

INDIANA UNIVERSITY KOKOMO
Student Government Association
Bylaws

Approved by the Senate Review Committee (SRC) on: April 23, 2004
Senators D. Blevins (Chair), T. Taylor, and M. Smith

Approved by the Senate on: April 23, 2004
Vice President Sabina Kedhi, Sen. Blevins Sen. Dillard,
Sen. Gretzinger, Sen. Smith, Sen. Sommer, Sen. Taylor, and Sen. Wall

Approved by the Executive President on: _____
Date

Michael Sandy

Approved by the Director of Student Development and Campus Life:

Sarah Hawkins, J.D.

Approved by the Vice Chancellor for Student Services:

Dr. Jack Tharp

Herein is contained the Bylaws for the IUKSGA. Without exception if any of these rules are found to be in conflict with the IUKSGA Constitution, the Constitution will prevail.

TITLE I NAME

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TITLE II PURPOSE

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TITLE III MEMBERSHIP

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TITLE IV EXECUTIVE

Section 1. Qualifications

The qualifications are listed in Title VII.2.B & C.

Section 2. Powers and Duties of the Office of the Executive President

- A. The Executive President shall have the authority to appoint such temporary executive assistants as shall be necessary.
- B. Veto powers are described in Title V. 10.
- C. The Executive President may, on extraordinary occasions, convene the Senate. The reasons for such action and agenda of all matters to be presented shall be posted in the Senate Office by noon, at least one (1) day before the meeting. All Senators must be contacted at least three (3) days before the meeting
- D. The Executive President shall give a monthly, detailed written report as to the status of the campus and the Executive branch, to the Senate and Student Body and within seven (7) days of the Senate's request.
- E. The Executive President shall swear in Senators in accordance with Title VII.5.B & G.
- F. The Executive President shall have the powers necessary and proper for carrying out the provisions of these Bylaws.

Section 3. Powers and Duties of the Office of the Executive Vice President

- A. In the event that no Executive Vice President is elected, the Senate shall elect the Executive Vice President from among its membership. The Senate-elected Executive Vice President must meet the election qualifications of the Executive Vice President. The vacancy created shall be filled according, to the Title V.2.
- B. In the event that there is no qualified or willing Senator, the Executive President will appoint a new Executive Vice President, with two thirds (2/3) seated Senate approval.
- C. The Executive Vice President shall have all privileges according to all, Senate members, other than those outlined in Title V.9 but not including:
 1. Making motions.
 2. Voting (except in case of a tie) on any item.
- D. The Executive Vice President shall be responsible for reporting any secretary pay to the office of student activities.
- E. The Executive Vice President shall be familiar with the IUKSGA Bylaws in order to perform their duties as Senate President in an effective manner.

Section 4. Powers and Duties of the Office of the Vice President of Programming

- A. The Vice President of Programming is the Director of the Student Union Board (hereafter referred to as SUB).
- B. In the event that the IUKSGA's Constitution and Bylaws conflicts with the SUB's Constitution and Bylaws, the Supreme Court may rule in the case of conflicts upon petition(s) brought before the Supreme Court.
- C. In the event that no Vice President of Programming is elected, the Executive President shall appoint a Vice President of Programming with the majority approval of the seated

Senate. A vacancy in the office of the Vice President of Programming must be filled as soon as possible.

- D. The Vice President of Programming shall, alone with the SUB Board, be in charge of all non-club and non-athletic recreation.
- E. It is the responsibility of the Vice President of Programming in his or her absence to supply an updated written report to the President of Senate two (2) days prior to the missed, regularly scheduled Senate meeting.

Section 5. Powers and Duties of the Office of the Vice President of Athletics

- A. The Vice President of Athletics is the Director of the Student Athletics Board (hereafter referred to as SAB).
- B. In the event that the IUKSGA's Constitution and Bylaws conflicts with the SAB's Constitution and Bylaws, the Supreme Court may rule in the case of conflicts upon petition(s) brought before the Supreme Court.
- C. In the event that no Vice President of Athletics is elected, the Executive President shall appoint a Vice President of Athletics with majority approval of the seated Senate. A vacancy in the office of the Vice President of Athletics must be filled as soon as possible.
- D. The Vice President of Athletics shall, along with the SAB Board, be in charge of all athletic sports and sporting events.
- E. It is the responsibility of the Vice President of Programming in his or her absence to supply an updated written report to the President of Senate two (2) days prior to the missed, regularly scheduled Senate meeting.

Section 6. Powers and Duties of the Office of the Student Activities Treasurer

- A. Appointed by the Executive President, with majority consent of the seated Senate (it is strongly recommended that this person be an Accounting or Business major or minor).
- B. Shall audit the Student Activity Account each month.
- C. Shall make a bi-monthly report to the Senate as to the condition of the Student Activity Account
- D. Shall, at the request of a club/organization presiding officer, give a statement of account, within two (2) weeks of such a request, to that club/organization.

Section 7. Executive Budget Committee

- A. The Executive Budget Committee shall consist of the Executive President (chair), the Executive Vice President, the Vice President of Programming, the Vice President of Athletics, and the Treasurer all with equal voting power.
- B. The Director of Student Development and Campus Life shall be a non-voting member of the Executive Budget Committee.
- C. The duties of the Executive Budget Committee shall be, but not limited to:
 - 1. Proposing a budget to the Senate for the Executive branch;
 - 2. Selecting a representative to the Senate Finance Committee for the budget process (this person cannot be the Treasurer);
 - 3. Making requests for additional funds for the Executive branch, and
 - 4. Serve as a watch group for violations of using, Student Activities Fees, as outlined in Title X.6.

TITLE V LEGISLATIVE

Section 1. Qualifications

The qualifications are listed in Title VII.2.E.

Section 2. Vacancies

- A. Vacancies will be filled by alternates from the most recent election,
 - 1. who have received at least 40% of the votes that were cast in that election;
 - 2. who will fill these vacancies according to the number of votes received in that election.
- B. If for any reason the alternate is not seated:
 - 1. After the creation of a vacancy any student may make their intentions known to the Executive Branch to become a candidate for the vacancy. It is the responsibility of the candidate to know and comply with the requirements of Senate membership.
 - 2. The Executive Branch will nominate and introduce the candidate to the Senate at the earliest possible Senate meeting.
 - 3. The Senate will interview the candidate at the meeting.
 - i. The Executive Branch may only nominate as many candidates as there are vacancies.

- ii. The Executive Branch will interview the candidate(s) and will vote on whether or not to nominate that candidate for appointment to the Senate.
 - iii. No Candidate may be nominated for appointment more than one (1) time in any consecutive semesters (Fall, Spring, Summer).
4. The rules for interviewing appointment candidates will be as follows.
- i. Only Senators may ask questions.
 - ii. Each Senator may ask no more than three (3) questions.
 - iii. And no Senator may yield any of his/her questions to any other Senator.
 - iv. Questions may not contain arbitrary considerations of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status. This is in accordance with the Code of Student Rights, Responsibilities, and Conduct.
 - v. The Senate President, Parliamentarian, or Director of Student Development and Campus Life may deem any questions out of Order.
5. At that meeting the Senate will vote whether to confirm or reject the appointment.
6. If the vacancy is not filled eight (8) weeks before the next scheduled election the seat shall remain empty for the duration of that term of office.
- C. These appointees must be approved by a two-thirds (2/3) vote of the present Senate. Vacancies will be filled for the remainder of that academic year.

Section 3. President Pro Tempore

- A. At the first meeting following the Spring election the Senate shall elect from its membership a President Pro Tempore to serve for two (2) years or until the end of their term as Senator, which ever is shorter.
- B. To be elected to the office of President Pro Tempore, the candidate must meet and fulfill all the election requirements of the Executive Vice President.
- C. The President Pro Tempore shall serve in the temporary absence of the Executive Vice President as the President of the Senate.
- D. In the temporary absence of the Executive President and Executive Vice President, the President Pro Tempore shall assume the office of the Executive President.
- E. Should the office of Executive Vice President become vacant for any reason during the term, the President Pro Tempore shall serve in that capacity for the remainder of that term.
- F. The President Pro Tempore shall be responsible for keeping record of how each Senator voted (yea's, nea's, and abstention's) [only the final votes of votes by secret ballot] and give a record to the Secretary to be included in the minutes.

Section 4. Secretary

- A. At the first meeting following the Spring election the Senate shall elect from its membership a Secretary to serve for one (1) year.
- B. The Secretary shall be responsible for the minutes of the Senate meetings and shall keep a record of said minutes in the Senate Office.
- C. The minutes shall be typed and distributed to the members of the Senate and posted on the Student Government bulletin boards no later than five (5) school days after the meeting.
- D. The Secretary shall keep a tape journal and written minutes of the Senate's proceedings, to be stored for a period of three (3) years, in the Senate Office, and open to public inspection.
- E. The minutes of each meeting will be published. The minutes shall contain the yeas and nea's on any question, which is not unanimous (in accordance with Title V.3.F) and will be published along with the names of those Senators not present.
- F. The Senate may provide a monetary payment to the secretary for his/her services. This compensation is not required and will not be paid if the secretary neglects his/her duties. Secretary pay shall be determined in the annual budget and shall be paid on a per meeting basis.
- G. Should the secretary neglect his/her duties as enumerated and implied, the Senate may withhold any compensation and remove the secretary from office. The Senate may replace the secretary at any time with a two-thirds (2/3) affirmative vote.

- H. Three (3) absences, within a one (1) year period, beginning the first Monday in May, may constitute removal from the position of secretary, unless the Senate votes to excuse the absences by a two-thirds (2/3) affirmative vote.
- I. The Secretary shall serve in the temporary absence of the Executive Vice President and President Pro Tempore as President of the Senate assuming all roles and responsibilities for that temporary absence.

Section 5. Treasurer

- A. At the first meeting following the Spring election the Senate shall elect from its membership a Treasurer to serve for two (2) years or until the end of their term as Senator, which ever is shorter.
- B. The Treasurer shall be responsible for making a monthly report as to the status of the funds in the Senate treasury.
- C. The Treasurer shall be responsible for depositing funds with the Director of Student Development and Campus Life.
- D. The Treasurer shall oversee the funds of any Senate Committee.

Section 6. Parliamentarian

- A. At the first meeting following the Spring election the Senate shall elect from its membership a Parliamentarian to serve for two (2) years or until the end of their term as Senator, which ever is shorter.
- B. The Parliamentarian shall be responsible for roughly maintaining Parliamentary Procedure, as defined by *Robert's Rules of Order*, during Senate meetings and during Executive Sessions. (See Article V. 10.C. & D).
- C. Pursuant to the IUK Constitution Article V Section 10C, the Parliamentarian shall familiarize oneself with the IUKSGA Bylaws and offer guidance when appropriate.

Section 7. Standing Committees

The following shall be the standing, Committees of the Senate, with no Senator chairing more than one of these committees.

- A. Review Committee
 - 1. Name
 - The name shall be "Senate Review Committee", hereafter referred to as "SRC"
 - 2. Duties
 - To make written recommendations to the full Senate on the following items:
 - i. To review the absentee policy as set forth in the Bylaws,
 - ii. To review the IUK Constitution and Bylaws once a year.
 - iii. To review any Bylaws and/or Amendments that are proposed by the Senate and/or the Student Body,
 - iv. To review any nominations as sent by the Executive President for the offices of Supreme Court, Senate, or any other nomination on which the Senate will vote,
 - v. To review Constitutions and Amendments of the active Student Activity Clubs.
 - Inactive clubs must present their constitution to the SRC for review and approval prior to regaining active status.
 - vi. To review any other items as sent to it from the Senate
 - 3. Membership
 - i. The SRC shall be composed of, but not limited to, one (1) less than half the seated Senate..
 - ii. The Executive Vice President shall appoint the candidate to this committee with majority consent of the seated Senate. If the candidate is not confirmed, any Senator may make nominations of the vacancy. After all nominations have been made, the Senate will vote by secret ballot, Yes or No, on each candidate but may only vote yes for as many times as there are number of vacancies on that committee. All nominations must be confirmed with a majority of the assembled Senate. If the seat is still not filled, the person with the least amount of votes is removed and the vote is taken again. This continues until all vacancies are filled.
 - iii. A Chair shall be elected from the committee members.
 - iv. A Secretary shall also be elected from committee members.
 - 4. Term and Responsibilities of Chair

- ii. The secretary shall be responsible for taking attendance and relaying attendance information to the Senate secretary.
 - iii. The secretary shall act in the capacity of the Chair in the absence of the Chair and shall be held to the same standards of the office.
- C. New Committees
- i. The Senate may form new committees to address issues as they arise on campus. The formation of a new committee may be approved by a majority of the assembled Senate. Once the goals of the established committee have been met, the committee may be dissolved with a majority vote of the assembled Senate.
 - ii. The appointed chair of any such committee shall have two Senate meetings after the vote to form the committee and recruit at least two other members. If no additional members are identified at this time, the Senate may vote to dissolve the committee.
 - iii. Additional members may be recruited outside of the Student Senate. Any non-Senate members will not have voting power.
 - iv. The second Senate meeting following the appointment of the Chair, the Chair shall present written goals for the committee to the Senate and file said goals with the Senate Secretary.
 - v. The Chair has two weeks after the formation of the committee to post bi-monthly meetings.
 - vi. Absences from these meetings shall be subject to the attendance policy as explained in Title V Section 8 B.
 - vii. Any Chair of additional newly formed Standing Committees will assume the responsibilities outlined in the previous section.

Section 8. Meetings

- A. The time of meetings shall be determined by the Senate President, in accordance with Article V.7.
 - 1. The Senate President must post an agenda for the meeting a minimum of three (3) school days before the holding a regular meeting.
 - 2. The notice must be posted on the Student Government Bulletin Board(s), posted to all Senator's e-mail accounts, and sent to all IUKSGA Faculty sponsors and advisors.
- B. Absentee Policy

Four (4) unexcused absences from Senate meetings, including Standing Committee meetings, within a one (1) year period, beginning the first Monday after graduation in May, may constitute removal of a Senator from office.

 - i. In order to be counted in attendance, each Senator must answer either the first roll call or the last roll call.
 - ii. Only absences involving last minute work schedule changes, emergencies (examples could include but are not limited to: emergency room visits, car accidents, funerals), or furthering one's education beyond normal syllabi requirements (i.e. University related business, conferences, field trips, internships, etc) shall be considered for excused. The Senator shall be responsible for contacting the Senate President within 24 hours of a missed meeting by either telephone or e-mail. The burden of proof shall rest upon the Senator requesting the absence to be excused.
 - iii. Senators requesting absences to be excused must present their case at the next scheduled Senate meeting for review. There will be no exceptions to this procedure.
 - iv. An unexcused absence may be removed from a Senator's record by a two-thirds (2/3) affirmative vote of the seated Senate.
 - v. See Article V. 9. B for the constitution of a Regular meeting.
- C. The Senate shall have the power to call an Executive Session upon two-thirds (2/3) vote of the assembled Senate members, causing the cessation of taking of minutes and the closing of the meeting to all persons except those in possession of the title of IUKSGA Senator, when discussing matters it deems as threatening, damaging, or sensitive. Any additional attendees of this Executive Session shall be approved by a two-thirds (2/3) vote of the assembled Senate.

- D. Senate members may not send a proxy in their stead if they must be absent; absentee voting is prohibited.
- E. All regular Senate meetings shall be open to any student, student group, student organization, faculty, staff, and administrator, except for those instances covered by paragraph C of this section.
- F. The use of electronic recording device by any group must be approved by a majority vote of the assembled Senate, and removal of permission to use such device must be decided by a majority vote of the assembled Senate.
- G. Order of Business will be:
 - 1. Call to order
 - 2. Roll call
 - 3. Reading of previous minutes
 - 4. Officers reports
 - 5. Committee reports
 - 6. Other reports
 - 7. Special orders
 - 8. Unfinished business
 - 9. New business
 - 10. Announcements
 - 11. Adjournment
- H. Recognition to speak must be granted by the Presiding Officer.
- I. A minimum of five (5) minutes on an issue will be allowed per speaker.
- J. The Senate shall not be required to have a member of the Executive Branch, the Judicial Branch, or Faculty present in order to hold a meeting and/or conduct business.

Section 9. General Rules and Regulations

- A. Anyone elected or appointed to a seat in the Senate may serve in any office or be a member of any club or organization on campus; however, that Senator must abstain from voting on any funding issue that directly impacts him/her which is separate from an entire bill.
- B. A majority of the seated Senate shall constitute a quorum to do business. A Regular meeting occurs whether quorum is met or not; thus, this satisfies the President of the Senate's responsibility of calling a meeting. Upon quorum being unmet, any absence from the scheduled meeting will be deemed as an absence.
- C. Voting
 - 1. There are 4 ways a vote can be classified:
 - i. In Favor - Senator is voting in support.
 - ii. Oppose - Senator is voting against.
 - iii. Absent - Senator is not present.
 - iv. Abstain- Senator wishes not to vote.
 - 2. Voting to Abstain (Abstention Votes)
 - i. In any instance where a vote is required, including "seated senate" votes, only votes cast as "yes" or "no" shall be counted. All abstentions are not attributed to the total number of votes cast, to pass or deny an item being voted on. ii. If a senator is directly involved in an organization he/she must abstain from the vote dictating the funds appropriated to that specific organization.

Section 10. Enacting Legislation

- A. Senate committees shall have two options after viewing a bill, petition or resolution referred by the Senate:
 - 1. The bill, petition, or resolution may be returned with or with out recommendation to the Senate for second reading, or
 - 2. The bill, petition, or resolution may be held in committee indefinitely.
 - i. The bill, petition, or resolution voted to be held indefinitely by a committee must be reported to the Executive Vice President and the author of said bill, petition, or resolution within forty-eight (48) hours of the action.
 - ii. The Executive Vice President shall announce all bills, petitions, or resolutions held indefinitely by each committee in the Committee Reports section of the agenda, in the next Senate General Session.

- iii. The Executive Vice President shall direct the respective committee chair to explain indefinitely holding, said bills, petitions, or resolutions.
 - vii. Any voting member of the Senate may move to second reading any held bills, petitions, or resolutions with a two thirds (2/3) affirmative vote of the Seated Senate.
- B. Only the SRC shall bring forth Constitution Amendments and Bylaw Revisions to the full Senate for a vote. The procedure for amending the Constitution is stated in Article X of the Constitution. Bylaw Revisions shall pass with a three-fourths (3/4) affirmative vote of the seated Senate. The Bylaws text shall be changed immediately by the SRC secretary or the Chair following the Executive President's signature.
- C. All Bylaws revisions, finance bills, or appropriation bills passed by the Senate must be signed by the Executive President before they may go into effect. All finance bills must be signed by the Vice Chancellor for Student Services. The Executive Vice President shall sign all legislation as a verification of the vote.
- D. Conditions for Signature
 1. Upon passage by the Senate, Executive Vice President shall sign the Bylaw revision, finance bill, or appropriation bill and place the final copy of such bill before the Executive President immediately.
 2. If, after one (1) week following the Executive Vice President's placement of the bill before the Executive President, the President does not sign or veto the Bylaw revision, finance bill, or appropriation bill, such bill will have the same effect as if it were signed by the Executive President.
 3. If the Bylaws revision, finance bill, or appropriation bill is signed or vetoed by the Executive President, it shall be returned to the Executive Vice President to complete the legislative process.
 4. If the Bylaw revision, or finance bill has been vetoed by the Executive President, it shall be returned to the Senate at its next regular session, with the President's objections attached separately in writing. The President must also notify, in writing the Executive Vice President and the bill's sponsor(s) within twenty-four (24) hours after taking action of a veto.
 5. When the Senate receives a vetoed bill, a motion to reconsider the bill may be made at the end of second reading, of legislation. If the motion passes, the Senate may debate and make amendments to the entire bill or the vetoed line(s) only if there was a line item veto. In the case of a line item veto, only the line(s) vetoed may be debated or amended. If the original motion to reconsider fails, the bill cannot be debated, the veto is upheld, and all vetoed funds are reverted to the Year-End Reserve Fund.
 6. After debate has ended on the reconsideration bill, including all new amendments, a vote is taken. By two thirds (2/3) affirmative vote of the seated Senate, the bill passes and the veto is overridden. The bill then becomes effective without the Executive President's signature, and completes any of the legislative process called for in the Bylaws. If the bill fails, the veto is upheld.
 7. The veto of a bill by the Executive President is considered a negative action only. The Executive President may not replace a vetoed line in the annual budget or annual appropriation bill with something else; such a replacement must take place as an amendment by the Senate if that body reconsiders the bill after the veto.
 8. If a finance bill involving the appropriations of funds is signed by the Executive President, or veto is over ridden, the Executive Vice President shall refer the bill to the Director of Student Development and Campus Life for action. The Director of Student Development and Campus Life may:
 - i. Veto the bill.
 - ii. Approve the bill by signing it.
 9. If the Director of Student Development and Campus Life vetoes a finance bill, it shall be returned to the Senate with a written explanation and recommendation.

- The seated Senate may, by a two-thirds (2/3) vote, choose to override the veto of the Director of Student Development and Campus Life.
10. If a finance bill involving the appropriations of funds is signed by the Director of Student Development and Campus Life, or veto is over ridden, the Executive Vice President shall refer the bill to Vice Chancellor for Student Services for action. The Vice Chancellor for Student Services may:
 - i. Veto the bill.
 - ii. Approve the bill by signing it.
 11. If the Vice Chancellor for Student Services vetoes a finance bill, it shall be returned to the Senate with a written explanation and recommendation. The finance bill will then be considered a second read bill and shall return to the Senate.

TITLE VI JUDICIAL

Section 1. Qualifications

The qualifications are listed in Title VII.2.E.

Section 2. Vacancies

- A. All vacancies within the Supreme Court shall be filled as soon as possible with the advice and consent of the Senate as stated under Article VI.3. Title V.7.A.2.iv, and Title VI.2.B.
- B. If an Associate Justice is to become Chief Justice, s/he must be confirmed by the Senate

Section 3. Chief Justice: Appointments and Duties

- A. The Chief Justice, or one of the Associate Justices so designated, shall preside at all sessions of the Court.
- B. The Chief Justice, or one of the Associate Justices so designated, shall administer the oath of office to the Executive President-elect, the Executive Vice President-elect, the Vice President of Programming, elect, and the Vice President of Athletics-elect.

Section 4. Meetings

- A. The Court shall have meetings at least once a month with seven (7) days advance notice, or upon the call of the Chief Justice to transact any urgent new or old business before the Court with three (3) school days advance notice.
- B. The Court must hold a hearing within two (2) weeks after contention to an election, an appeals, a request, or matters concerning impeachment that have been presented to it and shall make a decision within two (2) weeks of the hearing, on such an issue. These hearings are to be open to the public.
- C. Four (4) members of the Court shall constitute a quorum, but three (3) members may carry on business provided that the vote on the three (3) member sessions is unanimous.
- D. The Court will establish an attendance policy for these meetings.
- E. The Court shall have the power to call an Executive Session upon two-thirds (2/3) vote of the Court members, causing the cessation of taking of minutes and the closing of the meeting to all persons except those in possession of the title of IUKSGA Justice, when discussing matters it deems as threatening, damaging, or sensitive. Any additional attendees of this Executive Session shall be approved by a two-thirds (2/3) vote of the Court.

Section 5. Responsibilities of the Judicial Representative to the Senate

It shall be the option of the Judicial Branch to send a representative of the Supreme Court to regularly scheduled meetings of the Senate. This representative shall have the responsibility of advising, counseling and answering questions from the Senate in matters pertaining to the Constitution of the Student Government Association. The advice, counsel, and opinions of this representative shall in no way constitute nor take the place of a rendered decision of the Supreme Court.

Section 6. Jurisdiction

The Supreme Court shall have jurisdiction in the following areas:

- A. Original jurisdiction on general constitutional interpretation.
- B. Original jurisdiction on constitutionality of the Senate legislation and violation of legislation
- C. Original jurisdiction on constitutionality of the Executive Branch decisions and actions.
- D. Appellate jurisdiction on cases involving contention of elections that involve all the members of the Student Body.
- E. General appellate jurisdiction concerning IUKSGA.
- F. Exclusive jurisdiction to conduct removal procedures and hearings as set out in Article VII.
- G. Original and appellate jurisdiction over matters between Student Activity groups and between Student Activity groups and students, as long as it does not violate the Student Code of Ethics.

TITLE VII ELECTIONS

Section 1. Elections

- A. Elections for six (6) of the twelve (12) Senate seats, the offices of Executive President, Executive Vice President, Vice President of Programming, and the Vice President of Athletics shall be held the second Wednesday/Thursday following Spring Break. The Election Commission can change the dates of the election, if there is an exigent circumstance, only if it is done at least six (6) weeks before the elections.
- B. Upon application each candidate must be certified before the specified election date by the Election Commission as outlined in the Article VII. 1. and Title VII. 2.
- C. No non-certified applications will be accepted.
- D. Candidates for the office of Executive President and Executive Vice President shall run on a ticket system. No persons or candidates shall be able to run for the office of Executive President or Executive Vice President unless they have a running mate. It is their responsibility to find a running mate. The Executive President and the Executive Vice President shall be elected by the greatest number of votes cast for their ticket. The Vice President of Programming and the Vice President of Athletics shall run independently and be elected by the greatest number of votes cast in their individual races.
 1. In the event that an Executive President or Executive Vice President candidate drops from a ticket, the remaining candidate has up to the application deadline to find a replacement. Furthermore, in the event that a candidate drops after the deadline, the remaining candidate has 24 business hours to find a replacement, up to the Friday prior to elections. All dropped candidates must formally notify the office of Student Activities to be officially dropped.
- E. In the event of a tie-vote in any of the elected offices, those candidates receiving the same number of votes will have a run-off election.
- F. In the event that there are no candidates for the office of Executive Vice President, the Senate may elect an Executive Vice President from among, its membership. The elected must meet the qualifications set forth in Title VII.2.B. Any vacancies created shall be filled in compliance with Title V.2.
- G. Any vacancies created for the office of Vice president of Programming or Athletics shall be filled the same as Legislative positions, in compliance with Title V.2.
- H. In the event that a valid candidate is not put on the ballot, election rules not followed, etc., the candidate or petitioner, of the election rule violation or error, must make the event known to the Election Commission, who shall make a ruling on the event. The ruling of the Election Commission may be appealed to the Supreme Court.

Section 2. Qualifications

- A. Applications for all elected government offices shall be made available to the Student Body six (6) weeks prior to the election. Completed applications must be submitted to the Students Activities Office no later than one week prior to the last Friday before Spring Break.
- B. If for any reason a person falls below the required cumulative GPA of their prospective office, or semester GPA requirements of the University, that person is placed on Student Government probation. The Director of Student Development and Campus Life shall notify any person that falls under the probation and no one else. If for any reason a person falls below a cumulative GPA of 2.25 or fails to raise their cumulative GPA to the

- required level at the end of the probationary period, the Director of Student Development and Campus Life shall notify that person that they should resign or the Director of Student Development and Campus Life will have to notify, within two (2) weeks of the beginning of the semester, the Senate that the person no longer meets the GPA requirements of their prospective office. The President Pro Tempore shall be responsible for contacting the Director of Student Development and Campus Life each semester to begin this process. This paragraph is applicable to only the Spring and Fall semesters.
- C. The Executive President, and Executive Vice President shall meet the following qualifications:
1. Accumulated at least thirty-five (35) credit hours of college at IU Kokomo,
 2. Must be taking and maintain at least six (6) credit hours at IUK,
 3. Must have a cumulative GPA of at least 2.5 at the time of the election, and
 4. Must maintain at least a 2.5 cumulative GPA throughout their entire term of office.
 5. Non-compliance with the above standards may affect the removal of the Executive President, or Executive Vice President. Except as stated in Article XII.
- D. The Vice President of Athletics and Vice President of Programming shall meet the following qualifications:
1. Accumulated at least credit Twenty-six (26) credit hours of college at IU Kokomo,
 2. Must have been an IUK student for one semester,
Must be taking and maintain at least six (6) credit hours at IUK,
 4. Must have a Cumulative GPA of at least 2.5 at the time of the election, and
 5. Must maintain at least a 2.5 cumulative GPA throughout their entire term of office.
 6. Non-compliance with the above standard may affect the removal of the Vice President. Except as stated in Article XII.
- E. Senators shall meet the following qualifications:
1. Must be taking and maintain at least three (3) credit hours of college at IU Kokomo, or students who wish to be elected to the Senate who have not previously attended IUK must submit, to the Election Commission, a petition signed by twenty-five (25) students, who are enrolled in a for-credit class, before their names can be placed on the election ballot.
 2. Must have a cumulative GPA of at least 2.25 at the time of the election, and
 3. Must maintain at least a 2.25 cumulative GPA throughout their entire term of office.
 4. Non-compliance with the above standard may affect the removal of the Senator. Except as stated in Article XII.
- F. Justices of the Supreme Court shall meet the following qualifications:
1. Accumulated at least credit twenty-six (26) credit hours of college at IU Kokomo,
 2. Must be taking and maintain at least three (3) credit hours at IUK,
 3. Must have a cumulative GPA of at least 2.50 at the time of the election, and
 4. Must maintain at least a 2.50 cumulative GPA throughout their entire term of office.
 5. Non-compliance with the above standard may affect the removal of the Justice. Except as stated in Article XII.

Section 3. Election Commission

The Election Commission shall be composed of the following members.

- A. One member shall be appointed by the Supreme Court. This may be a member of the Supreme Court.
- B. One member shall be appointed by the Student Senate. This may be a member of the Senate as long as that Senator is not running in the current election.
- C. One member shall be appointed by the President. This person must be a member of Student Government.
- D. All rules and regulations proposed by the election commission must be approved by a two-thirds vote of the seated senate.
- E. No member of the Election Commission shall run in the current election.
- F. It is the duty of the election commission to promote the election and application deadline six (6) weeks prior to the election date.
- G. The senate may provide rules and regulations regarding elections if approved by three-fourths vote.

- H. All applicable rules and regulations for an election must have been submitted to and approved by the senate by the last meeting of the fall semester prior to that school year's election.
- I. Election commission members cannot actively campaign for any candidate in the current election.
 - 1. "Actively Campaign" is defined as the production and/or distribution of hard-copy and/or electronic copy of campaign materials, verbal and/or non-verbal solicitation or endorsement of any candidate.
- J. All measures, rules, and regulations provided by the Election Commission and approved by the senate shall be posted under Title VII, Section 1 in the Bylaws of the IUKSGA.

Section 4. Candidate Certification

The Elections Commission shall be responsible for the following:

- A. Certification of all candidates and petitioning students who wish to run for Student Government offices. Certification entails confirmation of required GPA standards for the office in question, as outlined in Title VII.2.B-E, and the orientation of all candidates.
- B. Orientation shall entail the following.
 - 1. Candidates will receive a copy of this Constitution, Bylaws, and description of expected duties to read, and to familiarize responsibilities before the election.
 - 2. An orientation meeting will be held for all candidates. At this meeting any questions concerning the Constitution and Bylaws will be answered by the Election Commission. This meeting shall be mandatory for those seeking office, elected or appointed for the first time.
 - 3. Should candidates decide that they will be unable to carry out the duties and responsibilities contained in this document following the orientation meeting, they may withdraw their candidacy to avoid the possibility of later removal.
 - 4. Candidates will each sign a document attesting that they have received, read, and have a general understanding, of the Constitution and Bylaws of IUKSGA.
 - 5. Any appointments made after the election shall have the same above requirements prior to consideration by the Senate.

Section 5. Oath of Office

- A. The Oath of Office shall be administered to the President-elect, Executive Vice-President-elect, Vice President of Programming-elect, and Vice President of Athletics-elect by the Chief Justice of the Supreme Court, or one of the Associate Justices as so designated, at the first opportunity but, no later than the conclusion of the final Senate meeting of the Spring Semester.
- B. Senators shall be administered the Oath of Office by the President, or by a presiding officer, at the first opportunity, but no later than the conclusion of the final Senate meeting of the Spring Semester. Appointed Senators shall be sworn in at the first available opportunity after the approval of their appointment but not more than three weeks after approval.
- C. Justices of the Supreme Court shall be administered the Oath of Office by the President, or, in their absence, the Executive Vice President, not more than three (3) weeks after approval.
- D. Oath of Office
 - I, _____, solemnly affirm that I shall protect, defend, and uphold the Constitution and Bylaws of the Student Government Association of IUK and that I shall execute the duties of my office to the best of my ability.

TITLE VIII IMPEACHMENT

No articles are to be included in this title. All items dealing with Impeachment must be included in the Constitution (i.e., amendments).

TITLE IX CAMPUS CLUBS AND ORGANIZATIONS

In order to be eligible for funding, all campus clubs and organizations must be registered with the Student Activities office and follow all Guidelines as listed in the Student Code of Ethics Handbook.

TITLE X IUK STUDENT ACTIVITY FUNDS

Section 1. Campus Clubs and Organizations

- A. Any club/organization requesting funds from IUKSGA must be registered with Student Activities in accordance with Title IX.
- B. There shall be three (3) funds established within the Student Activity Fee Account.
 1. Student Government Fund
 2. Student Activity Office (SAO) Fund
 3. Campus Clubs Fund
- C. The funding of clubs and organizations shall be the responsibility of the Senate, subject to the approval of the Executive President, Executive Vice President, Director of Student Development and Campus Life, and the Vice Chancellor of Student Services.
- D. Any club/organization which raised funds on their own may spend the funds raised as they see fit during the current fiscal year, provided the expenditure of said funds does not violate the Code of Student Rights, Responsibilities, and Conduct, IUKSGA Constitution and Bylaws, the SAO procedures, or IU Fiscal Policies.

Section 2. Student Activity Fee Change Process

- A. The SFC shall conduct a meeting in the fall to determine if a fee change will be needed/desired for the next fiscal year.
- B. It is recommended that any increase shall not exceed the percentage increase in tuition. Any exception to this must be approved by 2/3 of the Seated Senate.
- C. The SFC Chair shall present this request to the Senate no later than the last meeting in February.
- D. The Senate may approve the request with 2/3 of the Seated Senate no later than the last meeting in February. The Executive Vice President shall give this request to the Director of Student Development and Campus Life. It is the responsibility of the Director to communicate this to the Vice Chancellor for Administration and Finance.
- E. This request does not need the approval of the Executive President, the Director of Student Development and Campus Life, or the Vice Chancellor of Student Services.

Section 3. Senate

- A. The Senate shall allocate funds from the collection of the student activity fees. These appropriations are limited to registered campus clubs and organizations, the Office of Student Activities, and Child Care. All appropriated funds shall be used by June 31. All unexpended and uncommitted funds, by June 1, shall carry over to the following fiscal year into the Student Activity General Fund.
- B. All funds must be used as allocated by the Senate.
 1. If specifically allocated funds are misused by any organization, the Executive Committee or Senate may recall funds from that club/organization or place that organization on probation, with the approval of the Director of Student Development and Campus Life.
 2. If any action is taken by the Executive Committee regarding the misuse of funds, the Senate must be notified at the next scheduled Senate meeting.
 3. The Senate can overrule decisions of the Executive Committee by two-thirds (2/3) vote of the Assembled Senate.
- C. All Appropriation Legislation must be approved by two-thirds (2/3) of the seated Senate.
- D. No budget request for an item/activity expressly zeroed in the fiscal year's Appropriation Legislation may receive allocations or transfer funds in the same fiscal year, unless approved by three-fourths (3/4) of the Assembled Senate.
- E. Funds may be budgeted or transferred to requests when the request has been left blank in the Appropriation Legislation.

Section 4. Campus Club and Organization Appropriation Policies

- A. Any group or organization that is registered with the Student Activities Office may request activity fee funds.
- B. The purpose of IUKSGA's funding of clubs and organizations is to further the objective set forth in Section D of this Title. The SFC may refer clubs seeking funds for sports activities to the Vice President of Athletics.
- C. Activities eligible for funding include those which meet at least one of the following criteria:
 - 1. Be of probable interest to a broad segment of the student population.
 - 2. Assist students in furthering specific career objectives.
 - 3. Further the education objectives of IUK.
 - 4. Enhance student cultural awareness.
- D. All organizations and activities should be funded consistently and fairly. The following criteria shall be considered in determining funding:
 - 1. Number of students benefited.
 - 2. Quality of student participation.
 - 3. Organization's previous use of funds.
 - 4. Efforts by organization to generate funds or provide services for students.
 - 5. Organization's previous and/or current semester participation, involvement, and attendance in at least 25% of President's Council events and meetings.
 - 6. **Preference may be given to activities/events that are open to all students.**
 - 7. **Religious and political clubs may receive funding and cannot be treated differently on the basis of the content of their speech, but funding may be limited in specific situations (see Letter G below).**
 - 8. **A club/organization/activity that provides a service or program that is tied to another IU Kokomo department may be asked to request funding from that department before it's activity fee request will be reviewed, or they may be asked to provide documentation of funding or assistance the club/organization/activity is receiving from that department**
- E. The Senate may fund clubs/organizations for conferences/conventions provided that all of the following stipulations are met:
 - 1. The organization has demonstrated a clear and present need for the funding.
 - 2. The organization has demonstrated that the conference/convention will provide literature and/or information that will benefit the organization and IUK in the future.
- F. Funding of a campus club/organization activity is to be made obvious by affixing the following to all publicity materials:
 - 1. Full Funding: "Funded in full by IUK Student Activity Fees."
 - 2. Partial Funding: "Funded in part by IUK Student Activity Fees."
- G. The following are not eligible for funding:
 - 1. Club/organization/activity which subsidize University administrative services (except in the case of the SAO).
 - 2. Activities which discriminate on the basis of race, religion, or sex, or which are limited to a single political partisanship or support a specific political candidate.
 - 3. The purchase of alcohol.
 - 4. Charitable or political contributions.
 - 5. Club/organization/activity which require funds to be spent specifically and solely on food or beverages for a general meeting, or for a graduation meal, reception, etc. (funds may be used for the annual call-out meeting).
 - 6. The purchase of sectarian items.
 - 7. The purchase of items to support a specific political partisanship or political candidate.
 - 8. The purchase of gifts.
- H. Evaluation of Student Activity Funds
 - 1. For each club/organization, per item/activity allocated in Appropriation Legislation, a representative from the club/organization may be required to complete an "Evaluation of Student Activity Funds Form" within one (1) week of the item/activity. (In most cases, this evaluation will be required for "programming events" for the purpose of determining number of students benefited and quality of participation).

2. This form shall be available in the SAO and shall require the name of club/organization, item/activity, date of item/activity, estimated number of people in attendance, approximate number of students in attendance.
 3. The Director of Student Development and Campus Life and/or SFC shall have full discretion deciding which club/organization item/activity is required to complete a form. This form shall be returned to the Executive Vice President.
 4. All clubs/organizations receiving funding for a conference/convention must file a written report with the Executive Vice President and/or SFC on what was learned at the conference/convention, within two (2) school weeks after returning from the trip.
 5. If a club/organization has not completed a conference/convention report or a required "Evaluation of Student Activity Funds Form," the Executive Vice President shall inform the Executive Committee.
 6. These forms/reports shall be kept on file with the SGA office for a period of three (3) years.
- I. Any campus club/organization failing to abide by this section may be ineligible for funding the following year.

Section 5. Appropriation Legislation

The fiscal year's Appropriation Legislation shall consist of Transfers, the March Budget Bill (MBB), the November Budget Bill (NBB), and any Contingency Budget Bill (CBB) that is funded by IUKSGA for that fiscal year. For each of these, there shall be copies of the proposed bill available to members of Senate, advisors, and the Executive President, two (2) school days prior to submission of the bill to the Senate.

Section 6. Budget Request Forms

- A. The club/organization shall complete a Budget Request Form for any non-transfer appropriation request. There shall be a Budget Request Form in the Student Activities Office website available for each club/organization.
1. Budget Request Forms shall require the name of the club/organization, the name of the individual making the request and their title, the type of budget request (MBB, NBB, or CBB), the event/item/activity title for which funding is being requested, the expected expenses, any anticipated income, the net and total request amount, additional sources of funding, number of students expected to benefit from the activity or event and a detailed explanation for each item.
 - i. Detailed explanations are those that have a breakdown of expected expenses, names of expected conferences, number of people estimated, etc.
 - ii. Detailed explanations are those that attempt to address the criteria stated in Title X, Section 4.
- B. The SFC shall have a "first reading" of each request and determine whether or not additional information is needed. If the SFC decides additional information is needed, the SFC chair and/or SFC may first request the information from the club/organization president via email or the SFC chair and/or SFC may request to meet with a representative from the club/organization, this shall be done during scheduled SFC meetings. If the representative cannot meet during this time, an emergency SFC meeting may be called.

Section 7. Transfer Request Forms

- A. A Transfer of Funds from one item to another may be requested (provided X 3 D. and E. is observed). A Transfer of Funds from one club/organization to another may not be requested. A Transfer Request Form must be completed for any transfer to be considered.
- B. The club/organization shall complete a Transfer Request Form for any transfer requests at least five (5) weeks prior to the proposed item/activity. The request form shall be available on the SAO website and shall include the club/organization name, amount to be transferred, from which item/activity to be transferred, the item/activity to which the transfer is requested, and a detailed explanation of the desired transfer.
- C. The SFC Chairman and/or SFC shall decide whether additional information or a meeting with the representative is necessary based on how detailed the explanation is. Additional

information may first be requested via email. The SFC shall vote upon bringing the request to the Full Senate.

- D. If introduced by the SFC, Transfer Requests may be approved by two-thirds (2/3) of the Assembled Senate.

Section 8. Budget Bills

A. There shall be two (2) Budget Bills per fiscal year:

1. March Budget Bill (MBB)

- i. The MBB shall be the appropriation of funds of the Student Government Fund and the SAO Fund, for the following school year, from July 1-June 31.
- ii. The MBB shall be the appropriation of funds of the Campus Clubs Fund, for the following fiscal year, but only for July 1-December 31.
- iii. The SFC must have a two-thirds (2/3) affirmative vote for the MBB in order to bring it forth to the Full Senate.
- iv. This Budget Bill shall be presented to the full Senate by IUK's scheduled Spring Break and must be approved by the first Senate meeting in April of that year.
- v. In the event that the anticipated revenues are not received, all clubs and organizations shall have the same percent taken from their budgets. This percent shall be equal to the percent difference between anticipated and actual revenues. The (NBB) may be used, in whole or in part, to offset this difference, with the two-thirds (2/3) approval of the Senate, before the cuts are made.

2. November Budget Bill (NBB)

- i. The NBB shall be the appropriation of funds of the Campus Clubs Fund, for the current fiscal year, from January 1-June 31.
- ii. The SFC must have a two-thirds (2/3) affirmative vote for the NBB in order to bring it forth to the Full Senate.
- iii. This Budget Bill shall be approved by the Friday following the second Monday of November.

B. There may be several Contingency Budget Bills (CBB) per fiscal year:

1. The CBB Request is available for items/activities that have not been previously budgeted in the fiscal year. Requests for contingency funding must be made at least five (5) weeks prior to the proposed item/activity. (The SFC may waive this "five week" requirement under exigent circumstances with a majority vote). The CBB is also available to fund new club/organizations. The Senate shall not call an emergency meeting for CBB requests.
2. The SFC shall review the CBB request and may request additional information or to meet with the club/organization officer/director to question the Contingency Request. The SFC must have a two-thirds (2/3) affirmative vote for the CBB in order to bring it forth to the Full Senate.
3. If the Full Senate does not approve the funding with a two-thirds (2/3) vote of the Assembled Senate, the officer/director of the club/organization may request the amount one (1) more time at the next regularly scheduled Senate meeting, provided the request is still within the five (5) week period prior to the proposed item/activity. A motion to accept the CBB must be made in order to consider the request. If the CBB is not passed at this meeting, the request is considered denied.

Section 9. Budget Consistency Criteria

A. The SFC shall have a meeting prior to the MBB in order to determine if specific items/activities shall be consistently funded. (For example, Callout, Publicity, etc. may be items that are considered).

1. This consistent funding may be different for clubs and organizations. Clubs and organizations tend to vary in responsibilities, size and activity level, therefore, they may be funded differently.

- B. Establishing this consistency is not necessary to the budgetary process. However, if the SFC agrees upon consistencies, it must be approved by a simple majority of the Seated Senate.
- C. These consistencies shall be uniformly used for the Appropriation Legislation for that fiscal year.
 - 1. The SFC shall notify all clubs/organizations of these consistencies. The SFC shall ensure that all club/organization presidents or directors are aware of the request deadlines as soon as they are set.
 - 2. The SFC Representatives shall explain the budgetary procedure, including consistencies and appropriation policies, to each officer at the Leadership Convocation (which is held in the Fall Semester).
 - 3. For each club/organization that does not send at least one (1) officer to the Leadership Convocation, a letter shall be placed in the club/organization SAO mailbox explaining the budgetary procedure, including consistent funding and appropriation policies.

TITLE XI CODE OF ETHICS

Section 1. Definition

- A. No employee or volunteer of IUKSGA shall:
 - 1. Intentionally solicit, accept or agree to accept from any source, whether directly or indirectly and whether alone or through any other persons, any personal financial benefit, including any gift for one's self or another, upon an agreement or understanding that their vote, opinion, judgment, exercise of discretion or other action as a public official will thereby be influenced.
 - 2. Knowingly use, other than in performance of their duties, gifts or information gained as a result of one's official position and which is not available to the general public, for personal financial benefit or financial benefit of any other person, including compensation from any employment, transaction or investment entered into that utilizes or is based upon such information.
- B. For the purpose of this rule: "Gift" includes any gratuity, special discount, favor, service, economic opportunity, loan or other benefit received without lawful consideration and not provided to students of IUK.

TITLE XII. MISCELLANEOUS REGULATIONS

Section 1. Definitions

(Replace the word branch with the appropriate title i.e. Senate, Supreme Court, SFC, SRC, SUB, SAB, Committee, etc.)

- A. **Total branch** shall be defined as all voting seats of the branch whether or not those seats are filled and whether or not these members are attending the meeting when the vote is called.
- B. **Seated branch** shall be defined as the total number of branch seats that are filled at the time of the vote, whether or not those members are present.
- C. **Assembled branch** shall be defined as those branches that are currently present at the meeting after quorum is achieved, regardless of how many seats are currently filled.
- D. **Membership of the branch** shall be defined as Seated branch
- E. **Unanimous** shall be defined as all assembled branch in agreement on any given vote.
- F. **Quorum** shall be defined as one half (1/2) person over one half (1/2) of the seated branch.
- G. Fractions shall always be rounded upward to the nearest whole number AFTER all calculations have been done.
- H. Resolutions and petitions are neither amendments nor revisions to the Constitution and in no way will change the Constitution.

Section 2. Meetings

- A. It is the responsibility of each IUKSGA Branch Leader to inform the IUK Faculty Sponsor/Advisor of all meetings, outings, activities, and functions pertaining to the IUKSGA. The Faculty Sponsor/Advisor shall be informed, invited, and accepted at all IUKSGA events regardless of whether those events take place on the campus property or not.
- B. The Branch shall be obligated to convene all scheduled business meetings on the campus property of IUK.

Section 3. Speaking

Visitors and guests to all IUKSGA events shall be granted speaking rights of five (5) minute per issue as per the same speaking rights afforded to the Senators. Visitors and guests shall be called upon in the order that they signal their desire to address the IUKSGA. The only exception to this rule shall be the IUKSGA Faculty Sponsor/Advisor, who shall be afforded the privilege of addressing the IUKSGA assembly at any time during the meeting. However, the Faculty Sponsor/Advisor must observe Title V.8.C.

Section 4. Emergency Meetings

IUKSGA officials shall make every reasonable effort to attend Emergency Meetings of their respective branches. In the event that an official cannot be present at a meeting called for emergency purposes, that absence shall not count against that official.

Section 5. Resignations

Any Senator wishing to resign from office may do so by submitting a letter of Executive Vice President. The Executive Vice President shall distribute the letter to the seated resignation to the Senate. At the next scheduled meeting, the resignation shall be considered effective upon a simple majority approval of the assembled Senate.

Section 6. Hearings

- A. The branch is required to conduct a formal hearing to consider the allegation(s).
 1. The presiding officer, in consultation with the other members of the branch, must determine an appropriate time and place for the hearing.
 2. The presiding officer is required to make arrangements for a public hearing. The presiding officer is required to conduct the hearing in a place that will accommodate a reasonable number of observers, but the officer is authorized to make a final decision concerning the place where the hearing is to be held and the number of observers to be accommodated.
 3. The Plaintiff/Petitioner shall provide the presiding officer with all evidence related to the allegation.
- B. When a hearing is to take place, the presiding officer is required to notify, a minimum ten (10) days before the date of the hearing, excluding Saturdays, Sundays, and holidays, all parties involved concerning, the following:
 1. The date, time, and place of the hearing
 2. The date, time and place of the alleged act(s) of misconduct and a summary of the information upon which the allegation is based;
 3. The names of any witnesses who may appear at the hearing and/or whose statement(s) may be offered as evidence,
 4. That the student is required to be present at the hearing and may be represented by an adviser of their own choosing.
 5. That the student may testify but will not be required to testify at the hearing and that a decision not to testify will not be considered as an admission of guilt;
- C. The formal hearing is to be conducted by the presiding officer of the branch.
 1. No hearing may be held unless three-fourths (3/4) of all members of the branch are present.
 2. The presiding officer, in consultation with the other members of the branch, is responsible for conducting the hearing, maintaining the necessary order, and making all rulings that are necessary for the fair, orderly, and expeditious consideration of the complaint.
- D. The branch is required to follow the following procedures:

1. The presiding officer should call the witness(es) to testify concerning the acts of misconduct that the student(s) are alleged to have committed.
 - i. The presiding officer and other members of the branch may question the witness(es) concerning the alleged act of misconduct.
 - ii. The student(s) and/or their adviser shall be given the opportunity to question the witness(es) concerning the allegations.
 2. The presiding officer should permit the parties involved to present any other information that is appropriate and relevant to the allegations against the student(s)
 3. The presiding officer must permit the student(s) and/or their adviser to make a concluding statement(s) or argument in support of a decision.

The branch must make a decision concerning the merits of the case.

 - i. The decision must be based solely upon the testimony and information presented at the hearing.
 - ii. A decision that the student(s) committed the alleged act of misconduct must be based upon clear and convincing evidence.
 - iii. A decision that the student(s) committed the alleged act of misconduct must be based upon the required number of votes for the branch.
- E. The presiding officer is required to advise all parties involved concerning any decision of the branch.
- F. The presiding officer of the branch is required to make a transcript of the hearing before the branch, which may be made by a tape recorder or other appropriate means.
- G. Within ten (10) days after the hearing the presiding officer must prepare a written decision, which includes a brief explanation of the branch's action(s) and the findings of fact upon which the action(s) were based. The decisions must be submitted to the all parties involved and the next branch involved, according to the Constitution and Bylaws.
- H. Advisers for Witnesses.
1. A person who appears as a witness in any proceeding conducted under this Constitution or Bylaws is entitled to have an adviser or other counsel present while the witness is testifying, during the proceeding.
 2. An adviser or counsel for a witness is limited to the role of advising the witness. The adviser or counsel may not participate in the proceeding, may not question the witness, and may not make any statements during the proceeding.