

Florida Atlantic University  
Student Government  
Student Body Statutes

TITLE 1. Administrative and General  
Chapter 100. Administrative and General Statutes

- 100.100 All Student Body Laws of permanent effect and general public interest shall be compiled in a codification known as Student Government Statutes. This codification shall also include the Student Government Constitution in its entirety.
- 100.200 The Student Government Statutes shall be arranged by subject matter within eleven (11) titles, each composed of numerically designated chapters, according to the following scheme:
- 100.200.a. Title I. (Chapter 100-199) – Administrative & General
  - 100.200b. Title II. (Chapter 200-299) – Fiscal and Finance
  - 100.200c. Title III. (Chapter 300-399) – Elections
  - 100.200d. Title IV. (Chapter 400-499) – Legislative Branch
  - 100.200e. Title V. (Chapter 500-599) – Executive Branch
  - 100.200f. Title VI. (Chapter 600-699) – Judicial Branch
  - 100.200g. Title VII. (Chapter 700-799) – Boca Raton Student Government
  - 100.200h. Title VIII. (Chapter 800-899) – Broward Student Government
  - 100.200i. Title IX. (Chapter 900-999) – MacArthur Student Government
  - 100.200i. Title X. (Chapter 1000-1099) – Treasure Coast Student Government
  - 100.200k. Title XI. (Chapter 1100-1199) – University-wide Programs
- 100.210 The Student Senate shall have sole legislative jurisdiction over Titles through VI and Title XI.
- 100.211 The Student Senate shall have the sole authority to classify statutes according to Section 100.200 and to provide a logical, orderly and comprehensive arrangement of the Student Government Statutes by subject matter.

- 100.220 The Boca Raton House of Representatives shall have sole legislative jurisdiction over Title VII.
- 100.230 The Broward House of Representatives shall have sole legislative jurisdiction over Title VIII.
- 100.240 The MacArthur House of Representatives shall have sole legislative jurisdiction over Title IX.
- 100.250 The Treasure Coast House of Representatives shall have sole legislative jurisdiction over Title X.
- 100.300 Each chapter is subdivided by means of a decimal arrangement carried out three decimal places.
- 100.310 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 152.100 and potential sub-subsection 152.110. Subsections shall relate back to the previous section. Sub-subsections shall relate back to the previous subsection.
- 100.311 Subsections and sub-subsections may be codified with letters of the alphabet should the lines exceed ten (10) in any given subsection or sub-subsection.
- 100.400 No Student Government Statute shall conflict with the United States Constitution or laws, the State of Florida Constitution or laws, University Regulations or Policies or the Student Government Constitution.
- 100.500 Each chapter shall have printed with it a history giving the Legislative Session and Bill number in which it was amended. For example, if Chapter 101 was amended in the 2nd session with SGSS 08-13, the bottom of Chapter 101 shall read "LS 2, SGSS 08-13 as part of the chapter history.
- 100.510 Only the most recent five (5) amendments to a statute shall be printed with the statute with less recent amendments archived according to University Library policies and available for reference.
- 100.600 All legislation and resolutions presented to the Student Senate or a Campus House of Representatives shall be retained and archived according to University Library policies at the end of each legislative session.
- 100.610 These documents must also be kept on file with the President of the Senate, Campus House Speakers, Chief Justice and SG Advisor of the respective campus.

- Chapter 101.000 Amendments to the Student Government Statutes
- 101.100 All Student Government Statutes may be amended.
- 101.200 A proposed Statute Amendment for Titles I through VI and Title XI shall be approved by majority vote in the Student Senate. It shall then be forwarded to the Student Body President for approval. If approved by the Student Body President, it shall then be forwarded to the Senior Vice President for Student Affairs for approval. Said Amendment shall not be binding until approved by the Senior Vice President for Student Affairs. Upon receipt of any amendment the Senior Vice President for Student Affairs shall have two (2) weeks- to either approve the Amendment or return it to the legislative body from which it originated. In the event that the Senior Vice President for Student Affairs takes no action within this time frame, the legislation shall be considered to be approved.
- 101.300 A proposed Statute Amendment for Titles VII through X shall be approved by majority vote in the Campus Houses of Representatives that has jurisdiction of said Titles. It shall then -be forwarded to the Campus Governor for approval. If approved by the Campus Governor, it shall then be forwarded to the Student Body President for approval. If approved by the Student Body President, it shall then be forwarded to the Senior Vice President for Student Affairs for approval. Said Amendment shall not be binding until approved by the Senior Vice President for Student Affairs. Upon receipt of any amendment the Senior Vice President for Student Affairs shall have two (2) weeks to either approve the Amendment or return it to the legislative body from which it originated. In the event that the Senior Vice President for Student Affairs takes no action within this time frame, the legislation shall be considered to be approved.
- 101.400 A proposed Statute Amendment for Titles I through VI and Title XI may be initiated by a Campus House of Representatives by following process:
- 101.410 The proposed Statute Amendment follows the legislative procedures of the Campus House of Representatives proposing the Statute Amendment.
- 101.420 The bill must contain the Campus House's reason and rationale for the proposed change.
- 101.430 The proposed Statute Amendment shall be forwarded to the Student Body Vice President for inclusion on the agenda for the next meeting of the Student Senate.
- 101.440 The proposed Statute Amendment then follows the process as outlined in Chapter 101.200.
- Chapter 102.000 Compliance with the Student Government Statutes

- 102.100 All students serving in any capacity, either elected or appointed, volunteer or compensated, with Student Government and its programs must comply with the Student Government Statutes. Any willful or deliberate disregard of any Statute may subject that student to removal from the position in accordance with the Student Government Constitution and Statutes.
- 102.200 When a conflict between Campus-based Statutes is encountered, University-wide Statutes shall take precedence.
- Chapter 103.000 Student Government Compliance with Florida's Sunshine Laws
- 103.100 A Student Government Meeting shall be defined as any gathering, whether formal or informal, of two or more members of the same committee, program, or branch to discuss some matter on which foreseeable action will be taken.
- 103.200 In accordance with the State of Florida's Sunshine Laws, all Student Government meetings must fulfill three requirements:
- 103.210 All Student Government Meetings shall be open to the public.
- 103.220 The minutes of any meeting shall be recorded at the time of the meeting and such records shall be open to the public.
- 103.230 Any meeting held without twenty-four (24) hours prior public notice shall be considered in violation of this Statute.
- 103.240 Public notice shall consist of an announcement of the meeting time, place and purpose in all campus SG Offices, on the Student Government Website if available, and/or other avenues such as MYFAU, University Press, or any other means of notice deemed reasonable by the Student Government Advisor.
- 103.300 All Student Government meetings shall be held on campus.
- 103.400 All Student Government Records shall be open to public inspection.
- 103.500 Student Government Records shall be defined as all material, regardless of physical form or characteristics, made or received pursuant to law or in connection with transaction of official business by any committee, program or branch of Student Government.
- Chapter 104.000 Code of Ethics
- 104.100 Purpose

- 104.110 It is essential to the proper conduct of Student Government that its Officers and Student Employees be independent and impartial. Student Government Officers and Student Employees hold their positions for the benefit of the Student Body. Such Officers and Student Employees are bound to observe in their official acts, the highest standards of ethics consistent with Statutes.
- 104.120 It is the intent of this Chapter to protect the integrity of Student Government by prescribing restrictions against conflicts of interest and unethical practices.
- 104.200 No Officer or Employee of Student Government shall:
- 104.210 Take advantage of the official capacity of their Office for their own personal gain or advantage, including any act beneficial to any person in whose welfare he or she is interested.
- 104.220 Participate in any private business or professional activity in which they have any direct or indirect financial interest that would place that person in conflict between that interest and the public interests of the Student Body.
- 104.230 Participate in any malicious act.
- 104.240 Use or allow the use of Student Government property, facilities, vehicles, or personnel of any kind for any purpose other than Student Government business.
- 104.250 Be involved in any agreement to accept a bribe.
- 104.260 Advise, aid, procure, or in any way induce another to act in violation of the Student Body Constitution, Student Government Statutes, or otherwise specified Student Government policy, or the University's Student Code of Conduct.
- 104.270 Participate in any Student Government activity where there may be a conflict of interest.
- 104.280 Solicit or accept direct or indirect payment or otherwise unlawful compensation, for the performance or nonperformance of any act not specifically allowed for in the Student Government Statutes.
- 104.290 Cover up evidence or misrepresent a fact pertaining to a violation.
- 104.291 Officers and Employees must disclose all knowledge of Student Government corruption.
- 104.300 Violations of Criminal Law or Liability under Civil Law

- 104.310 For the purposes of this Chapter, a conviction or civil finding of liability must be for an act occurring during the Officer or Student Employee's current term of office or during their official campaign period for office as defined by Student Government Statutes.
- 104.320 A violation under this Chapter may be grounds for impeachment, suspension, removal from office, or dismissal from employment.
- 104.330 If at any time before the duration in which the investigation, suspension, and/or removal from office is sought, the Officer or Student Employee in question resigns, all procedures shall cease and the position shall be filled in a manner outlined in the Student Government Constitution and/or Statutes.
- 104.340 Such resignation shall not terminate proceedings by other official entities of the University, officials of federal, state, and/or local municipalities, and/or other legal proceedings.

Chapter 105.000 SG Officer Accountability and Removal

105.100 Intent

- 105.110 The intent of this Chapter is to comply with the provisions of the Florida Statutes to provide for the removal from Office of any elected Student Government Official who has been convicted of a crime or has been found civilly liable for an act of moral turpitude after all available rights of judicial appeal have been exercised, waived or have expired. This Chapter provides procedures for the immediate suspension of the Officer upon conviction and pending any appeal and provides for a temporary successor to assume the duties of any suspended Officer. This Chapter further provides the recall procedure to allow students to petition for a referendum requesting the removal of the Official from elected Office as well as impeachment procedures.

105.200 Suspension from Office

- 105.210 Any Student Government Officer may be immediately suspended from Office if he or she is convicted or found civilly liable of a felony, notwithstanding any potential or pending appeal from said felony conviction or civil finding, by the Student Body President, or in case the affected Officer is the Student Body President, by the Student Senate, based upon the best interests of the Student Body.

- 105.300 Prior to any suspension the affected Student Government Officer shall be given an opportunity to present his or her case for why it is not in the best interests of the Student Body that he or she be suspended to the Student

Body President, or in the case that the Officer is the President, then to the Student Court.

105.310 Prior to this presentation he or she shall be presented with the names of any witnesses who will (have) appear(ed) in support of suspension. Further, any supportive evidentiary documents shall be turned over in a reasonable time prior to the presentation.

105.320 Case presentation shall be of a reasonable duration.

105.400 Should the Student Body President, based upon the best interests of the Student Body, elect to suspend a Student Government Officer pursuant to the terms of this Chapter, the Student Body President will notify the affected Officer, the Student Court, Student Government Advisor, and the Campus House of Representatives, if applicable, in writing or via e-mail, of the suspension and the grounds thereof. The suspension will take effect immediately and remain in effect until revoked by the Student Body President or until the felony conviction or civil finding is reversed, vacated or set aside, at which point the affected Officer will immediately be reinstated to his or her Student Government Office.

105.500 Should the Student Body President be convicted or found civilly liable of a felony, notwithstanding any potential or pending appeal from said felony conviction or civil finding, the Student Court may, based upon the best interests of the Student Body, elect to immediately suspend the Student Body President from Office by no less than a three-fourths vote of the entire seated membership of the Student Court. The Chief Justice will notify the Student Body President, Student Government Advisor, Senior Vice President for Student Affairs, and the Florida Atlantic University President, in writing or via e-mail, if the Student Body President is suspended from Office pursuant to this Chapter.

105.510 The suspension of the Student Body President will take effect immediately and remain in effect until revoked by the Student Court, the University President, or until the predicate felony conviction or civil finding is reversed, vacated or the Student Body President is otherwise cleared of wrongdoing in the predicate criminal or civil matter, at which point the affected Student Body President will be immediately reinstated to his or her Office.

105.600 Standards for determining the “best interests of the Student Body” should include but are not limited to the following, whether the conduct:

105.610 Will diminish his or her ability to effectively carry out the duties and obligations of the elected Office; and/or

- 105.620 will result in a loss of confidence by his or her elected colleagues within Student Government in his or her ability to be an effective voice for representing his or her constituents; and/or
- 105.630 arose from the Student Government Officer's involvement or participation in Student Government Activities; and/or
- 105.640 was of such a nature as to create a reasonable fear that the conduct could be repeated during the Student Government Officer's term.
- 105.700 Appeal Prior to Suspension
- 105.710 Prior to any suspension the affected Student Government Officer shall be entitled to an appeal to the Dean of Students. Appeals shall only be permitted for the following reasons:
- 105.711 The requirements of the suspension process were materially violated and such violation of the requirements resulted in prejudicial action against the Student Government Officer; and/or
- 105.712 The determination that the Student Government Officer was convicted of a criminal violation or found civilly liable for an act of moral turpitude was incorrect.
- 105.800 During the period of the suspension, the suspended Officer will not perform any official act, duty or function or receive any compensation or privilege of Office.
- Chapter 106.000 Temporary Succession for Suspended Offices
- 106.100 Any temporary vacancy in office created by suspension of an official under the provisions of this Chapter will be filled by a temporary appointment to such Office for the period of the suspension.
- 106.110 The temporary appointment must be made in the same manner and by the same authority by which a permanent vacancy in such Office is filled as provided by the Student Body Constitution and Statues. If no provision for filling a permanent vacancy in such Office is provided by the Student Body Constitution and Statutes, the temporary replacement will be named by the Student Body President and confirmed by a two-thirds (2/3) vote of the Student Senate.
- 106.200 The individual assuming the Office and duties of the suspended Officer shall have the full authority of the Office being assumed and shall receive any compensation or privilege of the Office assumed.

- Chapter 107.000 Reinstatement to Office from Suspension
- 107.100 If the suspended Officer's predicate conviction or civil finding is reversed, vacated or the Officer is otherwise cleared of wrongdoing in the predicate matter, the Student Body President or Student Court will forthwith revoke the suspension and reinstate such Officer to Office, and the Officer will be entitled to and be paid full back pay.
- 107.200 If, during the suspension, the term of office of the Officer expires and a successor is either appointed or elected, such back pay will only be paid for the duration of the term of office during which the Officer was suspended under the provisions of this Chapter, and he or she will not be reinstated.
- Chapter 108.000 Recall of Student Government Officers
- 108.100 Students may petition for the recall of any elected Student Government Officer at any time provided that the petition include the grounds upon which the Student Body believes the Officer must be removed from their Office.
- 108.110 The grounds for removal of an officer by petition must be expressly contained in the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.
- 108.200 Ten percent (10%) of the currently enrolled Student Body must sign a petition for recall and include their printed full legal name, legal signature, FAU e-mail address and permanent address as listed with the University Registrar.
- 108.210 A Campus Recall for an elected Officer in a Campus Office requires a petition of ten percent (10%) of that campus's Student Body and a simple majority vote of that campus's Student Body on a referendum requesting the recall of the Officer.
- 108.300 The petition must be delivered to the Student Body President and Student Government Advisor. If the Officer the petition is calling for recall is the Student Body President, the petition must be delivered to the Chief Justice and Student Government Advisor.
- 108.400 The Student Body President or Chief Justice will work with the Student Government Advisor and Chair of Elections, if available, to create a referendum ballot within thirty (30) days of receipt of a petition for recall of an Officer.
- 108.500 A simple majority of those students voting on the ballot is required to pass the referendum.

- 108.510 The ballot results must be officially certified by the Elections Board, Student Court and Senior Vice President for Student Affairs before further action against the recalled Officer in question is taken.
- 108.600 Upon passage, the Officer who is recalled will be notified in writing or via e-mail within twenty-four (24) hours of verification of the ballot by Student Affairs.
- 108.700 Recalled Officers may never again seek elected office in Student Government at Florida Atlantic University.
- Chapter 109.000 Impeachment of Student Government Officers
- 109.100 Articles of Impeachment are drafted in legislative form as a bill by any currently enrolled FAU student at any time provided that the petition include the grounds upon which the student believes the Officer must be removed from their Office.
- 109.110 Articles of Impeachment must expressly include the grounds for impeachment and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.
- 109.120 Articles of Impeachment must have at least one (1) legislative sponsor.
- 109.200 Articles of Impeachment can only be drafted against elected Officers, but those officers may be members of the University-wide Executive, Campus Executive, University-wide Legislative, Campus Legislative and Judicial branches of Student Government.
- 109.300 Articles of Impeachment are submitted to the President of the Senate or Campus Speaker of the House to be added to the agenda of the next regularly scheduled meeting of the respective legislative body.
- 109.400 Articles may only be read at the first meeting and moved to Tabled or Old Business and may not be voted on until the next regular meeting.
- 109.500 In order to impeach an Officer, the legislation must be approved by a two-thirds (2/3) majority vote as follows:
- 109.510 Student Body President and Student Body Vice President – Articles of Impeachment are submitted to the Student Senate and Campus Houses of Representatives.
- 109.511 They must be approved in the Senate and in three of the four Campus Houses of Representatives.

- 109.520 Campus Governor – Articles of Impeachment are submitted to the Governor’s Campus House of Representatives.
- 109.521 Upon approval they must be submitted to the Student Court via the Student Government Advisor and be upheld.
- 109.530 Student Senator – Articles of Impeachment are submitted to the Student Senate.
- 109.531 Upon approval they must be submitted to the Student Court via the Student Government Advisor and be upheld.
- 109.540 Campus House Representative – Articles of Impeachment are submitted to the member’s Campus House of Representatives.
- 109.541 Upon approval they must be submitted to the Student Court via the Student Government Advisor and be upheld.
- 109.550 Chief Justice – Articles of Impeachment are submitted to the Student Senate.
- 109.551 Upon approval they must be submitted to the Student Body President via the Student Government Advisor for approval.
- 109.552 If the Student Body President does not approve the Articles they will return to the Student Senate as Vetoed Business and may be approved by a three-fourths (3/4) of the Student Senate to be upheld.
- 109.560 Campus Associate Justice – Articles of Impeachment are submitted to the Associate Justice’s Campus House of Representatives.
- 109.561 Upon approval they must be submitted to the Campus Governor via the Student Government Advisor for approval.
- 109.562 If the Campus Governor does not approve the Articles they will return to the Student Senate as Vetoed Business and may be approved by a three-fourths (3/4) of the Student Senate to be upheld.
- 109.600 Articles of Impeachment will not be fully approved and in effect until signed by the Senior Vice President for Student Affairs.
- Chapter 110.000 Permanent Order of Succession of Officers

- 110.100        Upon permanent absence, resignation or removal of the Student Body President, the Student Body Vice President will immediately succeed the former Student Body President.
- 110.110        The Oath of Office must occur within one (1) week of the succession.
- 110.120        The new Student Body President will appoint a new Student Body Vice President within one (1) week of their Oath of Office.
- 110.121        The Student Senate must approve the appointment of the new Student Body Vice President by a two-thirds (2/3) majority vote.
- 110.130        The new Student Body Vice President must take their Oath of Office within one (1) week of their appointment.
- 110.200        Upon permanent absence, resignation or removal of the Student Body Vice President, the Student Body President will appoint a new Student Body Vice President within one (1) week of the vacancy in office.
- 110.210        The Student Senate must approve the appointment of the new Student Body Vice President by a two-thirds (2/3) majority vote.
- 110.220        The new Student Body Vice President must take their Oath of Office within one (1) week of their appointment.
- 110.300        Upon permanent absence, resignation or removal of a Campus Governor, the Campus Speaker of the House will immediately succeed the former Campus Governor.
- 110.310        The Oath of Office must occur within one (1) week of the succession.
- 110.400        Upon simultaneous permanent absence, resignation or removal of the Student Body President and Vice President, the Campus Governor from the campus with the largest student enrollment will immediately become the Acting Student Body President until a special election is held for a new Student Body President and Vice President ticket.
- 110.410        The Campus Governor position will be immediately and temporarily filled by the Campus Speaker of the House as the Acting Governor until the Governor is able to step down from their role as Acting Student Body President.
- 110.411        The Oath of Office must occur within one (1) week of the succession.

110.420 The Campus Speaker of the House position will be immediately and temporarily filled by the Campus Speaker of the House Pro Tempore as the Acting Speaker of the House until the Campus Speaker of the House is able to step down from their role as Acting Campus Governor.

110.421 The Oath of Office must occur within one (1) week of the succession.

Chapter 111.000 Definitions

111.100.a Abuse of Power and/or Authority - The use of one's power and/or authority to coerce or unjustifiably influence any fellow member of Student Government or the Student Body.

111.100.b Ad-Hoc Committee - A Student Government Committee created by the Student Body President, Student Body Vice President, Campus Governor or Campus Speaker of the House for a specific purpose, after which it shall be dissolved, and which may be comprised of Student Government Officers and Student Employees, other students, faculty, staff, or community members.

111.100.c Articles of Impeachment - Legislation that removes an elected Officer from their position with evidence provided as to the violations found against said Officer.

111.100.d Boca Raton Student Government – The Executive and Legislative bodies that represent the students on the Boca Raton Campus of FAU.

111.100.e Broward Student Government – The Executive and Legislative bodies that represent the students on the Broward Campuses of FAU. The Broward Campuses include: Downtown Ft. Lauderdale, Davie and Dania Beach (SeaTech).

111.100.f Business Days – Business days shall be defined as being weekdays, Monday through Friday.

111.100.g Calendar Year – For the purpose of interpreting the SG Constitution, a calendar year is defined as no more than any 365 day period beginning upon a position appointments date and ending upon a position termination date not to overlap a succeeding appointment's beginning date.

111.100. h Coercion - The use of force or threats to compel a person to commit an act.

111.100.i Joint Legislation – A matter of business written in bill or resolution form to be considered by any combination of the Student Senate and Campus

Houses of Representatives, which if enacted and approved is deemed to carry the force of law.

- 111.100.j Legislation – A matter of business written in bill or resolution form to be considered by the Student Senate or an individual Campus House of Representatives, which if enacted and approved is deemed to carry the force of law.
- 111.100.k Legislative Session – Each Legislative Session of Student Government shall begin at the first meeting after the Fall Semester General Election and shall terminate on the last meeting prior to Fall Semester General Election the following year. For the continuity of the Student Senate, the first legislative session for all legislative bodies since the Constitutional Convention of 2007 shall be the First (1<sup>st</sup>) for the Spring and Summer 2007 semesters. The Second (2<sup>nd</sup>) Legislative Session shall begin in the Fall 2007 semester. The Third (3<sup>rd</sup>) Legislative Session shall begin in the Fall 2008 semester. Subsequent legislative sessions shall begin immediately following each Fall Semester General Election.
- 111.100.l MacArthur Student Government – The Executive and Legislative bodies that represent the students on the MacArthur Campus of FAU.
- 111.100.m Office – Any elected or appointed position in Student Government.
- 111.100.n Program - An organization that receives its operating revenue directly from allocation within the Activity and Service Fee Budget and whose duties, composition, and responsibilities are outlined in Statute. A Program shall provide direct service to the Student Body.
- 111.100.o Recall – Removal from Office by a vote of the Student Body.
- 111.100. p Referendum – Any question put before the Student Body for a vote.
- 111.100. q Semester – The period of time from the first day of classes to the last day of classes as defined by the University as Fall, Spring or Summer. Summer terms 1, 2, and 3 are together considered one (1) Summer semester.
- 111.100. r Standing Committee - A Committee established in the Student Body Statutes to exist from one session to the next in perpetuity.
- 111.100. s Student Employee - Any student receiving remuneration from Student Government accounts, elected or appointed.
- 111.100. t Student Government Officer - Any member of the Student Government who is elected by the Student Body or who's appointment is confirmed by the Student Senate or a Campus House of Representatives.

- 111.100. u Student Representative – A member of a Campus House of Representatives.
- 111.100. v Student Senator – A member of the University-wide Student Senate.
- 111.100. w Treasure Coast Student Government – The Executive and Legislative bodies that represent the students on the Treasure Coast Campus of FAU. The Treasure Coast Campus includes: the physical campus locations in Port St. Lucie and Harbor Branch.
- 111.100. x Vacancy in Office - Vacancy in office shall occur upon the creation of an office, graduation without immediate re-matriculation, death, removal from office, resignation, or failure to maintain the minimum qualifications for student officers.

Enacted October 2007, Revised August 28, 2008 by LS 2, SGSS 08-18.