STUDENT SENATE LAW 2016-106

TITLE: 300 CODE REVISIONS

AUTHOR(S): Senate President Pro-Tempore Smith Meyers, Student Body Vice President Brendon Jonassaint, Student Body Treasurer Kishan Patel


305.1 “Censure is defined as a resolution passed by the Student Senate in lieu of impeachment. In effect, “censure” is a written reprimand given to an official whose actions may have warranted impeachment, but the Student Senate felt impeachment was unnecessary.

305.2 Offenses warranting censure include, but are not limited to, the following acts committed while in office:

1. Misfeasance
2. Malfeasance
3. Nonfeasance
4. Abuse of power

305.3 The following positions are subject to censure:

1. Student Body President
2. Student Body Vice President
3. Student Body Treasurer
4. Assistant Treasurers
5. Executive Cabinet Directors
6. Executive Cabinet Chairpersons
7. Advisors to the Presidential Council of Advisors
8. Executive Agency Heads
9. Supervisor of Elections
10. Supreme Court Chief Justice
11. Supreme Court Associate Justices
12. Commissioners of the Constitution Revision Commission
13. Student Senators

305.4 The day any five Student Senators sponsor a censure resolution is considered “filing day.” At that time, a copy of the censure resolution should be given to the Senate Secretary, the appropriate Senate committees, and the person concerned in the censure resolution.

305.5 The Judiciary and Rules and Ethics Committees must hold at least one joint public
hearing within five (5) school days of the filing day. Within the rules of those committees, and at the discretion of a majority vote of those committees, the resolution may be passed to the full Student Senate with the committees’ opinion on the matter raised by the censure resolution.

305.6
At the regularly scheduled Student Senate meeting immediately following such a hearing, the Student Senate must take up the resolution for consideration. The person who is being considered for censure has a right to appear before the Student Senate.

305.7
The full Student Senate adopts a censure resolution upon a two-thirds (2/3) vote of the Student Senators present and voting. If, after adoption of the censure, the issues considered in the censure are not resolved, the Student Senate has the option to consider impeachment, pursuant to Chapter 306 of the Student Body Statutes.

305.8
The Student Senate may provide, in its rules and procedures, for the censure of its own members

306.1 The following terms and phrases used in this chapter shall be defined as follows:

1. “Impeached” means the formal adoption of Articles of Impeachment by the Impeachment Body.

2. “Impeachable Offense” means the conduct to which a person may be impeached. Impeachable offenses are limited to acts committed while in office under the following grounds:
   a. Misfeasance
   b. Malfeasance
   c. Nonfeasance
   d. Abuse of power
   e. Conviction of a criminal offense.

3. “Impeachment Resolution” means the statement filed by the requisite number of Student Senators that accuses a person of an impeachable offense.

4. “Articles of Impeachment” means those sections of the impeachment resolution that have been adopted by a two-thirds (2/3) vote of the membership of the Impeachment Body.

5. “Entire Seated Membership” means the total authorized number of Student Senators in the Student Senate class minus the number of vacancies.

6. “Impeachment Body” means the Student Senate class, either the Fall or Spring election and appointed Student Senators that has served the greater amount of time on the filing date of an impeachment resolution. The Senate President shall preside over the Impeachment Body and may vote if the Senate President is a member of that Student Senate class.

7. “Trial Body” means the Student Senate class that has the least amount of time on the filing date of an impeachment resolution. The Supreme Court Chief Justice shall preside, unless a member of the judiciary is impeached, whereupon the Senate President Pro-Tempore shall preside. In such a circumstance, the Pro-Tempore may not be a part of the Impeachment Body. The presiding officer shall have no vote.

8. “Conviction of Impeachment” means those sections of the Articles of Impeachment adopted by a two-thirds vote of the membership of Trial Body. An officer convicted of impeachment shall be immediately removed from office. Conviction of Impeachment does not change the person’s civil or criminal liability.

9. “Disqualification from future office” means a separate vote of the Trial Body to prevent the person convicted of impeachment from holding any future Student Government position. A two-thirds vote of the membership
shall be required to disqualify a person from future office.

306.2 The following positions shall be subject to impeachment:

1. Student Body President
2. Student Body Vice President
3. Student Body Treasurer
4. Assistant Treasurers
5. Executive Cabinet Chairpersons
6. Executive Cabinet Directors
7. Advisors to the Presidential Council of Advisors
8. Executive Secretaries
9. Executive Agency Heads
10. Supervisor of Elections
11. Supreme Court Chief Justice
12. Supreme Court Justices
13. Commissioners of the Constitution Revision Commission

306.3 The filing date of an impeachment resolution shall be deemed the day five Student Senators co-file an impeachment resolution. The Student Senate, in its rules and procedures, may designate a committee to review the resolution. The five Student Senators must certify that they have given a copy of the impeachment resolution to the person whose impeachment is being sought.

306.4 The person whose impeachment is being sought has a right to appear before the Impeachment Body to present evidence and testimony.

306.5 Upon the adoption of an Article of Impeachment, the Impeachment Body shall deliver to the person whose impeachment is being sought a copy of the Article of Impeachment.

306.55 Upon the adoption of an Article of Impeachment, the person whose impeachment is being sought shall automatically be suspended from office.

306.6 The Impeachment Trial in the Trial Body must begin no sooner than five school days, but no later than ten school days from the adoption of the Articles of Impeachment. Failure of the Trial Body to begin the Impeachment Trial shall constitute a dismissal with prejudice the Articles of Impeachment and remove the suspension from the officer.

306.65 The person whose conviction of impeachment is being sought shall be granted equal time and shall be afforded the right to be heard, the right to present witnesses, the right to offer evidence and the right to offer testimony.

306.7 If an Article of Impeachment is adopted by the Trial Body, the person shall be deemed convicted of impeachment and removed from office.

306.75 The Trial Body must separately vote to prevent the person convicted of impeachment from holding any future position within Student Government. A two-thirds vote of the membership of the Trial Body shall be necessary to affect future disqualification.
Jenny Clements
Senate President

Date

Susan Webster
Student Body President

8/9/2016

Dr. Dave Parrott
Vice President for Student Affairs

Date

8/23/16

L2016-106