender and is subject to approval as stated in this title.
- 502.53** All poll tenders must sign a form promising the following: to attend a session on the Elections Rules, to certify the integrity the election each day, to accurately enforce all provisions of these Elections Rules, and therefore report any inconsistencies observed to the Elections Chair.
- 502.6** All Elections Committee members will be compensated for their services. The Chairman will receive \$200.00 for every general election and \$100.00 for any other SGA election. The Vice-Chairman shall receive \$125.00 regardless of the number of general elections held during his-her term and \$75.00 for any other SGA sanctioned elections. Every other Elections Committee member will receive \$50.00 per election.
- 502.7** The Elections Committee Chairman will determine the current enrollment of each college and undecided students and the proportionality of seats to compose congress. This must Occur at least a week prior to the election filing date.

CHAPTER 503 NOMINATION PROCEDURES

- 503.1** Nominees for the four SGA Executive Branch positions must be enrolled on a full-time basis at ECU and shall meet all requirements to serve in their respective office as specified in the General Statutes.
- 503.2** Nominees for a class office shall meet qualifications as follows:
- A. Freshman: 0-29 semester hours
 - B. Sophomore: 30-59 semester hours
 - C. Junior: 60-89 semester hours
 - D. Senior: 90+ semester hours
 - E. Any requirements mentioned in the General Statutes.
- 503.3** Nominees for an Undergraduate Student Senate shall meet all requirements to serve in that office as specified in the General Statutes.
- 503.4** All candidates must file for office during designated filing time to take place prior to the compulsory meeting. All candidates must have the required cumulative grade point average at the time of filing.
- 503.41** Any candidate filing for office is held to these elections rules from the time of filing. Any public announcement (in any form before official filing) of candidacy in any formal or informal setting is prohibited and will be subject to sanctions by the Elections Committee.
- 503.5** There shall be a compulsory meeting, which shall exist according to the following guidelines.
- 503.51** All candidates must attend a compulsory meeting for the purpose of explaining these rules and providing a clear understanding of the election process and for the candidates to sign the Candidates Certification Form.
- 503.52** The date of this compulsory meeting will be determined prior to each election and will be publicized in *The East Carolinian* and on the Elections Website.
- 503.53** Any candidate who is unable to attend the compulsory meeting must have a representative, other than another candidate, in attendance on their behalf. Any candidate who cannot attend the Compulsory Meeting must have their absence excused by the Elections Committee through a plurality vote. The request for an excused absence must be submitted in writing no later than twenty-four hours after the end of the compulsory meeting to the Executive Administrative Assistant, Elections Chairman, or Vice-Chairman. Any unexcused absence from the Compulsory meeting will result in a disqualification from the election. The candidate will still be required to sign the Candidates Certification Form
- 503.54** There shall be no campaigning by any student, candidate, or campaign worker prior to the completion of this compulsory meeting. Campaigning is defined as follows: word of mouth,

displaying literature, or any public display of a candidate's name for the purpose of the specific SGA election filed for.

503.55 A current list of all candidates and the offices they are seeking shall be posted outside the SGA Office at the end of the compulsory meeting and on the Elections Website.

503.56 No candidate can campaign for any office other than the office that the individual filed for.

CHAPTER 504 CONDUCT OF THE CAMPAIGN

- 504.1** Banners and Handbills shall exist according to the following guidelines:
- 504.11** Banners are printed materials larger than twenty inches on any dimension.
- 504.12** Banners must comply with the University Solicitation Policy. A maximum number of fifteen banners per ticket or individual candidate are permitted. The location of each banner shall be divulged to the Elections Chairman no later than twelve hours before placement as to determine its appropriate placement.
- 504.13** Handbills, or any campaign literature, not exceeding twenty inches on any dimension, may be displayed only on campus approved bulletin boards and areas permitting the display of such material.
- 504.14** A digital image will be taken of any student running for class office or executive office and will be displayed on the election website.
- 504.2** Campaigning and Polling Places:
- 504.21** Campaign literature of any type and solicitation for the advancement of a candidate, shall not be permitted within twenty-five feet of any poll during hours of election.
- 504.22** These physical boundaries of twenty-five feet shall be clearly marked with some above ground barrier.
- 504.3** Candidates and campaign workers are allowed to approach potential voters on any of the campus grounds in accordance with the University Solicitation Policy. No campaigning shall take place inside any University owned building without the prior consent of the Elections Chairman. Requests for indoor campus campaigning and distribution of campaign paraphernalia must be filed with the Elections Committee and approved by the Elections Chairman.
- 504.4** If a candidate wishes to use a sound device for rallies, forums, or meetings he/she must obtain approval in writing from the Elections Chairman at least twenty-four hours prior to its usage.
- 504.5** Door-to-door campaigning or campus paper mailing by a candidate or subsequent campaign workers is prohibited.
- 504.6** Defacing or destroying campaign literature of another candidate is prohibited and subject to judicial review and subsequent disqualification from the election or permanent removal of SGA sanctioned functions.

504.7

Candidates are permitted to campaign by a personally owned and operated website. The candidate must have administrator access to said website. Material displayed upon said website must be approved by the Elections Committee through a plurality vote. All campaigning via a third party owned website is prohibited. Third party websites are websites that are not owned or operated by the candidate or a website in which they do not have administrative access.

CHAPTER 505 EXPENSES

- 505.1** A candidate for class officer (a ticket or individual candidate) or Congressman shall not exceed the following personal campaign expenditure caps:
- | | |
|-----------------------|----------|
| A. SGA Class Officers | \$350.00 |
| B. Senators | \$150.00 |
- 505.2** A ticket for the executive officer elections shall not exceed the following personal campaign expenditure caps:
- | | |
|---------------------------------|-----------|
| A. SGA Executive Officer Ticket | \$2000.00 |
|---------------------------------|-----------|
- 505.3** Expense Account Report and List of Campaign Workers
- 505.31** Expense reports and a list of campaign workers shall be turned into the SGA Office no later than twenty-three hours prior to the opening of polls on the first day of elections.
- 505.32** If a candidate or ticket has no campaign workers or expenditures, they will be required to submit a report of "none."
- 505.33** The expense report must be itemized and include all original receipts of materials used during the election. Candidates must also include all materials that were donated and materials on hand at fair market value in their expense report. The total for these materials will be deducted from the total allowed expenditures. Candidates must prove that these items were donated by providing contact information of all donors. Fair market value must also be validated by offering documentation stating the value of any products.
- 505.34** All expense reports are due to the SGA Office and must be stamped by the SGA Executive Administrative Assistant by 5pm on the final day of the election.
- 505.35** All expense reports must be formatted identically to the template given at the compulsory meeting.

CHAPTER 506 VOTING PRECINCTS

- 506.1** Individual voting booths for general elections are not required, but are suggested and are at the discretion of the Elections Committee.
- 506.2** In the event that voting precincts are used, the precincts will be open from 9am until 5pm on each day of the election and will be publicly announced in *The East Carolinian*.
- 506.3** All voting precincts will be clearly marked with non-partisan literature.
- 506.4** The following materials and equipment shall be provided by the Election Committee at each voting precinct:
- A. Computer terminals.
 - B. At least two poll tenders.
- 506.5** All voting precincts may be observed by representatives of candidates as long as there is no interference with the elections process. Any person planning to be an observer must obtain written permission from the Elections Chairperson at least twenty-four hours prior to opening of the polls.

CHAPTER 507 BALLOTING

- 507.1** A secured web page will be provided by the ECU Information Technology and Computing Services for the use of providing secure elections results.
- 507.2** Any desktop computer with access to the Internet shall be able to access the election site for voting. No candidates or campaign workers will be allowed to use any mobile device with internet access on campus during the SGA sanctioned election for the purpose of accessing the election site for gathering votes.
- 507.21** Anyone caught using these mobile devices will be referred to the SGA Elections Committee and if appealed, to a Judicial Board hearing and may be banned from any further SGA sanctioned events.
- 507.3** Balloting Process
- 507.31** In the General Election for the four executive officers, the candidates receiving the plurality shall be elected. Voters shall vote for only one candidate for each respective office.
- 507.32** In the General Election, the top number of vote getters shall serve as representatives-at-large (equal to the number of representatives from annually funded student groups.)

CHAPTER 508 COUNTING BALLOTS AND ELECTION RESULTS

- 508.1** Each day, by 6pm, the precinct poll workers shall certify the accuracy of the balloting by signing the Poll Tender Certification Form.
- 508.2** Computers, used as a precinct, are to be turned off in the voting precinct area with the Poll Workers in attendance at the end of voting
- 508.3** Counting the Votes
- A. The following persons are allowed at the terminal when the election results are opened:
 - 1. Election Committee Chairman and Vice-Chairman
 - 2. SGA Attorney General
 - 3. SGA Advisor
 - 4. One representative for each candidate; this person may not be a candidate for the specific election.
 - B. The access password will be given only to the Elections Chairman, the SGA Advisor, and the SGA Attorney General. This password should be used to monitor the election results, to ensure the accuracy of the elections poll(s). The vote totals shall be kept secret until after the close of the polls on the final day.
 - C. Results of balloting will be certified by the SGA Elections Chairman and the SGA Advisor. After certification, these results will be released to the campus news media and posted outside the SGA office within twenty-four hours of certification.
 - D. The certified election results will be presented as total vote count for each office.

CHAPTER 509 VERIFICATION, RUN-OFFS AND NEW ELECTIONS

509.1 Class Officer Runoffs

509.11 If there is a margin of twenty-fives votes or less for any class office a candidate for that office may request a ballot verification of the Elections Chairman, the SGA Head Advisor, and the SGA Attorney General.

509.12 A run-off will only occur after final ballot verification for a class office has revealed a tie. This election will take place between and fourteen days original election date.

509.2 Four SGA Executive Officers

509.21 Ballot verification may occur by request of a candidate if there is a three percent margin or less between the top two candidates for a respective office. The Elections Chairman, the SGA Head Advisor, and the SGA Attorney General shall administer this verification.

509.22 A run-off will only occur after final ballot verification for an executive officer position reveals a tie. The election will take place one week after the original election date. The run-off election will operate under the standing election rules, with exception to the expenditure cap which will be altered to \$500 per candidate.

509.3 Undergraduate Student Senate Members-at-large

509.31 Ballot verification may occur by request of a candidate if there is a margin of ten votes or less and the total number of seats available is less than the number of candidates running for office.

509.32 A run-off will only occur after a final ballot verification reveals a tie for Undergraduate Student Senate seats.

509.4 Polling places for Run-off Elections

- A. If a tie occurs for a class officer or executive officer position the Elections Chairman will submit run-off precincts for approval to the Undergraduate Student Senate.

CHAPTER 510 ELECTION RULE VIOLATIONS, PENALTIES AND APPEALS

- 510.1** Any report of an alleged violation of these Elections Rules shall be made in triplicate. A copy must be provided to the SGA Elections Chairman, the SGA Attorney General, and the SGA Administrative Assistant for the purpose of documentation.
- 510.2** Any alleged violation, that has been properly documented, shall result in an investigation within forty-eight hours of the report by the Elections Committee.
- 510.21** Any candidate or campaign worker accused of a violation shall appear before the Election Committee within this forty-eight hour period.
- 510.22** This initial hearing will be held by the Elections Committee and the Elections Chairman will facilitate the meeting and the Attorney General will sit as an ex-officio member of the Committee. All decisions ascertained by this committee shall be through a simple plurality.
- 510.23** The decision shall be handed down by the Elections Chairman to the candidate or ticket in question within forty-eight hours of the initial complaint unless third party action is needed.
- 510.24** To appeal the decision of the Elections Committee, the alleged violator must file papers for a Review Board hearing with the Attorney General within forty-eight hours of the Elections Committee decision. The Review Board shall hear the case following a proper investigation by the Judicial Branch as defined in the following section. The person who was charged will have the opportunity to present his appeal or will be allowed to use an ECU appointed public defender. The Review Board will then hear the matter and their decision will be final.
- 510.25** These judicial proceedings brought against a candidate or ticket shall not extend beyond thirty days of the initial complaint.
- 510.26** The previous sections outline the appeal process for the accuser as well.
- 510.3** The following violations shall prompt an Elections Committee investigation and subsequent hearing regarding disqualification:
- 510.31** Any violation of these Elections Rules by a candidate, ticket, or campaign worker that leads to an unfair advantage for any candidate or ticket.
- 510.32** Unexcused absence from the compulsory meeting will result in disqualification.

- 510.33** Failure to remove campaign literature from a restricted location, within the time specified by the elections chair will result in a \$1 per handbill, \$10 per banner everyday until the items are removed.
- 510.34** Failure to receive prior approval from the Elections Chairman for campaigning inside a University owned building will result in a fine of \$25.
- 510.35** Campaigning inside the twenty-five foot perimeter around a polling place will result in a fine of \$15 per violation.
- 510.36** Defacing or destroying campaign materials of another candidate will result in a minimum of a \$50 fine to disqualification.
- 510.37** Use of sound mechanisms for the advancement of a candidate without obtaining prior approval of the Elections Chairman will result in a \$25 fine.
- 510.38** Participating in door-to-door or campus mailing for the advancement of a candidate will result in disqualification.
- 510.39** Elections Expense Reports Violations as listed below will result in a minimum of a \$50 fine to disqualification.
- 510.391** Failure to submit an expense report by time required as outlined in this title.
- 510.392** Failure to adhere to the expenditure caps of the Elections Rules.
- 510.393** Falsifying reports given within the expense report.
- 510.40** Violations by Campaign workers will result in \$5 fine to disqualification. Candidates and tickets should make all campaign workers aware of the Elections Rules, as they will be responsible for the actions of all campaign workers listed on the expense report.
- 510.41** The use of third party web-based technology is prohibited. This includes any Instant Messenger Service, My Space, PartyECU, Facebook, and other third party websites. Violations will result in a minimum of a \$50 fine to disqualification.
- 510.5** The Elections results shall be maintained in the Executive Administrative Assistant's office for seven calendar days pending action from the Review Board on appeals.
- 510.51** In the event that the allegation is against the Elections Chairman or any member of the Elections Committee, the initial complaint will be heard by the Review Board.
- 510.52** The expense report and lists of campaign workers will be held in the SGA Office for a period of one year as to be available for public scrutiny.

510.53 If there are any complaints regarding the actual Elections results, they must be duly filed within forty-eight hours of their certification by the Elections Chairman.

510.6 New Elections

510.61 A new election will be held if more than two candidates were running for an office and the winning candidate was disqualified. If only two candidates were running, the remaining candidate will be declared the winner.

510.62 Filing will be open for one week in which new candidates can file for new election of the disputed office. Candidates who were disqualified from the initial election are not eligible to file for the new election.

CHAPTER 511 FINAL ELECTION REPORT

- 511.1** The Election Committee Chairman shall submit a written Elections report within two weeks after any main election or run-off election.
- 511.2** The election report shall include the following:
- 511.21** A schedule of all election deadlines and events; including rallies, promotions and other relevant information regarding public awareness of the SGA Election.
- 511.22** An itemized list of all Election Committee expenses along with a copy of the approved budget.
- 511.23** Total number of votes cast in the election or run-off.
- 511.24** Number of votes cast for each candidate.
- 511.25** Summary of any election problems, complaints and actions taken to resolve the matters.
- 511.26** Recommendations to the Undergraduate Student Senate improvements for future elections.
- 511.3** This report shall be filed with the following, unless they are a candidate in the subsequent election:
- A. Student Body President
 - A. President of the Undergraduate Student Senate
 - B. SGA Secretary (full time professional staff)
 - C. SGA Advisor
 - D. SGA Undergraduate Student Senate
 - 1. A written and oral report shall be given to the SGA Undergraduate Student Senate within two weeks following the main election and any run-off election as to judge the performance of the Elections Chairman and the Elections Committee appointees.

CHAPTER 512 VACANCIES

- 512.1** If for any reason the Student Body Vice President, Treasurer, Secretary or Class officers should become unable to complete his or her term; the President of the Student Body shall submit two names to the Undergraduate Student Senate for the purpose of election to that position. This must occur within three weeks of the occurrence of the vacancy. If the Undergraduate Student Senate is in recess the Executive Council shall collectively appoint a replacement to that position until an election can be held in the Undergraduate Student Senate. All names submitted by the President and finally selected must be meet all requirements to hold office.
- 512.11** The two individuals will not be allowed to accrue any expenses for the purpose of campaigning for this position.
- 512.12** Only verbal campaigning will be allowed for this position.
- 512.13** The Undergraduate Student Senate shall elect a replacement from the two submitted names by a roll call vote. The individual receiving the most votes will be duly elected and sworn in twenty-four hours after the Undergraduate Student Senate election.

CHAPTER 600 TRAVEL

- 600.1** All travel must be pre-approved by SGA before the date of the trip in order for the trip to be funded, Funding is either in advance or reimbursed after the return of the trip. Reimbursement requirements are stated in reimbursement policy. The pre-approval for travel packet must be filled out in its entirety including all signatures, proper justification and required documentation. Packets must be turned in 4 weeks prior to the departure date in order to be funded in advance and two weeks prior to departure date in order to be reimbursed. You must account for additional time for processing factoring in Holidays according to the University Calendar. The SGA Office will not accept late travel packets that do not meet the deadline set forth in this policy. It is the responsibility of student organizations to ensure their packet is complete, accurate, correctly filled out, and submitted before all deadlines.
- 600.2** Checklists for All travel requirements are available in the SGA Office including all travel forms. .
- 600.3** Pre-approval forms must be submitted and approved prior to all expenditures. A written justification of each expenditure must be submitted as well as an official quote from the vendor in its entirety to the SGA office enough in advance for all advisors and treasurer to sign off and give their approval. SGA is not responsible for expenditures made without pre-approval form or expenditures made while processing of pre-approval form in which the expenditure was denied.
- 600.4** Enacted 6/14/04.

CHAPTER 601 TRAVEL LIMITATIONS

- 601.1** Travel will be limited in the following manner:
- A. No “all senior” travel. Representative should be a continuing member of the organization. Travel preferences should be given to younger rising leaders in the organization.
 - B. No more than four students will travel at one time.
 - C. Travel permission will only be granted through correct justification of travel purpose.
 - D. Justified travel will be defined as leaving the campus with the purpose of “enhancing the total student experience” of ECU.
- 601.2** Exceptions to any of these rules will be through the express consent through the office of the treasurer.
- 601.3** All other university policies concerning travel will be followed.
- 601.4** At the completion of the travel all learned information must be presented to our student body in a professional manner as a way of educating all, as well as, a written statement issued to the Student Government Executive board explaining the benefits you received.
- 601.5** Violations of any travel procedures will be dealt with sternly with the action of, but not limited to, the freezing of your organizations account and tagging of the students record.
- 601.6** Enacted 7/27/05

CHAPTER 602 REIMBURSEMENT

602.1 It is the policy of SGA to reimburse students for pre-approved expenditures to which the student paid out of their own pocket. There is a non-negotiable two-week deadline from the completion of the event for the complete reimbursement packet to be handed in. It is the students' responsibility to complete the packet within this two-week deadline. SGA will no longer accept reimbursement packets nor will we forward this packet to accounts payable. SGA is no longer responsible for any debts the student has incurred once the deadline has passed. Reimbursement checklists are available in the SGA Office in 101 Mendenhall. Any questions contact the Office Assistant at 328-4742.

602.2 Enacted 6/10/04

CHAPTER 603 FUNDING WORKSHOPS

603.1 It has been the policy of Student Government to require student organizations to attend funding workshops held each semester to review and educate groups on the new funding packet as well as the funding process. Student Organizations that have not attended these workshops may not apply for funding until they have attended workshops in the upcoming semester. This includes organizations that wish to apply for funding in the summer of 2005 and did not attend workshops in the spring of 2005 with the past administration. Those groups must wait until the fall workshops to apply for emergency funding. I wish to encourage student groups to attend the required workshops when they are supposed to each semester so that they may be eligible for funding to meet their needs when it best suits them.

603.2 Updated and enacted 7/27/05

CHAPTER 604 FUNDING OF RELIGIOUS AND POLITICAL ACTION GROUPS

604.1 Funding for religious and political action groups came into question by members of the faculty and student body. An inquiry was made into the matter with the University Attorney and the Vice Chancellor for Student Life. After reviewing the matter with the University Attorney the consensus is as follows:

"If a mandatory student fee is to be imposed, the SGA must be "viewpoint neutral" in it allocation of funds. To disallow funds to a group because of its religious tenets or political ideology would not be "viewpoint neutral".

SGA will abide by this consensus as handed down by the faculty. There will be no exceptions in the matter. The correspondence between the current student body Treasurer and Vice Chancellor is available upon request.

604.2 Enacted 6/14/04

CHAPTER 605 SGA LOGO POLICY

605.1 SGA Funds used to purchase the following must have an SGA logo on them as a sponsor in a fashion approved by Executive Council. To ensure your order is processed in a timely manner you must attach the prospective design to the pre-approval form in order for SGA to precede. Any order made with the expectation of reimbursement without consent of SGA will result of the revoking of funds form the organizations accounts.

605.2 Purchases requiring SGA logo:

- Any printing and graphics
- Advertisement
- T-shirts
- Promotional Items (logo necessity to later be determined)

605.3 Enacted 7/27/05

CHAPTER 606 CHARITIES

606.1 It is the policy of SGA to partially fund student organizations for their operational needs only. We do not fund for supplies or material that will not directly benefit students of East Carolina University. We do not fund for supplies or materials for charity purposes unless the charity is for the students of East Carolina University.

606.2 Enacted 6/14/04

CHAPTER 607 ORAL AGREEMENTS

- 607.1** There are no oral agreements/approvals with the SGA office. All approvals will come in the standardized forms provided by the SGA office. Students must fill these forms out and turn them in according to the respective deadlines so they may be approved by SGA. Permission to conduct certain types of business in special situations will be provided in writing and is the responsibility of the student produce if a situation is brought into question. This applies to any agreements made with past administrations.
- 607.2** Enacted 7/27/05

CHAPTER 608 CONTRACTS

- 608.1** It is the policy of SGA that we will not fund for event or situations where a student has signed a contract. Only University Officials have the authority to sign contracts on behalf of a student organization. It is the responsibility of the student organization and the signing University Official to ensure all proper measures have been in place to ensure the legality of the contract. It is the responsibility of the student organization to ensure they have the proper funds to fulfill all requirements of the contract. Any non-compliance with this policy will result in revocation of funds and the organizations account being frozen. SGA is not responsible for any debts incurred upon an organization or student as a result of non-compliance with this policy.
- 608.2** Enacted 6/14/05

CHAPTER 609 UNDERGRADUATE STUDENT SENATE REPRESENTATIONS

- 609.1** All groups receiving funding from SGA must have at least one designated member who will have mandatory attendance on the House of Organizations on a bi-weekly basis. This should be done to ensure the group has adequate representation and understanding of the funding process. Active attendance in the student senate will guarantee this and as a result “enhance the total student experience” with the purpose instilling necessary fiscal responsibility. Funding will be contingent on your organizations attendance and exceptions to the attendance policy will be put in writing to the SGA secretary no less then 24 hours before a regularly scheduled student senate meeting.
- 609.2** Violations of any senate representation policies will be dealt with sternly with the action of, but not limited to, the freezing of your organizations account and tagging of the students record.
- 609.3** Enacted 7/27/05

Revised Summer 2008
Reviewed by SGA Administrative Associate
Reviewed by SGA Advisor
Reviewed by SGA Undergraduate Student Senate