

# Kansas State University Student Governing Association 2021-2022 By-Laws

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# Kansas State University Student Governing Association By-Laws

*(Revised June 2, 2021)*

The By-Laws to the Kansas State University Student Governing Association (KSU SGA) are an extension, in detail of the laws as stated in the Constitution and certain operating rules and procedures of the KSU SGA.

The mission of the KSU SGA is to provide the student body with honest representation and committed advocacy through the assessment of university issues and proactive service for the betterment of the campus community. KSU SGA responds to student needs, enhances the student experience, and fosters student engagement.

## Article I Elections and Elections Commissioner

Section. 1. KSU SGA Elections.

- A. All KSU SGA elections shall be governed by an Election Regulations Code as established and defined by the Student Senate.

Section. 2. Elections Commissioner.

- A. The Elections Commissioner shall be an office independent of the three branches. An individual serving as Elections Commissioner may concurrently hold an office in one of the three branches.
- B. The Elections Commissioner shall be appointed by the second Thursday of September through an application and joint interview process conducted by the Speaker of the Student Senate, the Student Body President and the Attorney General with approval by the Student Senate.
- C. The Elections Commissioner shall be responsible for carrying out the KSU SGA elections, carrying out all provisions of the Elections Regulations Code, and reviewing and making recommendations to Senate Operations Standing Committee of Student Senate concerning revisions to the Elections Regulations Code.
- D. Student Senate, by resolution adopted by two-thirds vote of the total membership of Student Senate selected and qualified, may remove the Elections Commissioner for misfeasance, malfeasance, or nonfeasance (as specified in this Article) or violations of the Constitution, By-Laws, Statutes or Student Senate Rules.
- E. In the event of the resignation, removal from office, or the permanent inability of the Elections Commissioner to discharge his or her duties as the Elections Commissioner, the Speaker of the Student Senate, the Student Body President, and the Attorney General shall appoint a new Elections Commissioner within 48 hours of notice, with the approval of Student Senate.
- F. The Elections Commissioner shall neither run for an office for the next term nor actively, passively, or financially contribute to any student's KSU SGA campaign.

Section. 3. Student Tribunal.

- A. The Student Tribunal shall be responsible for carrying out all provisions of the Elections Regulations Code during the appeal process. No member on the Student Tribunal shall be a candidate for any office; or actively, passively, or financially contribute to any students seeking a KSU SGA office.

- Section 4. The Elections Committee shall educate and engage the students of Kansas State University regarding KSU SGA elections.
- A. The Elections Committee shall be composed of the following members:
    - 1. The Elections Commissioner, who shall serve as chair and vote only in the case of a tie.
    - 2. The Deputy Attorney General.
    - 3. Five students-at-large jointly appointed by the Student Body President, the Speaker of the Student Senate, the Attorney General and the Elections Commissioner, in consultation with a KSU SGA advisor, and subject to approval by majority vote of the Student Senate.
    - 4. At least one KSU SGA advisor, who shall serve on the committee as an ex officio member.
  - B. The Elections Committee shall be appointed by the third Thursday of October.
  - C. Any officer who reasonably believes that their interactions with any members of the Elections Committee could present a conflict of interest should consider recusing themselves when appointing the Elections Committee. If they recuse themselves, the successor to that office shall fill that role.
  - D. Any officer who would appoint any member of the Elections must recuse themselves if they are running for Student Body President or Student Body Vice President at the time the appointment is made. If they recuse themselves, the successor to that office shall fill that role.
  - E. The committee shall, but is not limited to, conduct the following functions:
    - 1. Host educational sessions to inform students about offices available in the KSU SGA elections.
    - 2. Serve as an advisory body to the Elections Commissioner during hearings and their determinations.
    - 3. Educate and advise candidates for KSU SGA offices on how to run a campaign, utilize multiple forms of media, and conduct themselves professionally during elections.
    - 4. Promote the Primary and General Elections with printed and online materials as well as through campus media.
    - 5. Remove campaign materials found to be in violation of elections regulations by the Elections Commissioner.
    - 6. Any other necessary functions outlined in the KSU SGA Elections Regulations.
  - F. The members of the committee shall neither run for an office for the next term nor actively campaign or financially contribute to any student's KSU SGA campaign.
  - G. In the event that a member of the Elections Committee resigns, an appointment shall be made in a similar accordance with Subsection A.
  - H. After the KSU SGA elections have ceased, the committee shall provide feedback and suggestions to the Elections Commissioner for the post-election review that will be submitted to the Senate Operations Standing Committee.

Section 5. Elections Board. In the event of a violation to the Elections Code, the Elections Committee shall conduct a hearing.

- A. Elections hearings shall be conducted by three voting members who comprise the Elections Board: the Elections Commissioner, the Deputy Attorney General, and a member of the Elections Committee as elected by the committee.
- B. The KSU SGA Legislative Branch Advisor or their designee must be present as a non-voting member.
- C. Complaints.
  - 1. Any member of the University community may file a written complaint against

a student.

2. For hearing and complaint procedures, reference Chapter 54 Section 0121 and Section 0122 of the KSU SGA Statutes.

## **Article II System of Records**

- Section. 1. To insure the consistency needed in the maintenance and operation of the KSU SGA, all branches (legislative, executive and judicial) shall be responsible for keeping a record of rules and regulations.
- Section. 2. All rules, procedures, and legislation shall be made available to members of the KSU SGA upon request.

## **Article III Executive**

- Section. 1. Meetings of the KSU SGA shall be called at the discretion of the Student Body President.
- Section. 2. Student Body Vice President. The Student Body Vice President shall assist the Student Body President in all executive duties and attend meetings and functions at the request or in the place of the Student Body President.
- Section. 3. The Student Body President's Cabinet shall consist of the following officers.:
- A. The Chief of Staff, whose duties shall include:
    1. Coordinate the activities of Cabinet.
    2. Serve as advisor to Cabinet members.
    3. Conduct communication between Cabinet members and the Student Body President and between Cabinet members and Student Senate.
    4. Chair Cabinet Meetings.
    5. Give directors' reports for Cabinet members unable to attend Student Senate meetings, as necessary.
    6. Assist the Student Body President and Vice President in appointing Cabinet members.
    7. Serve on the Faculty Senate Committee for Professional Staff Affairs.
    8. Serve on the Student-Centered Tuition Enhancement Committee.
    9. Coordinate transitions between incoming and outgoing Cabinets.
  - B. The Public Relations Director, who shall foster public relations and enhance the distribution of information for the Executive branch.
    1. Maintain the social media presence of the Executive Branch.
    2. Facilitate and coordinate all marketing and communications efforts for the Executive Branch.
    3. Oversee the flow of information between the Executive Branch, KSU SGA, the student body, and the K-State and Manhattan communities.
    4. Respond to requests for official statements or public relations materials from external sources.
  - C. The College of Technology and Aviation Student Body President (or designee) shall be

an ex officio member during the duration of the Student Body President's term of office and shall represent the interests and concerns of the College of Technology and Aviation in Salina.

- D. The International Affairs Director, who shall represent the interests and concerns of international students.
  - 1. Represent the Student Body President's Cabinet on the Diversity Programming Committee.
  - 2. Serve as the KSU SGA Liaison to the Office of International Programs.
  - 3. Attend International Coordinating Council Meetings.
  - 4. Serve on the Intercultural Leadership Council.
- E. The Multicultural Affairs Director, who shall represent the interests and concerns of multicultural students.
  - 1. Represent the Student Body President's Cabinet on the Diversity Programming Committee.
  - 2. Serve on the University President's Commission on Multicultural Affairs.
  - 3. Meet regularly with student leaders of multicultural organizations.
  - 4. Serve on the Intercultural Leadership Council.
- F. The Legislative Director, who shall represent the interests and concerns of the KSU SGA to governing bodies.
  - 1. Attend monthly Board of Regents Meetings with the Student Body President.
  - 2. Assist in coordination of State Higher Education Day.
  - 3. Assist in coordination of Big XII on the Hill Day in Washington D.C.
  - 4. Serve as an ex-officio member on the Governmental Relations Committee.
  - 5. Attend Legislative Review sessions hosted by the Office of Governmental Relations.
  - 6. Coordinate and serves as Chair of the Legislative Advocates program.
- G. The Local Relations Director, who shall represent the interests and concerns of the KSU SGA to local governments.
  - 1. Provide updates to the Student Body President and Student Senate concerning the City Commission.
  - 2. Serve on Governmental Relations Committee.
  - 3. Serve on the City University Town Gown Committee.
- H. The Sustainability Director, who shall represent the interests and concerns of students regarding sustainability.
  - 1. Chair the Green Action Fund Committee.
  - 2. Serve as KSU SGA Liaison to the K-State Director of Sustainability.
  - 3. Serve on Campus Recycling Advisory Committee.
- I. The Technology Director, who shall promote improved technology resources and represent students on matters of technology.
  - 1. Serve on Faculty Senate Committee on Technology.
  - 2. Serve as KSU SGA Liaison to the Vice Provost for Information Technology Services.
  - 3. Chair the Student Technology Committee.

4. Serve on KSIS Steering Committee.
  5. Serve on K-State Online Advisory Council.
- J. The Academic Affairs Director, who shall represent KSU SGA with regards to the academic affairs of the university as they affect students.
1. Serve as the KSU SGA representative to initiatives relating to open textbooks.
  2. Represent the interests of students in discussions related to the faculty-student relationship.
  3. Serve as the KSU SGA representative to the University Advising Committee.
- K. The Graduate Student Council-Student Governing Association (GSC-SGA) Liaison, who shall be appointed in consultation with the Graduate Student Council president and the College Caucus Leader representing the Graduate School in Student Senate. If no GSC-SGA Liaison is appointed, then a Student Senator representing the Graduate School may be appointed to the position and be allowed to serve concurrently as a Student Senator and as the GSC-SGA Liaison. The duties of the GSC-SGA Liaison shall include:
1. Representing the interests and concerns of graduate students.
  2. Attending the General and Executive meetings of the Graduate Student Council (GSC).
  3. Providing a report at each GSC meeting regarding the Student Governing Association (SGA) and university-wide initiatives that SGA is undertaking.
- L. The Athletics Liaison, who shall represent KSU SGA with regards to K-State Athletics as they affect students.
1. Shall be responsible for the review of the Student Athletics Ticket Agreement by SGA leaders as outlined in the ticket agreement.
  2. Chair the Athletics Advisory Committee consisting of at minimum: 2 student athletes, 1 faculty member and a representative from K-State Athletics.
- M. The Basic Student Needs Director, who shall represent KSU SGA with regard to serving students who are economically marginalized.
1. Partner with Cats' Cupboard in regard to the six-year Bond Surplus agreement.
  2. Attend Cats' Cupboard Advisory Board meetings.
  3. Attend Food and Farm Council of Riley County meetings.
- N. The Sexual Assault Prevention and Awareness Director, who shall represent KSU SGA in regard to the SafeBar program in Aggieville and the surrounding Manhattan community.
1. Shall be responsible for implementing and maintaining the SafeBar program through the training of SafeBar facilitators, the retraining of previously certified bars, and the training of other existing drinking establishments not certified in SafeBar.
  2. Shall be appointed by the Student Body President to serve on the President's Commission on the Status of Women which, among other duties, works to prevent sexual violence and harassment on campus.
  3. Work to spread awareness about sexual violence and harassment on campus and inform students, faculty, and staff of prevention tactics.
- O. Such other appointed officers as determined by the Student Body President.

Section 4. The Student Body President's Advisory Board shall consist of the following members:

- A. President of Graduate Student Council, or his/her designee.
- B. President of Interfraternity Council, or his designee.

- C. President of International Coordinating Council, or his/her designee.
- D. Representative of Multicultural Student Organizations selected by the Multicultural Student Organization Leadership Council.
- E. Representative of non-traditional students selected by the Non-Traditional Student office.
- F. President of Panhellenic Council, or her designee.
- G. President of Association of Residence Halls, or his/her designee.
- H. Representative of Scholarship housing selected collaboratively by the presidents of Smith Scholarship House, Smurthwaite Scholarship House, and Alpha of Clovia.
- I. College of Technology and Aviation Student Body President, or his/her designee.
- J. Representative of student athletes selected by the Department of Athletics.
- K. Representative of the Campus Sustainability office, selected by the Director of Sustainability.
- L. Such other appointed officers as determined by the Student Body President.

Section. 5. Presidential Succession.

- A. In the event of the temporary absence or inability of the Student Body President, the Student Body Vice President shall exercise the powers and duties of the Student Body President.
- B. In the event of the resignation, removal from office, or the permanent inability of the Student Body President to discharge his or her duties as the Student Body President, the Student Body Vice President shall succeed to the office of Student Body President.
- C. In the event of the resignation or removal of the Student Body President and Student Body Vice President, the Speaker of the Student Senate shall serve as Interim Student Body President for the remainder of the term if there exist less than 45 class days until the start of the next KSU SGA election; or until the election of a new Student Body President by special election as outlined in the Elections Regulation Code.
- D. In the event of the resignation or removal of the Student Body Vice President, the Student Body President will appoint a new Student Body Vice President subject to approval by Student Senate.

Section. 6. Legislative Advocates

- A. The charge of the Legislative Advocates program shall be to represent the interests of the student body of Kansas State University before the Kansas Legislature by building relationships with legislators through electronic communications and in-person appointments, contacting them regarding relevant higher education legislation, and consulting with the Kansas State University Office of Governmental Relations on the legal and political ramifications of advocating for or against pertinent legislation;
- B. The Legislative Advocates shall endeavor to make regular contact with their hometown registered legislators. Any Legislative Advocate who is not represented by a Kansas legislator will be matched with a Kansas legislator at the discretion of the Chair. In the event the committee has multiple members from the same legislative district, members will be matched with a different legislator at the discretion of the Chair;
- C. The Legislative Advocates shall endeavor to become knowledgeable on legislative and education affairs. They shall conduct research and draft policy positions so as to inform the student body at large of advocacy efforts. The Legislative Advocates will consult the student body at large about their concerns and take this information into account when creating their advocacy platforms. The platforms will be voted on by the committee and submitted to the Student Body President for approval;
- D. The Legislative Advocates shall be composed of full voting members of the student body at large, the recruitment and selection of which will fall to the Chair;

- E. The Chair shall create an application process to be distributed to the student body at large and evaluated in the fall semester. The selection of Legislative Advocates shall be fair, equitable, and nonpartisan;
- F. Upon selection of the members, the Chair will entertain nominations and hold elections for the Vice-Chair, Secretary, and Communications Director;
- G. The duties of the Chair shall be as follows;
  - 1. Call meetings of the Legislative Advocates as deemed necessary.
  - 2. Schedule guest speakers, including but not limited to, Kansas State University administrators and Kansas legislators.
  - 3. Provide adequate training to all members on topics, including but not limited to, higher education legislation, the legislative process, and best practices for effective advocacy.
  - 4. Organize trips to the Kansas Capitol to meet with legislators on relevant legislation, including but not limited to, State Higher Education Day.
  - 5. Liaise with the Office of Government Relations during the legislative session to track relevant legislation and mobilize a student response when necessary.
  - 6. Draft the agenda for all meetings.
  - 7. Execute disciplinary action for and dismissal of members when warranted.
  - 8. Maintain the social media presence of the Legislative Advocates.
  - 9. Give periodic updates on the activities of the Legislative Advocates to the KSU SGA Executive and Legislative branches.
  - 10. Liaise with the Chair of the Governmental Relations Committee on pertinent topics and events.
  - 11. Other duties as needed.
- H. The duties of the Vice-Chair shall be as follows;
  - 1. Chair the Legislative Advocates meetings in the absence of the Chair.
  - 2. Other duties as assigned by the Chair.
- I. The duties of the Secretary shall be as follows;
  - 1. Call the roll and track attendance of members at all meetings.
  - 2. Record and submit the minutes of all meetings.
  - 3. Share the minutes with all members of the Legislative Advocates.
  - 4. Other duties as assigned by the Chair.
- J. The duties of the Communications Director shall be as follows;
  - 1. Aid the Chair in maintenance of the Legislative Advocates' social media presence.
  - 2. Submit updates to the Legislative Advocates section of the KSU SGA website to the appropriate staff member in the Center for Student Involvement.
  - 3. Update the membership on electronic communications platforms.
  - 4. Other duties as assigned by the Chair.
- K. A quorum of the committee shall be half of the sitting members plus one. The Chair shall only vote in the case of a tie.

Section. 7. Green Action Fund Committee.

- A. The committee shall be composed of the following members:



1. The Green Action Fund Committee Chair shall be the Sustainability Director of the Student Body President's Cabinet, who shall vote only to break a tie.
  2. One Student Senator appointed by the Speaker of the Student Senate.
  3. Four students, appointed by the Chair of the committee in consultation with the Student Body President. At least one student must represent a registered student organization with a focus on sustainability or green initiatives.
  4. A representative from the Office of the Provost.
  5. One faculty representative appointed by the Chair of the committee.
- B. A quorum of the committee shall be four (4) members. The Chair shall call meetings of the committee.
- C. All students on the committee must be in good standing and currently enrolled with the University.

## **Article IV Legislative**

Section. 1. The Speaker of the Student Senate shall call a special meeting of Student Senate upon a written petition signed by ten percent of the members of the KSU SGA.

Section. 2. Election of Officers of Student Senate.

- A. Candidates for the office of the Speaker of the Student Senate shall be nominated by Student Senate for a term of one year at the first regular meeting of the newly elected Student Senate which shall occur during the fifth meeting of Student Senate following the general election. They shall be debated upon, elected, sworn in and shall assume the duties of Speaker of the Student Senate at the first regular meeting of the newly elected Student Senate.
- B. Candidates for the office of the Speaker pro tempore of the Student Senate shall be nominated by Student Senate for a term of one year at the second regular meeting of the newly elected Student Senate. They shall be debated upon, elected, sworn in and shall assume the duties of Speaker pro tempore of the Student Senate at the second regular meeting of the newly elected Student Senate.
- C. If the former Speaker of the Student Senate is sworn into a position in another branch or unable to attend Student Senate meetings during the first regular meeting of the newly elected Student Senate, they may appoint a temporary chair of Student Senate with the approval of the newly elected Student Senate. The temporary chair may assume the duties of the Speaker of the Student Senate until the Speaker of the Student Senate for the new term is elected and sworn in.
- D. Elections of Officers of Student Senate shall proceed according to the Student Senate Standing Rules.

Section. 3. Duties and Powers of Student Senate Officers.

- A. The Speaker of the Student Senate shall preside over all Student Senate meetings and have the duties enumerated in the KSU SGA Constitution, Article V, Section 506.
- B. The Speaker Pro Tempore of the Student Senate shall have the duties enumerated in the KSU SGA Constitution, Article V, Section 507.
- C. Duties of the office of Student Senate Parliamentarian shall include:
  1. Serve as interpreter of rules at Student Senate meetings, when requested by the Speaker of the Student Senate, using Robert's Rules of Order: Newly Revised.
  2. Coordinate work on the bound legislation with the Senate Operations Standing Committee Chair.

3. Assist the Speaker of the Student Senate in setting the agenda.
4. Record corrections to legislation during Student Senate meetings and give those corrections to the Speaker pro tempore of the Student Senate.
5. Shall not be a Student Senator.

D. Student Senate may create offices it sees fit by a majority vote of Student Senate.

Section. 4. Duties of Members of Student Senate.

A. Each Student Senator shall attend Student Senate and assigned committee meetings, represent college constituents, have knowledge of legislation, and serve with the best interests of Kansas State University students in mind.

Section. 5. Filling of Vacancies and Expulsion.

A. In the event that a vacancy occurs in the office of Student Senator, the Senate Operations Chair shall follow the following steps to select a replacement Student Senator. Student Senators selected must meet all eligibility requirements defined in the KSU SGA Constitution:

1. The vacancy shall be offered to unsuccessful candidates for the vacated seat, starting with the unsuccessful candidate who received the highest vote total and proceeding down the list. If after two business days an unsuccessful candidate does not respond to initial communication, the next candidate on the list will be contacted until there are ties or no remaining candidates.
2. Unsuccessful candidates that tied in vote totals will be contacted in bulk. If after two business days only one candidate has expressed interest, that candidate will fill the vacant seat. If more than one of these candidates is interested in the vacant seat within the period of initial contact, each will present to the Senate Operations Standing Committee, which will pick the candidate to fill the seat by a majority vote.
3. When the vacant seat cannot be filled with an unsuccessful candidate as prescribed above, the appropriate college council or its designee shall appoint the replacement. The council or designee has two weeks (14 calendar days) from the initial communication to name a replacement. The name shall be sent to the chair of the Senate Operations Standing Committee.
4. If the vacant seat cannot be filled by the above measures, the respective college caucus in Student Senate will make a recommendation to the Senate Operations Standing Committee. This replacement may include SGA Interns whose major is in the respective college. In this case, the Intern must resign from his or her position as an intern.

B. In the event that a vacancy occurs in the office of Student Senator, an Interim Student Senator who meets all eligibility requirements defined in the KSU SGA Constitution may be determined by the following means until a replacement Student Senator, described in the provisions above, is sworn into office. The Interim Student Senator will have full privileges as a Student Senator and must follow all guidelines described for the office of Student Senator while maintaining the responsibilities of SGA Intern.

1. A SGA Intern representing the respective college may be named to serve as the Interim Student Senator after recommendation of the SGA Intern Coordinators to the Senate Operations Standing Committee.
2. If a SGA Intern is not recommended by the SGA Intern Coordinators, the respective college caucus may name a student in the respective college to serve as the Interim Student Senator.
3. After a replacement Student Senator has been sworn into office by the means described in (A) above, the Interim Student Senator's privileges and responsibilities will revert back to those of SGA Intern.

- C. Any Student Senator, Student Senate Committee Chair or SGA Intern with three unexcused absences or an excessive level of absences, as provided in the Student Senate Standing Rules, may be subject to expulsion, as determined by Senate Operations Committee.
- D. Student Senators once selected but not sworn in to fill a Senate Seat have one regularly scheduled meeting of their term to be sworn in. Exceptions may be made by the Senate Operations Committee Chair.
- E. Any Student Senator, SGA Intern or Student Senate officer who drops class hours below the amount specified in the KSU SGA Constitution or whose cumulative grade point average drops below the requirement specified in the KSU SGA Constitution will automatically be considered for expulsion by Student Senate.

Section. 6. Succession.

- A. In the event of the temporary absence or inability of the Speaker of the Student Senate, the line of succession shall be:
  - 1. Speaker pro tempore of the Student Senate
  - 2. Student Senate Parliamentarian
  - 3. Senate Operations Standing Committee Chair
  - 4. Privilege Fee Standing Committee Chair
  - 5. On-Campus Allocations Standing Committee Chair
  - 6. Travel Allocations Standing Committee Chair
  - 7. Diversity, Equity and Inclusion Standing Committee Chair
  - 8. Governmental Relations Standing Committee Chair
- B. In the event of the resignation, removal from office or the permanent inability of the Speaker of the Student Senate to discharge his or her duties as Speaker of the Student Senate, the Speaker pro tempore of the Student Senate shall succeed to the office of Speaker. Student Senate shall elect a new Speaker pro tempore at the second meeting thereafter.
- C. In the event of the temporary absence or inability of the Speaker pro tempore of the Student Senate during a Student Senate meeting, a temporary Secretary may be selected by the Speaker pro tempore of the Student Senate to record minutes and take attendance.

Section. 7. Student Governing Association Statutes.

- A. The system of codified legislation shall be entitled “Kansas State University Student Governing Association Statutes” and be the official standing of all recognized KSU SGA legislation.
- B. The system shall be utilized for all legislation enacted into law with the exception of allocations bills, By-Laws amendments, and Constitutional amendments.

Section. 8. Rules of Student Senate.

- A. Student Senate may create standing rules for the conduct of its business by majority vote.
- B. These standing rules may be suspended by a two-thirds vote of the Student Senate membership.
- C. Robert’s Rules of Order: Newly Revised shall be used as the reference for Student Senate’s parliamentary procedures.

Section. 9. Appointments.

- A. Student Senate shall nominate or approve appointees to such positions as requested by the President of the University, Faculty Senate or any other governing body.

- B. The Speaker of the Student Senate, in consultation with the KSU SGA Treasurer and Speaker pro tempore, shall have the authority to appoint a Summer Treasurer. The Summer Treasurer shall have the authority to carry out functions designated by the KSU SGA Treasurer. The term of office shall last from the first day after spring finals to the first Monday before fall classes begin.

Section. 10. College Caucuses

- A. College Caucuses shall be a means for senators elected by each college to organize and communicate within the college by which they were elected and act as a unified, representative voice of the college.
- B. Each College Caucus shall be composed of the following members:
  - 1. All student senators elected by the college to serve as a representative of that college, who will serve as voting members.
  - 2. A Caucus Leader from the senators of that college, selected through a process chosen by the senators of that college, who will serve as a voting member. The selections process for the Caucus Leader could include consideration of an election, most senior senator, or highest vote recipient in the KSU SGA elections.
  - 3. Other members of KSU SGA who are not senators but are members of the College may choose to belong to the caucus as ex-officio, non-voting members.
- C. Quorum
  - 1. A quorum of a College Caucus shall be a majority of the senators selected and qualified from the college.
- D. Duties of the College Caucus shall include:
  - 1. Serving as a unified voice of its college on issues affecting its students.
  - 2. Understanding student fee proposals and promoting the student voice during the tuition and fees proposal process
  - 3. Recommending a nominee to fill the student representative role for their college on the Tuition and Fees Strategies Committee. The recommendation for said committee shall be made and submitted to the Student Body President and Speaker of the Student Senate before the end of the fall semester. Student Body President and Speaker of the Student Senate shall have discretion over whether to accept or reject the recommendation.
  - 4. Ratify the constitutional amendments on behalf of their college council if their college council has not voted on ratifying constitutional amendments within the time stated in the constitution after they have been passed by the Student Senate.
  - 5. Engaging in continual communication with the student organizations of each college as to their concerns, the inner-workings of SGA, and how SGA can further serve their respective purposes.
- E. Duties of the Caucus Leader shall include:
  - 1. Chairing meetings of the College Caucus.
  - 2. Scheduling meetings of the College Caucus within its members, as well as with Deans and leaders of the caucus' respective college.
  - 3. Acting as a conduit of information between student senate leadership, College Caucus, college council and dean's office.
  - 4. Coordinating outreach efforts and maintaining accountability among college caucus members in performing their designated duties.

Section. 11. Student Senate Standing Committees.

- A. Student Senate shall have an Executive Standing Committee that shall have the power to assign topics or problems to one of the other standing committees.
  1. Membership.
    - a. The Speaker of the Student Senate shall chair the committee.
    - b. The Speaker pro tempore of the Student Senate shall serve as the Vice Chair of the committee. The Vice Chair shall chair meetings of the Executive Standing Committee in the absence of the chair and shall be responsible for the minutes of the committee.
    - c. The voting members shall be the Student Senate Parliamentarian, the chairs of all Standing Committees defined in this section, the SGA Treasurer, the SGA Communications Director and the SGA Intern Coordinators.
    - c. The non-voting ex-officio members shall be the Student Body President, Student Body Vice President, KSU SGA Attorney General, KSU SGA Deputy Attorney General, the Student Body President's Chief of Staff, and the SGA Elections Commissioner.
  2. A quorum of the committee shall be a majority of the voting members, not including the Speaker of the Student Senate.
- B. Each standing committee shall consider legislation referred to the committee. Actions they may take include:
  1. Report the legislation to Student Senate with a recommendation that it either be passed or not passed, or without recommendation.
  2. Hold the legislation in committee until reported out by a majority of the committee. Such held legislation may be discharged and considered on the floor of Student Senate by a majority vote of the total membership of Student Senate selected and qualified.
  3. Amend the legislation by a majority vote of the committee and send it to Student Senate. If the sponsor(s) of the original legislation is in disagreement with the changes made by the committee, then their name(s) shall be removed and the committee will be the sponsor of the legislation.
- C. Each Student Senator shall serve as a member of a standing committee, except Graduate School Student Senators and Veterinary Medicine Student Senators.
  1. With the approval of the Speaker of the Student Senate, Student Senators may be excused from committee service under special circumstances.
- D. Unless otherwise provided by these By-Laws, membership of each standing committee shall be made up of Student Senators, SGA Interns, and students-at-large, all of whom shall be voting members of their respective committee. Unless otherwise provided in these By-Laws, the chair of standing committees shall be appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore of the Student Senate. Unless otherwise provided in these By-Laws, the vice chairs of standing committees shall be elected by the members of their respective standing committee, the committee chair only voting in the case of a tie, from the Student Senators and students-at-large of the committee. Vice chair selection is subject to the approval of the committee chair. Unless otherwise provided by these By-Laws, students-at-large on standing committees shall be appointed by the chair of the committee in consultation with the Speaker of the Student Senate. Unless otherwise provided in these By-Laws, proxy voting is prohibited in standing committees.
- E. Standing committee chairs who are not voting members of Student Senate shall be non-voting, ex officio members of Student Senate. Non-voting, ex officio members of Student Senate shall be subject to attendance policies provided for in the Student Senate Standing Rules.

- F. On-Campus Allocations Standing Committee shall make recommendations regarding the allocation of the Student Activity Fee and the Fine Arts Fee.
1. On-Campus Allocations Committee shall consist of a minimum of 12 voting members and the On-Campus Allocations Standing Committee Chair who shall vote only to break a tie. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the On-Campus Allocations Standing Committee Chair.
  2. Membership.
    - a. The On-Campus Allocations Standing Committee Chair appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore of the Student Senate, who shall chair the committee. The appointment shall be subject to the approval of Student Senate.
    - b. At least eight Student Senators, appointed by the Speaker of the Student Senate in consultation with On-Campus Allocations Standing Committee Chair.
    - c. Four students-at-large, appointed by the On-Campus Allocations Standing Committee Chair in consultation with the Speaker of the Student Senate.
    - d. Of the Student Senator and students-at-large, the committee shall elect a Vice-Chair of the On-Campus Allocations Standing Committee. This appointment is subject to the approval of the On-Campus Allocations Standing Committee Chair. The Vice Chair shall chair meetings of the On-Campus Allocations Standing Committee in the absence of the Chair and shall be responsible for the minutes of the committee.
  3. Jurisdiction. The On-Campus Allocations Standing Committee shall:
    - a. Allocate the Student Activity Fee to Independent and Departmental Student Organizations for on-campus events.
    - b. Allocate the Fine Arts Fee to Fine Arts Organizations.
    - c. Allocate the Student Activity Fee to College Councils for Kansas State University Open House.
- G. Travel Allocations Standing Committee shall make recommendations regarding the allocation of the Student Activity Fee and the Fine Arts Fee.
1. Travel Allocations Standing Committee shall consist of a minimum of 12 voting members and the Travel Allocations Standing Committee Chair who shall vote only to break a tie. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the Travel Allocations Standing Committee Chair.
  2. Membership.
    - a. The Travel Allocations Standing Committee Chair, appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore of the Student Senate, who shall chair the committee. The appointment shall be subject to the approval of Student Senate.
    - b. At least eight Student Senators, appointed by the Speaker of the Student Senate, in consultation with the Travel Allocations Standing Committee Chair.
    - c. Four students-at-large, appointed by the Travel Allocations Standing Committee Chair in consultation with the Speaker of the Student Senate.
    - d. Of these Student Senators and students-at-large, the committee shall elect a Vice-Chair of the Travel Allocations Standing Committee. This

appointment is subject to the approval of the Travel Allocations Standing Committee Chair. The Vice Chair shall chair the Travel Allocations Standing Committee in the absence of the Chair and shall be responsible for the minutes of the committee.

3. Jurisdiction. The Travel Allocations Standing Committee shall:
    - a. Allocate the Student Activity Fee to Independent and Departmental Student Organizations.
    - b. Allocate the Fine Arts Fee to Fine Arts Organizations.
- H. Privilege Fee Standing Committee shall be in charge of the review of line-item privilege fees and issues of long-range financial planning.
1. Privilege Fee Standing Committee shall consist of 12 voting members and the Privilege Fee Standing Committee Chair, who shall vote only to break a tie. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the Privilege Fee Standing Committee Chair.
  2. Membership.
    - a. The Privilege Fee Standing Committee Chair, appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore of the Student Senate who shall chair the committee. The appointment shall be subject to the approval of Student Senate.
    - b. Nine Student Senators, appointed by the Speaker of the Student Senate, in consultation with the Privilege Fee Standing Committee Chair.
    - c. Three students-at-large, appointed by the Chair of the committee in consultation with the Speaker of the Student Senate, who shall have voting privileges on the committee.
    - d. Of the Student Senator and students-at-large, the committee shall elect a Vice Chair of the Privilege Fee Standing Committee. This appointment is subject to the approval of the Privilege Fee Standing Committee Chair. The Vice Chair shall chair meetings of the Privilege Fee Standing Committee in the absence of the Chair and shall be responsible for the minutes of the committee.
  3. Review of Privilege Fees and Issues of Long-Range Financial Planning. Privilege Fees are line-item fees collected as part of the tuition and fees paid by students. They are established and reviewed by Student Senate based on analysis from Privilege Fee Standing Committee and are subject to the approval of the Kansas Board of Regents.
    - a. Privilege Fee Reviews. Privilege Fee Standing Committee shall conduct fee reviews and set fees for a three-year cycle. The committee may request reports from privilege fee recipients in years that their fee is not being reviewed. Any breach of the agreement/contract between the KSU SGA and the privilege fee recipient shall result in automatic review of the fee by the Privilege Fee Standing Committee. In situations not outlined in the agreement/contract, the Privilege Fee Standing Committee may review a fee at any time by a majority vote of those committee members selected and qualified. Any member of the KSU SGA may request that a fee be reviewed out of cycle at any time. Bonds may be collected for a duration of longer than three years. If during the year of a fee review, no funding bill is passed for an agency under review or if any party of a fee agreement fail to sign the agreement, then the fee shall be terminated at the end of the current fiscal year, unless other provisions have been adopted.
    - b. Long-Range Financial Planning. Any issues of long-range financial

planning relating to student fee monies, the KSU SGA budget, or serving the student body shall be considered by Privilege Fee Standing Committee.

- c. Upon completion of each fiscal year review, the Privilege Fee Standing Committee shall submit to the Kansas State University Controller's office a complete list of contracted amounts of all privilege fees for that fiscal year and all future fiscal years where available.
  - d. Privilege fee and long-range planning information shall be made public as soon as conveniently possible.
  - e. Funding Partnerships. In the case where the State of Kansas and the Kansas State University students engage in a funding partnership such as a matching grant, Privilege Fee Standing Committee shall be responsible annually for reviewing how the funds are being spent and the effectiveness of those expenses on improving student life.
- I. Senate Operations Standing Committee shall have the responsibilities of overseeing KSU SGA Elections (as prescribed in Article I), Student Senate Legislation, and initiation of impeachment or expulsion consideration.
1. Senate Operations Standing Committee shall consist of a minimum of seven voting members and the Senate Operations Standing Committee Chair, who shall vote only to break a tie. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the Senate Operations Chair.
  2. Membership.
    - a. The Senate Operations Standing Committee Chair, appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore of the Student Senate who shall chair the committee. The appointment shall be subject to the approval of Student Senate.
    - b. The Student Senate Parliamentarian, who shall have voting privileges in the committee.
    - c. At least six Student Senators, appointed by the Speaker of the Student Senate in consultation with the Senate Operations Standing Committee Chair.
    - d. Of these members, the committee shall elect a Vice Chair of the Senate Operations Standing Committee. This appointment is subject to the approval of the Senate Operations Standing Committee Chair. The Vice Chair shall chair the Senate Operations Standing Committee in the absence of the Chair and shall be responsible for the minutes of the committee.
  3. The committee shall:
    - a. Receive and evaluate the report and recommendations of the Elections Commissioner in regards to KSU SGA elections and oversee revisions to the Elections Regulations Code.
    - b. Introduce resolutions of approval of appointments for all appointments of the Student Body President, the Speaker of the Student Senate (with the exception of Standing Committee Chairs), and the Attorney General that are subject to the approval of Student Senate.
    - c. Be responsible for determination of replacements for Student Senators whenever vacancies occur. A resolution of Approval of Appointment of Student Senators shall be introduced by the Senate Operations Standing Committee.
    - d. Oversee the editing of proposed Student Senate legislation.





shall have voting privileges on the committee.

- d. Of the voting members the committee shall elect a Vice Chair of the Diversity, Equity and Inclusion Committee. This appointment is subject to the approval of the Chair. The Vice Chair shall chair meetings of the Diversity, Equity and Inclusion Committee in the absence of the Chair and shall be responsible for the minutes of the committee.
  - e. Two members of the executive branch whose position pertains to issues related to the committee shall be appointed to serve as voting members by the Student Body President and Chief of Staff in consultation with the Chair.
  - f. One member of the judicial branch shall be appointed to serve as a voting member by the Attorney General and Deputy Attorney General in consultation with the Chair.
  - g. The Speaker pro tempore, the Intern Coordinator(s) and SGA Communications Director shall serve as non-voting, ex-officio members.
3. The committee shall:
- a. Perform outreach to university-wide, non-college specific organizations.
  - b. Propose solutions to ongoing systemic issues dealing with disproportionate membership in KSU SGA.
  - c. Evaluate existing—and develop further—policies and programs designed to further increase participation from the student body in KSU SGA.
  - d. Educate Senate on existing organizations, resources and issues relating to diversity, equity and inclusion.
  - e. Execute and analyze a demographic survey of newly elected and appointed members of the Kansas State University Student Governing Association.

K. Governmental Relations Committee shall promote student views on matters of student concern, and work to inform and educate students on matters of student concern within federal, state and local governments.

1. The Governmental Relations Standing Committee shall consist of a minimum of 12 voting members and the Governmental Relations Standing Committee Chair, who shall vote only to break a tie. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the chair.
2. Membership.
  - a. The Governmental Relations Standing Committee chair, appointed by the Speaker of the Student Senate in consultation with the Speaker pro tempore, who shall chair the committee. The appointment shall be subject to the approval of the Student Senate.
  - b. At least seven Student Senators, appointed by the Speaker of the Student Senate, in consultation with the Governmental Relations Standing Committee Chair.
  - c. The Legislative Director of the Student Body President's Cabinet, who shall be a voting member of the committee.
  - d. The Local Relations Director of the Student Body President's Cabinet, who shall be a voting member of the committee.
  - e. At least three, but no more than five, students-at-large, appointed by the

Chair of the committee in consultation with the Speaker of the Student Senate, who shall have voting privileges on the committee.

- f. Of the Student Senators and students-at-large, the committee shall elect a Vice Chair of the Governmental Relations Standing Committee. This appointment is subject to the approval of the Governmental Relations Standing Committee Chair. The Vice Chair shall chair meetings of the Governmental Relations Standing Committee in the absence of the Chair and shall be responsible for the minutes of the committee.

3. The committee shall:

- a. Write and review any legislation pertaining to governmental affairs.
- b. Coordinate with shared governance groups and make recommendations on the City-University Projects Fund.
- c. Educate the student body on governmental issues that are pertinent to Kansas State University students.
- d. Coordinate “Get Out the Vote” efforts, voter registration efforts and voter education efforts.
- e. Work for the inclusion of student concerns within the University budget and advocate for those concerns when necessary.
- f. Provide input from the Legislative Branch and support governmental relations efforts of all SGA lobbying efforts.

Section 12. Other Student Senate Committees

- A. Tuition and Fees Strategies Committee shall be responsible for studying, analyzing and recommending tuition principles, tuition funding initiatives, college-specific fees, and proposals to KSU SGA and University Administration.

1. The Tuition and Fees Strategies Committee shall be composed of the following members:

- a. The Student Body President and the Speaker of the Student Senate shall serve as co-chairs and shall have full voting privileges.
- b. One student from each academic college, who shall be jointly appointed by the Student Body President and the Speaker of the Student Senate and be subject to Student Senate approval.
- c. One Salina Campus student who shall be jointly appointed by the Student Body President and the Speaker of the Student Senate and be subject to Student Senate approval.
- d. The Student Body Vice President and the Privilege Fee Standing Committee Chair, who shall be ex officio, non-voting members.
- e. The Vice President for Student Life, Chief Financial Officer, Provost, and Faculty Senate President or their designees shall be ex-officio, non-voting members.

2. A quorum of the Tuition and Fees Strategies Committee shall be six, including the co-chairs. The committee shall meet bi-annually or at the call of the co-chairs.

3. Academic fees are collected as part of the tuition and fees paid by students and are established by university administration at the recommendation of the Tuition and Fees Strategies Committee. The Tuition and Fees Strategies Committee will only make recommendations for the upcoming fiscal year. All current fees or surcharges will continue unless recommended for reconsideration by the TFSC during the three-year review cycle. Academic fees can be assessed from an academic college or unit. These fees are assessed along with student’s

tuition bill on a credit hour or student status basis.

4. Each entity wishing to propose a fee to Kansas State University students shall submit an academic fee proposal application provided by The Office of the Provost.
  - a. The proposal submittal must include the academic fee proposal application as well as a three-year projected budget outlining the intended use of the fee dollars.
  - b. Beyond the required academic fee proposal application and three-year projected budget, additional documents and information for use by the Tuition and Fees Strategies Committee are welcomed and encouraged.
5. The Tuition and Fees Strategy Committee shall conduct fee reviews and report to the University President and Provost on a three-year cycle. The committee may request reports from academic fee recipients in years that their fee is not being reviewed. Any breach of the agreement between the KSU SGA Tuition and Fees Strategy Committee and the academic fee recipient shall result in automatic review of the fee by the Tuition and Fees Strategy Committee. In order to increase a current fee, there must be a new fee proposed that will supersede the original fee if implemented. If an academic or unit desires to fund something outside the scope of the current fee, then there must be another fee presented to the Tuition and Fees Strategies Committee.
  - a. The fee review process must include a report of how the funds have been used in the previous years. Accompanying this report can be an official audit showing where the funds were spent.
  - b. The committee's review of a fee is limited to the parameters and intended funded projects that were put forward in the initial application presented to the committee.
  - c. Upon review of the fee if the committee deems the funds have not been allocated in accordance with the agreement, the committee can put the fee entity on probation for a year. In order to put an entity on probation, the committee must submit a written report to the University President and Provost to explain its reasoning.
  - d. Being placed on probation requires the fee entity to visit the Tuition and Fees Strategy Committee the following year to show how it has used the fee dollars over the past year. If the committee is not satisfied with the distribution of the funds, it can make a recommendation for fee continuation, reduction or termination.

B. Joint Committee on Officers' Compensation shall be responsible for studying, analyzing and recommending levels of compensation for student officers of the KSU SGA.

1. The Joint Committee shall be composed of the following members:
  - a. One member, who shall be chair, shall be appointed by the Vice President for Student Life and shall vote only to break a tie.
  - b. One student-at-large appointed by the Student Body President.
  - c. One student-at-large appointed by the Speaker of the Student Senate.
  - d. One student-at-large appointed by the Attorney General.
  - e. Two Student Senators who are not officers of Student Senate, both of whom shall be elected by a majority vote of Student Senate.
  - f. The KSU SGA Advisor shall be an ex officio, non-voting member.
2. A quorum of the Joint Committee shall be three members, not including the KSU SGA Advisor. The Joint Committee shall meet on call of the Chair.

3. Every third year in conjunction with the budget review of Student Governing Association, the Joint Committee shall meet, study and examine the salaries of student officers of the KSU SGA. They shall survey other student governments throughout the region and nation.
  4. The Privilege Fee Committee, by a majority vote, may authorize and direct the Joint Committee to meet during other years.
  5. On scheduled years, the Joint Committee shall make a report and recommendations to Student Senate concerning the salaries of student officers of the KSU SGA before October 15<sup>th</sup>. Such recommendations shall become final and effective, unless by November 15<sup>th</sup> Student Senate shall pass, by majority vote, a bill disapproving the entire set of salary recommendations and enumerating the reasons therefore. If such a bill is passed, the Joint Committee shall have the opportunity to revise and amend their recommendations and resubmit before December 1<sup>st</sup>. Such resubmitted recommendations shall become final and effective, unless by December 15<sup>th</sup> the Student Senate shall pass, by majority vote, a bill disapproving the entire set of salary recommendations. If a bill of disapproval is not passed before December 15<sup>th</sup>, such recommendations shall become effective for the next officers of the KSU SGA and the appropriate committees and Student Senate shall provide for such funds in their allocations bill.
  6. When authorized and directed by the Privilege Fee Committee to meet the Joint Committee shall make a report and recommendations to Student Senate concerning the salaries of student officers of the KSU SGA within six weeks. Such recommendations shall become final and effective, unless in the four weeks following submission Student Senate shall pass, by majority vote, a bill disapproving the entire set of salary recommendations and enumerating the reasons therefore. If such a bill is passed, the Joint Committee shall have the opportunity to revise and amend their recommendations and resubmit within two weeks. Such resubmitted recommendations shall become final and effective, unless within two weeks The Student Senate shall pass, shall pass by majority vote, a bill disapproving the entire set of salary recommendations. If a bill of disapproval is not passed within two weeks, such recommendations shall become effective for the next officers of the KSU SGA and the appropriate committees and Student Senate shall provide for such funds in their allocations bill.
  7. In the instance of insufficient collections of the campus privilege fee, disapproval of the campus privilege fee by the Kansas Board of Regents, or written notice of a projected SGA budget shortfall by the SGA Treasurer to the Speaker of the Student Senate, Student Body President, and the SGA Attorney General, Student Senate may, at the recommendation of the Speaker of the Student Senate, Student Body President, and the SGA Attorney General, pass a resolution specifying a shorter timeframe for the Joint Committee to meet and make their report.
- C. Diversity Programming Committee shall have the responsibility of allocating the Diversity Programming component of the Student Activity Fee.
1. Diversity Programming Committee shall be composed of the following members:
    - a. The Chair shall be the Speaker pro tempore of the Student Senate, who shall vote only to break a tie.
    - b. Four Multicultural Student Representatives appointed by the Associate Vice President of Student Life for Diversity and Multicultural Student Affairs.
    - c. Four International Student Representatives appointed by the Director of International Student and Scholars Services.

- d. One student representing religious diversity appointed by the President's Committee on Religious, Spiritual, and Nonreligious Diversity.
  - e. One student representing gender diversity appointed by the Gender, Women and Sexuality Studies Department.
  - f. One student representing sexuality diversity appointed by the Director of the LGBT Resource Center.
  - g. One student representing accessibility diversity appointed by the Director of the Student Access Center.
  - h. Two students at-large and one Student Senator appointed by the Diversity, Equity, and Inclusion Committee.
  - i. The Multicultural Affairs Director and International Affairs Director.
  - j. The Center for Student Involvement Executive Director or a designee thereof, acting as an ex officio, non-voting member.
- 2. A quorum of the committee shall be a majority of members, not including the chair. Meetings of the committee shall be called by the chair.
  - 3. All students on the committee must be in good standing and currently enrolled with the University.
- D.. The Academic Competition Team Standing Committee shall be in charge of making recommendations regarding the Academic Competition portion of the Student Activity Fee.
- 1. Membership.
    - a. The KSU SGA Treasurer, who shall serve as the chair of this committee.
    - b. One student, representing the College of Agriculture, recommended by the College of Agriculture College Caucus in consultation with the KSU SGA Treasurer.
    - c. One student, representing the College of Architecture, Planning and Design, recommended individually by the College of Architecture, Planning and Design College Caucus in consultation with the KSU SGA Treasurer.
    - d. One student, representing the College of Arts and Sciences, recommended by the College of Arts and Sciences College Caucus in consultation with the KSU SGA Treasurer.
    - e. One student, representing the College of Business Administration, recommended by the College of College of Business Administration College Caucus in consultation with the KSU SGA Treasurer.
    - f. One student, representing the College of Education, recommended by the College of Education College Caucus in consultation with the KSU SGA Treasurer.
    - g. One student, representing the College of Engineering, recommended by the College of Engineering College Caucus in consultation with the KSU SGA Treasurer.
    - h. One student, representing the College of Health and Human Sciences, recommended by the College of Health and Human Sciences College Caucus in consultation with the KSU SGA Treasurer.
    - i. Three students-at-large, no more than one of whom may be a representative of a single college, appointed by the Speaker of the Student Senate in consultation with the KSU SGA Treasurer

- j. Of these members, a minimum of three will be Student Senators.
  - k. Of these members, a Vice Chair shall be elected to serve in the absence of the KSU SGA Treasurer and take minutes for the committee. This appointment is subject to the approval of the KSU SGA Treasurer.
  - l. A quorum of the committee shall be a majority of the committee members then selected and qualified, not including the KSU SGA Treasurer.
2. Jurisdiction. The Academic Competition Team Standing Committee shall:
- a. Allocate the Student Activity Fee to Academic Competition Teams.

## **Article V Judicial**

### Section. 1. Definitions.

- A. “Administrative Hearing” means the process by which a third party is selected/assigned by the Attorney General, Dean, Judicial Branch Advisor, or designee to determine final resolution of a dispute after hearing testimony from all parties.
- B. “Amicus Brief” shall mean a maximum of two Standard Typed Page document that may be provided by any interested party to inform the Student Tribunal about a Constitution, By-Law, or legislative interpretation. The purpose of this document shall be to inform the Student Tribunal on the issues at question and to aid the Student Tribunal in interpreting the KSU SGA Constitution, By-Laws or legislation.
- C. “Appeals Process” shall mean the process of a student appealing a decision made during through the Kansas State University Judicial Process.
- D. “Appellant” shall mean any individual(s) who files an appeal to have a previous Judicial Board’s decision reconsidered by a higher judicial authority.
- E. “Brief” shall mean a maximum of 5 Standard Typed Page document submitted by the Complainant during a Student Tribunal Constitution, By-Law or legislative interpretation. The purpose of this document shall be to inform the Student Tribunal on the issues at question and to aid the Student Tribunal in interpreting the KSU SGA Constitution, By-Laws, or legislation.
- F. “Class Days” shall mean the periods during the academic year when classes are in full session, not including, weekends, finals weeks, intersession, and summer session.
- G. “Complainant” shall refer to the individual(s) who files a written allegation of Conduct Code or Housing Policy violations(s). In a case requesting the interpretation of the KSU SGA Constitution, By-Laws or legislation, the “Complainant” will be a representative from the party requesting the review.
- H. “Conduct Code” shall mean Article V, Section 3 of the KSU SGA By-Laws. University jurisdiction to adjudicate complaints and to impose sanctions under this Conduct Code shall be limited to misconduct that occurs on University Property, at University Education Program and Activities, or behavior which intentionally or recklessly interferes with the operation of the University or with University Education Program and Activities, including, but not limited to, studying, teaching, research, University administration, fire, police, or emergency services.
- I. “Conflict Resolution Mediation” means third-party intervention in a conflict for the purpose of resolving the conflict. Participation by the parties in mediation conflict resolution is voluntary, informal, confidential and must occur in a cooperative environment within the University.
- J. “Dean” shall mean the University employee responsible for the administration of the campus judicial program. This may be the Dean of Students or an employee designated

by the Dean of Student and/or University President.

- K. “Director” shall mean the Residence Life Coordinator, Assistant Community Coordinator, or designee designated to be responsible for the administration of Housing Policies.
- L. “Educational Conference” shall mean a meeting conducted by a Judicial Officer that shall check the welfare of the students involved or to address matters of concern, as well as to clarify the complaint, address procedures, and to resolve any questions the Complainant, Respondent or Judicial Officer may have.
- M. “Faculty/Staff member” means any person employed by the University to conduct classroom activities or perform administrative or professional responsibilities.
- N. “Group” means a number of persons who are associated with each other and who have not complied with University requirements for registration as an Organization pursuant to University Policy.
- O. “Housing Policy” shall mean any contractual obligations and/or other rules agreed to by a student in order to obtain housing with the Department of Housing and Dining Services.
- P. “Interpretation Hearing” shall mean a hearing by the Student Tribunal to interpret the KSU SGA Constitution, By-Laws, or legislation.
- Q. “Jardine” is a housing unit under Housing and Dining Services that falls within the jurisdiction of Housing and Dining Services.
- R. “Judicial Board” means any person or persons listed in Section 601 of the KSU SGA Constitution, or as otherwise established by KSU SGA.
- S. “Judicial Branch Advisor” means the University employee responsible for the administration of the campus judicial program. This person will be designated by the Dean of Students.
- T. “Judicial Code” shall mean the operations and procedures of the judicial program, as outlined in Article VI of the KSU SGA Constitution and Article V of the KSU SGA By-Laws.
- U. “Judicial Hearing” shall mean any hearing heard by a Kansas State University Judicial Board or any Administrative Hearing.
- V. “Judicial Officer” shall mean the Attorney General, Dean, Director, or designee who is conducting, overseeing, or advising a Judicial Process.
- W. “Judicial Process” shall mean the process in which a student goes through the judicial system. This may include Judicial Board hearings, Conflict Resolution meetings, Educational Conferences, or Administrative Hearings. This does not include parking citations appeals procedures.
- X. “May” is used in the permissive sense.
- Y. “Member of the University community” includes any person who is a student, Faculty/Staff member, or employee of the University or such person’s guest. In unclear situations, a person’s status in a particular situation shall be determined by the Dean and/or Judicial Branch Advisor.
- Z. “Organization” means a number of persons who have complied with University requirements for registration pursuant to University policy.
- AA. “Preponderance of Evidence” shall mean evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it.
- BB. “Policy” is defined as the written regulations of the University as found in, but not limited to, the Conduct Code, Housing Policy, Graduate/Undergraduate Catalogs, Faculty Handbook, and the University Campus Directory.
- CC. “Prior Violation” refers to any instance where a Respondent in a complaint hearing has been found in violation by a University judicial body, Faculty or Staff for nonacademic



conduct prior to the date of the hearing.

- DD. “Range of Sanctions” is defined as the range between a written warning and a recommendation to the University President for removal from the University.
- EE. “Relevant Evidence” is defined as any evidence that is substantive enough to affect the outcome of a judicial process, supports an alleged complaint, or establishes character patterns.
- FF. “Residence Hall” is defined as any property operated by University Housing and Dining Services.
- GG. “Respondent” shall refer to the student(s) against whom an allegation(s) of Conduct Code, and/or Housing Policy violation(s) has been made.
- HH. “Reckless” means conduct that one knows or should know would reasonably create a substantial risk of harm to a person or property, or that would be likely to result in interference with University or University Education Program and Activities.
- II. “Shall” is used in the imperative sense.
- JJ. “Standard Typed Page” shall mean a single 8.5”x11” page typed with 12 point DPI Times New Roman font, with one-inch margins, and that is double-spaced.
- KK. “Student” includes any person enrolled, or who has demonstrated an intention to enroll, in any course at Kansas State University, to pursue undergraduate, graduate, or professional studies or any person who resides in a University housing unit.
- LL. “University” means Kansas State University.
- MM. “University Education Program and Activities” means any activity, on or off campus, that is University-authorized and substantially organized and/or supervised by a University Faculty/Staff member(s) within the context of that Faculty/Staff member’s University employment.
- NN. “University Property” includes all land, buildings, facilities, and other property owned, used, or controlled by the University.
- OO. “Weapon” shall be defined by the University Weapons Policy.

Section. 2. Jurisdiction.

- A. Generally, University jurisdiction to adjudicate complaints and to impose sanctions under this Conduct Code shall be limited to misconduct that occurs on University Property, at University Education Program and Activities, or behavior which intentionally or recklessly interferes with the operation of the University or with University Education Program and Activities, including, but not limited to, studying, teaching, research, University administration, fire, police, or emergency services.
- B. Reported allegations of misconduct alleged to constitute discrimination under the “Policy Prohibiting Discrimination, Harassment, Sexual Violence, and Stalking, and Procedure for Reviewing Complaints” (“PPM 3010”)—including, for example, discriminatory harassment and sexual violence, stalking, dating violence and domestic violence—are reviewed under PPM 3010. Therefore, any such allegations of misconduct shall be referred to the Office of Institutional Equity and shall be reviewed and addressed under PPM 3010 and not under the Conduct Code unless the below applies.
  - 1. In the event any allegations made or referred to the Office of Institutional Equity under PPM 3010 are determined to not fall within the PPM 3010 Policy, those misconduct allegations may nonetheless be subject to the Conduct Code if the allegations constitute a potential violation of the Conduct Code. If such allegations exist, the review process under PPM 3010 shall proceed first until it is concluded. Once that process is concluded, the separate misconduct allegations that constitute a potential violation of the Conduct Code may proceed for review under the Conduct Code, provided the Complainant has filed or files a complaint under the Conduct Code within the applicable time limits.

Any relevant factual findings from the PPM 3010 review process may be used in the subsequent review process under the Conduct Code. During the PPM 3010 review process, all time periods to file complaints or other deadlines under the Conduct Code shall pause unless they have already expired; and, any time remaining to file complaints or other deadlines under the Conduct Code shall continue to run immediately upon completion of the PPM 3010 review process.

- C. Reported allegations of misconduct alleged to violate the Threat Management Policy (“PPM 3015”) are reviewed under PPM 3015. Therefore, any such allegations of misconduct shall be referred through PPM 3015 and shall be reviewed and addressed under PPM 3015 and not under the Conduct Code unless the below applies.
  - 1. In the event any allegations made or referred under PPM 3015 are determined to not fall within the PPM 3015 Policy, those misconduct allegations may nonetheless be subject to the Conduct Code if the allegations constitute a potential violation of the Conduct Code. If such allegations exist, the review process under PPM 3015 shall proceed first until it is concluded. Once that process is concluded, the separate misconduct allegations that constitute a potential violation of the Conduct Code may proceed for review under the Conduct Code, provided the Complainant has filed or files a complaint under the Conduct Code within the applicable time limits. Any relevant factual findings from the PPM 3015 review process may be used in the subsequent review process under the Conduct Code. During the PPM 30105 review process, all time periods to file complaints or other deadlines under the Conduct Code shall pause unless they have already expired; and, any time remaining to file complaints or other deadlines under the Conduct Code shall continue to run immediately upon completion of the PPM 3015 review process
- D. Conduct that violates this Conduct Code may also constitute a breach of a University resident’s housing contract. Decisions made through a housing contract hearings and related proceedings may be made separately from, and in addition to, decisions under this Conduct Code. In some occasions at the discretion of University administrators, Conduct Code and Housing Policy hearings may be combined. In those instances, decisions related to the two processes may be issued separately or jointly.
- E. Reported allegations of misconduct alleged to violate the K-State Honor Pledge shall be reviewed and addressed under the Honor and Integrity System, and not under the Conduct Code.
- F. Reported allegations of misconduct regarding employee or student employee behavior, in the context of their employment, shall be reviewed and addressed through University employment policies and procedures, and not under the Code.
- G. Reported allegations of misconduct by students enrolled in classes primarily at K-State Polytechnic’s campus shall be subject to the provisions of the K-State Polytechnic Student Code of Conduct.
- H. Reported allegations of misconduct by students enrolled in classes primarily at K-State Olathe campus shall be subject to the provisions of this Code.

Section. 3. Conduct Code-Rules and Regulations.

Neither this nor any other University Policy is violated by actions that amount to expression protected by the state or federal constitutions or by related principles of academic freedom.

- A. The following described conduct is prohibited by this Code and subject to sanctions by the University:
  - 1. Acts of dishonesty, including but not limited to the following:
    - a. Providing and/or supplying false information to any University official, Faculty/Staff member, or office.
    - b. Forgery, alteration, or misuse of any University document, record, or

instrument of identification.

- c. Tampering with the election of any Organization or student governing body.
2. Conduct that substantially disrupts or interferes with teaching, research, administration, disciplinary proceedings, or other University Education Programs and Activities.
3. Conduct directed towards another person(s) that is intended to and does substantially disrupt or interfere with another's educational or employment opportunity, peaceful enjoyment of residence, or physical security.
4. Attempted or actual theft of property.
5. Intentional damage to property or vandalism.
6. Hazing, which is defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a Group or Organization. Consent by the person hazed shall be no defense to the hazing.
7. Telephone or Internet harassment, which shall include: (KSA 21-6206)
  - a. Making calls containing or making or transmitting any comment, request, suggestion, proposal, image or text which is lewd or obscene remarks.
  - b. Making or transmitting calls, whether or not conversation ensues, or any comment, request, suggestion, proposal, image or text with intent to substantially interfere with another person's educational or employment opportunity, peaceful enjoyment of residence, or physical security. Transmission of comments, requests, suggestions, proposal, images, or texts may include any transmission utilizing electronic means, including but not limited to sending text, picture, video, or audio messages over social media websites, social media applications, instant messenger or chat services, message boards or any other electronic format.
8. Failure to comply with directions of University Faculty, Staff, or law enforcement officers acting in performance of their duties or failure to identify oneself to these persons when requested to do so.
9. Unauthorized possession, duplication or use of keys, or other devices that provide access to any University Property or services.
10. Unauthorized presence in or use of University premises, facilities, or property.
11. Use, possession or distribution of alcoholic beverages in an unlawful manner or otherwise in violation of a University Policy.
12. Use, possession, distribution of a controlled substance in an unlawful manner or otherwise in violation of a University Policy.
13. Possession or use of firearms, explosives, weapons, or dangerous chemicals on University premises or at a University Education Program and Activities or any other violation in violation of the University's Weapons Policy.
14. Intentionally initiating or causing to be initiated, any false report, warning or threat of fire, explosion or other emergency.
15. Participation in a campus demonstration which unreasonably disrupts the normal operations of the University included but not limited to the following examples:
  - a. infringing on the rights of others;
  - b. inciting others to disrupt scheduled and/or normal activities

- c. intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular;
  - d. inciting another person to breach the peace.
16. Intentionally engaging in conduct that prevents another person from exercising freedom of expression protected by law.
  17. Conduct that is disorderly, lewd, or obscene breach of peace; or inciting another person to breach the peace.
  18. Any violation of “KSU Information Technology Usage Policies.”
  19. Abuse of the SGA Judicial Program, including but not limited to:
    - a. Falsification, distortion, or misrepresentation of information.
    - b. Disruption or interference with the orderly conduct of a judicial proceeding.
    - c. Knowingly initiating a complaint without cause.
    - d. Attempting to discourage an individual’s proper participation in, or use of, the judicial system.
    - e. Attempting to influence the impartiality of a member of a Judicial Board prior to, or during the course of, the judicial proceeding.
    - f. Verbal, written, phone, or physical harassment, and/or intimidation of a member of a Judicial Board.
    - g. Influencing or attempting to influence another person to commit an abuse of the judicial program.
  20. Failure to comply with the sanction(s) imposed under this Code.
  21. Any illegal or unauthorized taking, selling, or distribution of class notes or similar digital materials such as class recordings, class transcripts, or electronic presentations.
  22. Violation of University policies, rules, or regulations.
  23. Violation of federal, state or local law that causes a substantial disruption to University operations.

Section 4. Violation of Law and University Discipline. If a violation of a law, which also would be a violation of the Conduct Code is alleged, proceedings under the Judicial Code may go forward against an offender who is subject to criminal prosecution.

Section 5. Attorney General Appointments

- A. The KSU SGA Attorney General shall be appointed by the Attorney General recommendation committee. The appointment shall be subject to the approval of the Student Senate at the first meeting of spring semester. After approval, the Attorney General appointee shall start training and shall take office in accordance with the KSU SGA Constitution.
  1. The Attorney General recommendation committee shall be composed of the current KSU SGA Attorney General, who shall serve as a non-voting chair, the SGA Judicial Branch Advisor, who shall serve as a non-voting member, and nine experienced and qualified student voting-members selected as follows. A quorum of the committee shall be seven voting members, not including the chair
    - a. Three members of the Judicial Branch appointed by the chair of the Attorney General recommendation committee in consultation with the Dean or designee.
    - b. Three student senators appointed by the Speaker of the Student Senate.

- c. Three members of the executive branch appointed by the Student Body President.
2. No one is eligible to serve on the Attorney General recommendation committee if they have applied for the position of Attorney General appointee in that selection year.
3. In the instance that the current KSU SGA Attorney General has applied for reappointment, then they shall be succeeded as chair of the Attorney General recommendation committee in the following order, if eligible:
  - a. KSU SGA Deputy Attorney General
  - b. Chancellor for student tribunal
  - c. Chair of the student review board
  - d. Dean or designee
4. The chair of the Attorney General recommendation committee shall submit legislation to the Student Senate for approval of the Attorney General candidate no later than the last Student Senate meeting of the fall semester.

Section 6. Duties of Judicial Boards and Advisors

A. Duties of Student Tribunal.

1. Interpret the KSU SGA Constitution, By-Laws and legislation, upon written request by the Student Body President, Speaker of the Student Senate or by presentation of a petition signed by a number of members of the student body that shall be equal to, or greater than, five percent of the total votes cast in the most recent KSU SGA general election for the KSU SGA President and Vice President. This number shall be rounded up to the nearest whole number, if necessary.
2. Try all bills of impeachment passed by Student Senate.
3. Hear appeals of decisions from Ad Hoc Boards, KSU SGA Elections Review Committee, KSU SGA Elections Commissioner, and Student Review Board, with the authority to modify or overturn the decisions of such persons or bodies.
4. Hear in the first instance disciplinary cases involving special circumstances. These cases shall be assigned by the Attorney General or designee upon consultation with the Dean or designee.
5. Hear appeals from any committee created according to the legislative powers granted in Article V of the KSU SGA Constitution when legislation specifies such an appeal.
6. Consider appeals of parking privilege revocations issued by Kansas State University Parking Services.
7. Hear a student Organization's appeal of a decision by the Center for Student Involvement regarding their compliance with the requirements for registration set out in University Policy, and in accordance with the procedure set forth therein.

B. Duties of Student Review Board.

1. Hear cases involving alleged violations of the Conduct Code occurring on campus or at University Education Programs and Activities.
2. Hear noncompliance complaints arising under Conduct Code at the request of the originating Judicial Board or Judicial Officer.

C. Duties of Parking Citation Appeals Board.

1. Consider all appeals of Kansas State University Parking Services parking citations.

- D. Duties of Judicial Advisor.
  - 1. The Dean or designee shall serve as the Judicial Advisor.
  - 2. The Judicial Advisor shall advise the Attorney General, Student Tribunal, Student Review Board and Ad Hoc Boards in the disposition of complaints and conduct of hearings.
  - 3. The Judicial Advisor shall maintain records of Student Tribunal, Ad Hoc Boards and Student Review Board hearings.
  - 4. The Judicial Advisor shall direct KSU SGA in the review and revision of the Judicial Code in five-year cycles.
  - 5. The Judicial Advisor shall advise the Attorney General in the development and delivery of judicial training, programs, handbooks and related materials.
  - 6. The Judicial Advisor shall serve as a designee of the Dean when necessary.
- E. Duties of the Director of Parking Services
  - 1. The Director of Parking Services or designee shall serve as the advisor to Parking Citation Appeals Board in the disposition of complaints and conduct of hearings.

Section. 7. Resolution of Complaints.

- A. Once a complaint is received, the below options may be available to the student(s) involved: Conflict Resolution, Administrative Hearing, or Judicial Board Hearing. The complaint will be reviewed by the appropriate Judicial Officer for determination of next steps. The Judicial Officer will make contact with the student with the selected process, but the student has the opportunity to request an adjustment to the chosen process with the approval of the Judicial Officer.
- B. A complaint may be dropped at any time by the Complainant. If the Complainant wishes to drop the complaint they must notify the Attorney General or Director in writing.
- C. Conflict Resolution.
  - 1. A student may request a meeting with the Dean, Director or designee to address any alleged violation of the Conduct Code. If deemed appropriate, the Attorney General, Dean, Director or designee may recommend conflict resolution in lieu of an administrative hearing and/or a Judicial Board hearing. Both parties must agree to the alternative resolution of a complaint.
  - 2. Conflict Resolution will typically involve the following process:
    - a. A facilitator explains the Conflict Resolution process to the parties and selects the most appropriate method.
    - b. The process will begin by the signing of a Conflict Resolution Agreement. The Agreement will include:
      - i. Ground rules established.
      - ii. Statement of the issue(s).
      - iii. Definition of the issue(s).
      - iv. Signature of both parties.
    - c. Each party informs the facilitator of relevant facts in support of the party's complaint or defense. The facilitator may ask questions of each party.
    - d. The facilitator invites the parties to discuss the facts.
    - e. The facilitator identifies common points of interest and assists the parties in reaching a resolution of the dispute.

- f. If a resolution is achieved by agreement of the parties, the facilitator may cause the resolution to be written and signed by the parties.
  3. If the parties cannot agree to a resolution through mediation, the complaint must be referred to the Attorney General for disposition.
- C. Administrative Hearing.
  1. An Administrative Hearing may be granted at the request of the Respondent. The Dean, Director, or designee, as well as the Respondent, must agree to an Administrative Hearing. If an agreement is not met, the complaint must be referred to the Attorney General or Judicial Process for disposition.
  2. A Complainant or Respondent may request a meeting with the Dean, Director, or designee to address any alleged violation of the Conduct Code.
  3. The process will begin by signing an Administrative Hearing Agreement. The agreement will include:
    - a. Statement giving up the right of a hearing through the KSU SGA judicial program.
    - b. Copy of written complaint.
    - c. Name of witnesses or other parties who are present.
    - d. Copies of additional evidence provided.
    - e. Signature of the Respondent and the Dean, Director, or designee.
  4. After being fairly and fully informed of the facts from the parties, the Dean, Director, or designee shall issue finding of fact and impose sanctions, if any.
  5. The decision will be reached by the Dean, Director, or designee, documented and copied for each party. The decision shall include:
    - a. Resolution made.
    - b. Disposition of alleged allegation(s).
    - c. Right to appeal.
  6. Both parties shall be notified within three Class Days from the time a decision is made by electronic delivery.
  7. Any decision reached through an Administrative Hearing with the Dean's designee may be appealed to the Dean. For cases within Housing and Dining Services, appeals shall be directed towards the Director of Housing and Dining or designee. An Administrative Hearing Appeal Request Form shall be completed via the online submission process and filed with the Dean by 5:00 PM, within three Class Days following written notification of the decision to the primary hearing's Respondent and Complainant. A maximum of three additional Class Days may be granted at the discretion of the Dean or Director of Housing and Dining Services or designee if warranted by unusual circumstances. A decision made by the Dean or Director of Housing and Dining Services or designee may not be appealed.
  8. An appeal may be granted if:
    - a. Evidence is provided of procedural irregularities that might have impacted the investigation or adjudication procedure.
    - b. New Relevant Evidence is provided.
  9. The Administrative Hearing Appeal Request Form shall include the following information:
    - a. The name of the person making the appeal.
    - b. The administrator whose decision is being appealed.

- c. The date on which the decision of that administrator was given.
    - d. The grounds on which the case is being appealed, supported by specific facts.
  - 10. The decision shall be delivered via electronic delivery and by mailing a copy to the Appellant's last known address and the administrator whose decision is being appealed in writing within three Class Days of the appeal, review or hearing's close. The notice shall include the decision, the reasons for the decision, and the action to be taken.
  - 11. In appeals brought by students found in violation of the Conduct Code, or Residence Hall or Jardine Policy review of the sanction by an Administrative Hearing may not result in more severe sanction(s) for the accused student.
  - 12. The Director of Housing and Dining, or designee's decision is the University's final decision.
- D. Judicial Board Hearing.
- 1. Educational Conferences.
    - a. Educational Conferences may be held before and/or after a written complaint has been filed.
    - b. It may be determined at the Educational Conference that a conflict of interest exists, in which case the complaint may be referred to an alternative Judicial Process for adjudication.
    - c. During an Educational Conference, the Judicial Officer may give the Respondent the option to resolve the complaint through an Administrative Hearing or conflict resolution at the request of the Respondent.
  - 2. Complaints.
    - a. Any member of the University community may file a written complaint against a student.
      - i. For adjudication under this Code, a Judicial Complaint Form must be submitted through the established process.
    - b. Complaints must be submitted no later than twenty Class Days after the alleged misconduct occurs or is discovered.
    - c. The complaint shall be completed on a Judicial Complaint Form and must include the following information:
      - i. The Complainant's name, address and telephone number.
      - ii. The name of the person who allegedly committed the violation.
      - iii. The facts of the alleged violation, including the time, date, location and description of specific conduct.
      - iv. The provision of the Conduct Code or Housing Policy alleged to be violated.
      - v. The Complainant's acknowledgement of the complaint being filed.
      - vi. A copy of any additional relevant and pertinent information related to the complaint may be attached.
    - d. Receipt of the complaint must be acknowledged via email or in writing by a Judicial Officer.
  - 3. Notice of Hearing.



- a. Upon receipt of a complaint the Attorney General, or in cases involving Residence Hall/Jardine complaints the appropriate Community Coordinator or designee, shall assign the complaint to an appropriate Judicial Board for hearing and set a date for the hearing.
- b. Within ten Class Days, a Judicial Officer shall schedule a date, time and location for the hearing. Hearings will be scheduled such that complaints can be heard in the most expedient manner possible. Complaint should be given three Class Days' notice of hearing. The reasonableness of this time frame shall be determined by the Attorney General, in consultation with the Dean or designee.
- c. A Judicial Officer shall notify the Complainant and Respondent in writing that a complaint has been received and that a hearing has been scheduled. This written Notice of Primary Hearing shall include the following information:
  - i. A copy of the complaint and any additional relevant information.
  - ii. The time, date and location of the hearing.
  - iii. The right of the Respondent to present information in response to the complaint, and any personal circumstances that may affect possible sanctions.
  - iv. A copy of this Judicial Code, or in Housing and Dining Services Judicial Board cases, the Housing Policy alleged to be violated.
- d. In a case with more than one Respondent, any Respondent may request a separate hearing.
- e. All notices will be delivered via electronic methods with verification of receipt.
- f. Following receipt of such notice, either the Complainant or Respondent may make a written request for postponement of the hearing for good cause shown. The Attorney General or designee, or a Housing and Dining Judicial Officer may grant or deny a request that the hearing be postponed.

Section. 8. Hearing Procedures.

A. Conduct of Primary Hearing.

1. Attendance at the hearing shall be:
  - a. For Student Review Board, Student Tribunal, and ad hoc boards, restricted to the Judicial Board, Judicial Advisor, the Respondent, Complainant, Appellant, witnesses, other members as approved by a judicial advisor, and an advisor who may be an attorney but does not have speaking privileges.
  - b. Any Respondent or Complainant who plans to have an attorney serve as their advisor, must notify the Chair of the hearing board no later than 24 hours prior to the hearing so that all parties, including the University, may also have counsel present. Failure to notify the hearing board within the appropriate time frame may result in having the individual find an alternative advisor that is not an attorney and/or may serve as cause for immediate postponement of the hearing at the discretion of the Chair or Attorney General.
  - c. Student Review Board, Student Tribunal, and ad hoc boards hearing a complaint shall be attended by at least two-thirds of its membership. If a sufficient number of members are not present, their hearing will be

postponed for a time not to exceed 10 Class Days. The Attorney General may assemble an Ad Hoc Judicial Board if a quorum cannot be achieved.

2. All information regarding the case shall be kept confidential, subject to applicable law and University policies. The evidentiary phase of the hearing shall be closed unless the Respondent specifically requests that the hearing be open and signs a waiver of Respondent's rights under the Family Educational Rights and Privacy Act. If necessary to preserve the confidentiality of the students involved, the Chair may deny the Respondent's request for an open hearing.
3. The Complainant shall have the burden of proving the allegations by a preponderance of the evidence.
4. All procedural questions are subject to the final decision of the Chair of the Judicial Board.
5. The Complainant, the Respondent, and the Judicial Board, in that order, may present witnesses, subject to the right of cross examination by the Judicial Board, Complainant and Respondent.
6. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a Judicial Board at the discretion of the Chair.
7. No person shall be compelled to provide testimony which may be prejudicial to themselves.
8. Written or oral statements of persons not present at the hearing shall not be admissible, except under extraordinary circumstances when the reliability of the statements can be demonstrated and as permitted by the Dean or designee.
  - a. To determine admissibility of such written or oral statements, the Chair may question the party offering the evidence before admitting or excluding it.
  - b. If the circumstances are not extraordinary and the evidence is excluded, the Chair shall state that the evidence is not to be considered because the person(s) making the statement is not present for questioning and the reliability of the evidence is questionable.
9. No student may be found to have violated the Conduct Code or Residence Housing Policy solely because the student failed to appear before a Judicial Board. In all cases, the evidence in support of the charges shall be presented and considered.
10. Conflict of interest shall preclude any person from sitting in judgment upon the Respondent. The Chair shall ask if any person sitting in judgment has any prior information on the allegations that would cause bias. Conflicts include, but are not limited to, sitting in judgment:
  - a. After investigating the case against the Respondent.
  - b. When serving as a witness.
  - c. When acting as a Complainant. In such cases, the Chair may refer the case to another Judicial Board.
11. There shall be a recording of all hearings. The record shall be the property of the University.
12. The following order of procedure shall be used at the hearing:
  - a. The Chair shall state the allegations against the Respondent.
  - b. The Respondent shall admit or deny the allegations.
  - c. If the Respondent denies the allegations, the following order of

procedures shall be used:

- i. The Complainant shall present only Relevant Evidence and may call witnesses.
  - ii. The Respondent and members of the Judicial Board, in that order, may examine all physical evidence presented and may question the Complainant and all witnesses.
  - iii. The Respondent may present evidence and call witnesses; however, the Respondent shall not be compelled to provide testimony which may be prejudicial to themselves, and failure to testify shall not be evidence of guilt.
  - iv. The Complainant and members of the Judicial Board, in that order, may question the Respondent's witnesses and may question the Respondent.
  - v. Members of the Judicial Board may again question the Complainant, Respondent and witnesses to clarify discrepancies.
  - vi. The Complainant and Respondent, in that order, may make concluding statements.
  - vii. The Chair shall state the procedure for notice of the decision and the procedure for appeal pursuant to Section 9.
  - viii. The Judicial Board shall meet in closed session in order to deliberate on the proof of the allegations. The decision shall be based solely on the evidence presented at the hearing.
  - ix. Following discussion, the Judicial Board shall resume open session in order to determine, by majority vote, whether the Complainant has shown by a preponderance of the evidence, that the Respondent violated each identified section of the Conduct Code or Housing Policy. The Chair shall vote only in the event of a tie.
- d. If the allegations are supported by a Preponderance of Evidence, or if the Respondent admits to the alleged violations, the Judicial Board shall:
- i. Inform the Respondent of the Range of Sanctions and allow the Respondent to present evidence of:
    - (a) Any personal circumstances tending to explain and justify their actions.
    - (b) Any personal circumstances relevant to the Range of Sanctions, such as the effect that various sanctions might have upon the Respondent; and
  - ii. After hearing such evidence
    - (a) Consult with the Judicial Advisor, who shall provide information of prior violations of the Conduct Code or Housing Policy by the student.
    - (b) Determine the sanction against the Respondent.
13. Violations of Housing and Dining Services contract terms may also be adjudicated by the Director. Housing and Dining contractual hearings are subject to their processes and procedures.

Section. 9. Sanctions

- A. In each case in which a Judicial Process determines a student has violated the Code of

Conduct, the sanction(s) shall be determined and imposed by the appropriate Hearing Officer. The sanction(s) shall not be based upon evidence of prior violations, but based on the determined violation(s) only, except where the prior violation(s) established a pattern of related acts.

- B. Any single or combination of the following sanctions may be imposed upon any student found to have violated the Conduct Code or other policy:
1. Warning: notice in writing to the student identifying the violation of University policy.
  2. Probation: written reprimand for violation of specified policies. Probation is for a specified period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating University policy during the probationary period.
  3. Loss of Privileges: denial of specified privileges for a designated period of time, including the non-release of academic records.
  4. Restitution: compensation for loss, damage or injury. This may take the form of appropriate services and/or monetary or material replacement.
  5. Discretionary Sanctions: work assignments or other related discretionary assignments.
  6. The Dean or designee may impose a University or Residence Hall/Jardine suspension prior to the hearing before a judicial body.
    - a. Interim suspension may be imposed:
      - i. To ensure the safety and well-being of members of the University community or preservation of University Property.
      - ii. To ensure the Respondent's own physical or emotional safety and well-being.
      - iii. If the Respondent poses a definite threat of disruption of or interference with the normal operations of the University.
    - b. During the interim suspension, the Respondent may be denied access to the Residence Halls or to the campus, including classes, or all other University activities or privileges for which the student might otherwise be eligible, as the Dean may determine to be appropriate.
  7. University Suspension: recommendation to the Dean of separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  8. University Expulsion: recommendation to the Dean of permanent separation of the student from the University.
  9. A recommendation for university suspension or expulsion shall not be forwarded to the Dean until after the later of the following events has occurred: (1) the deadline to file an appeal to the Student Tribunal has passed with no appeal filed; or (2) an appeal to the Student Tribunal has concluded and the Tribunal recommends that the Dean impose a sanction of suspension or expulsion, and an appeal to the Dean has been timely made or the deadline to appeal to the President has passed.
- C. Notice of Decision.
1. The hearing board shall notify both the Respondent and the Complainant in writing within three Class Days after the decision, stating the decision, the rationale for the decision, any sanctions imposed, and the rules and procedures for exercising the right to appeal.
  2. The decision will be served in person or by process in which receipt is certified.

D. Enforcement

1. The responsibility of enforcement of Judicial Board decisions shall rest with such boards and the Dean or designee.
2. Completion date for sanctions shall be given at time of sanctioning.
3. The Respondent must complete sanctions with proof of the following (as appropriate) to be delivered to the designated sanction officer which issued the sanction:
  - a. Copies of completed work.
  - b. Signed statement from supervisor/department in which assignment is completed.
  - c. Proof of completed grade for class.
  - d. Letters to the Attorney General to be forwarded to the appropriate party.
4. Failure to comply will result with a complaint being filed against the Respondent, pursuant to Code.
5. Students who graduate or leave the University and fail to comply shall:
  - a. Be notified in writing that a hold will be placed on academic records until sanctions are completed.
  - b. The Dean or designee, in consultation with the Attorney General, may approve new or comparable sanctions should existing ones not be feasible while classes are not in session or the student is not enrolled.
6. University suspension and expulsion shall be made part of the student's permanent academic record. All other sanctions shall become a part of the student's confidential record.

Section. 10. Appeals.

- A. Any decision reached through a primary Judicial Board hearing may be appealed by the Complainant or Respondent to Student Tribunal. An Appeal Request Form shall be completed and filed via the online submission process with the Chancellor of the Student Tribunal by 5:00 PM, within three Class Days following written notification of the decision to the primary hearing's Respondent and Complainant. A maximum of three additional Class Days may be granted at the discretion of the Chancellor if warranted by unusual circumstances.
- B. An appeal shall be limited to review of the verbatim record of the previous hearing and supporting documents for one or more of the following purposes:
  1. The hearing board failed to provide a fundamentally fair process, including
    - a. Defective notice.
    - b. Failure to follow written procedures and rules as outlined in this Code.
    - c. Lack of substantial evidence to support a finding of violation, substantial evidence being such evidence that a reasonable mind might accept as adequate to support a conclusion, and/or
  2. The hearing board reached a decision in an unjust manner, including but not limited to the presence of
    - a. Bias.
    - b. Improper, arbitrary or capricious action.
  3. The hearing board denied the student's KSU SGA constitutional rights.
  4. The sanction is not commensurate with the violation found.

5. The hearing board lacked jurisdiction.
- C. Evidence not presented in the original hearing may not be considered on appeal unless such evidence was not known nor could be discovered by the person requesting such evidence to be considered on appeal. The Chancellor shall have the discretion to decline to accept evidence that was not presented at a prior proceeding. If new evidence is accepted, both parties shall be notified of such evidence and have the opportunity to respond to it.
  - D. The Appeal Request Form shall include the following information:
    1. The name of the person making the appeal.
    2. The body whose decision is being appealed.
    3. The date on which the decision of that body was given.
    4. The grounds on which the case is being appealed, supported by specific facts.
  - E. The Chancellor shall forward a copy of the Appeal Request Form to the Appellant, Respondent, and the Chair of the prior hearing board within five Class Days of receipt. The Chancellor shall also inform the Appellant, Respondent, and primary hearing Chief Justice, of the right to respond in writing within five Class Days of receipt of the Appeal Request Form, unless an extension is granted by the Chancellor.
  - F. Within ten Class Days of receipt of the complaint, the Chancellor of the Student Tribunal shall schedule a date, time and location for the appeal before Student Tribunal, or the appropriate appellate board. Appeals will be scheduled such that they can be heard in the most expedient manner possible. The reasonableness of this time frame shall be determined by the Chancellor, in consultation with the Dean or designee.
  - G. Because the appeal hearing shall be based on the primary hearing record, the Chancellor may determine that it is not necessary for the Appellant, Respondent and witnesses to be present. The Chancellor may request the presence of Appellant, Respondent, and any witnesses if deemed necessary.
  - H. The record for the appeal shall include:
    1. The recording of the primary hearing board's hearing.
    2. The Judicial Complaint Form, Notice of Primary Hearing, Notice of Decision, and any other documents or physical evidence relating to the case, that were properly presented at the primary hearing or on appeal.
    3. The Appeal Request Form.
    4. Any written responses to the Appeal Request Form submitted by the Respondent.
    5. Any written explanation or response submitted by the primary hearing board.
    6. Records of prior violations of Conduct Code or Housing Policy for the primary hearing's Respondent.
  - I. The appeal shall be attended by at least two-thirds of the members of appellate board. If a quorum is not present, the hearing shall be postponed for a time not to exceed 10 Class Days. Additional days may be granted at the discretion of the Chancellor.
  - J. There shall be a recording of all appeal hearings. The record shall be the property of the University.
  - K. No person shall be compelled to provide testimony which may be prejudicial to themselves, and failure to testify shall not be evidence that the allegations are true.
  - L. The appeal shall be restricted to the appellate board, the Attorney General, and the Judicial Advisor, unless otherwise determined. All information regarding the case shall be kept confidential, subject to applicable law and University policies. In the case of a full hearing with Appellant, Respondent, and any witnesses present, the evidentiary phase of the hearing may be closed unless the Respondent requests that the hearing be open.

- M. The following order of procedure shall be used at the appeal:
1. The Chair shall distribute copies of the written record to members of the board, who shall read, study and discuss such documents.
  2. The Chair shall read the grounds for appeal.
  3. Members of the board may listen to the recording of the primary hearing.
  4. The board shall decide whether additional testimony is necessary and if so, the Chancellor shall continue the appeal on a date no more than ten Class Days and no less than two Class Days. The Chancellor shall notify the Appellant and Respondent of the time, location, and future date of the appeal hearing, the issues to be addressed and the following rights:
    - a. If either party is to be present at the appeal or if either party is permitted to call witnesses, the other party shall have the same rights.
    - b. The parties shall have the right to have an advisor present who may be an attorney but shall not have speaking privileges. Any Appellant or Respondent who plan to have an attorney serve as their advisor, must notify the Chancellor of the hearing board no later than 24 hours prior to the hearing so that all parties, including the University, may also have counsel present. Failure to notify the hearing board within the appropriate time frame may result in having the individual find an alternate advisor that is not an attorney and/or may serve as cause for immediate postponement of hearing at the discretion of the Chancellor.
- N. The following order of procedure shall be used when the appeal resumes:
1. The Chancellor shall state the issues to be resolved at the appeal.
  2. The Appellant shall present only Relevant Evidence and may call witnesses; however, the Appellant may not be compelled to provide testimony which may be prejudicial to themselves and failure to testify shall not be evidence of guilt.
  3. The Respondent and appellate board, in that order, may examine all physical evidence presented and may cross examine the Appellant and all witnesses.
  4. The Respondent shall present only Relevant Evidence and may call witnesses; however, the Respondent may not be compelled to provide testimony which may be prejudicial to themselves and failure to testify shall not be evidence of guilt.
  5. The Appellant and appellate board, in that order, may examine all physical evidence presented and may question Respondent and all witnesses.
  6. The appellate board may again question the Appellant, the Respondent, the Complainant and any witnesses.
  7. The Appellant and the Respondent, in that order, may make concluding statements.
  8. The Chancellor shall state the procedure for notice of the decision and the procedure or appeal of the decision.
- O. The appellate board shall meet with the Judicial Advisor in closed session to deliberate on the available evidence and information. The decision shall be made when open session resumes and be based solely on the record including additional evidence properly presented at the appeal hearing.
1. If the Judicial Board finds that the prior board's decisions are not supported by substantial evidence or that Appellant or Respondent had been substantially disadvantaged by procedural error, the appellate board shall change or modify the decision of the lower body or refer the case to a lower body for rehearing upon specific instructions.
  2. If the appellate board shall uphold the decision of the lower body. The board

shall state in writing, the decision, the reasons supporting the decision and the action to be taken.

- P. The decision shall be delivered via email and U.S. mail to the last known address to the Appellant, Respondent, and the Judicial Board Chair whose decision is being appealed in writing within three Class Days of the appeal, review or hearing's close. The notice shall include the decision, the reasons for the decision, and action to be taken. Appellate board decisions are the University's final decision. Following cases which resulted in a recommendation of University suspension or expulsion, the ruling is sent to the Dean for final determination and action. The Dean's decision is the University's final decision in these cases.
- Q. In appeals, review of the sanction may not result in more severe sanction(s) for the accused student.

Section. 11. Management of Records.

- A. Records of Ad Hoc Boards, Student Tribunal and Student Review Board proceedings, and records of proceedings brought pursuant to impeachment hearing and interpretations of KSU SGA Constitution, By-Laws, and legislation will be maintained by the Judicial Advisor.
- B. Records of proceedings of Administrative Hearings shall be maintained by the Judicial Advisor.
- C. The records of judicial proceedings shall be kept confidential and shall be destroyed six years after the final decision is rendered. Records of judicial proceedings shall be released only upon written request to the Dean or designee. Records of suspension and expulsion shall be permanently retained.

Section. 12. Parking Citation Appeals Board.

- A. All parking citations issued on campus may be appealed for reversal to the Parking Citation Appeals Board within fourteen days of being issued. All appeals must be in writing, on a filled out "Appeal Form," which is available at the Department of Parking Services.
- B. The written appeals shall include the following:
  - 1. Name of individual requesting the appeal.
  - 2. University designated status of the individual: student, Faculty/Staff, or other.
  - 3. Date citation was received.
  - 4. Parking citation number.
  - 5. Reason for the appeal, including special considerations, records, diagrams, etc.
- C. Upon receipt of the Appeals Request by Parking Services,
  - 1. A copy of the appeal shall be provided to the Appellant.
  - 2. A copy of the appeal shall be provided to the two members of the Parking Citations Appeal Board.
  - 3. A copy shall be retained by Parking Services.
- D. Adjudication of appeals
  - 1. The appeal shall be assigned to two different Parking Citation Appeals Board members, who are not co-chairs, one of which must be a member of the same University designated category (student or Faculty/Staff) as the Appellant. Appeals from anyone falling outside the categories of student, Faculty, or Staff shall be distributed randomly.
  - 2. Copies of the written appeal form shall be placed in the respective board member's packet, located at the Department of Parking Services.



3. Board members, review appeals, make a judgment whether to reverse or affirm the citation, and indicate their reasoning based on Traffic and Parking Regulations Document.
  4. Parking Services shall obtain the two appeal judgments from the applicable Board members and take the following action:
    - a. If the judges reach the same conclusion, notice of the decision shall be sent in writing to the Appellant. That decision is a final decision within the University.
    - b. If the judges do not reach the same conclusion, the two copies of the appeal shall be held for final review by the two co-chairs of the Parking Citation Appeals Board.
- E. The two co-chairs shall consider the appeal on the record at its next scheduled meeting. At that time, they shall review the recorded reasoning of the two board members whose judgments differed, along with the parking citation and written appeal. Using that information, they shall discuss the appeal and reach a consensus about whether to affirm or reverse the parking citation.
1. If the citation is reversed, the matter is settled, and no further action shall be taken.
    - a. The Appellant shall be notified in writing of the decision and required to pay the indicated fine within 14 business days.
    - b. The decision on appeal is a final decision within the University.
  2. If the citation is affirmed, the following shall occur:
    - a. Unless new information is present, the Appellant shall be required pay the indicated fine within fourteen business days.
    - b. The decision on appeal is a final decision within the University
    - c. Additional complaints or concerns should be directed to the Director of Parking Services.
- F. If new information or evidence arises after the appeal is final, a new appeal may be filed through the process and must include the new information or evidence and the basis on which it is considered “new”.

Section 13. Interpretation of the KSU SGA Constitution, By-Laws or legislation

- A. Any question of interpretation regarding the KSU SGA Constitution, By-Laws or legislation shall be referred to the Student Tribunal for official interpretations.
- B. A written request for interpretation of legislation must be submitted to the Attorney General within 20 Class Days of the passage of the legislation in question. There will be no time limit imposed on a request for interpretation of the KSU SGA Constitution or By-Laws. This request must be accompanied by:
  1. A written petition signed by a number of members of the student body that shall be equal to, or greater than, five percent of the total votes cast in the most recent KSU SGA general election for the KSU SGA President and Vice President. This number shall be rounded up to the nearest whole number if necessary.
  2. A written Brief detailing the specific Constitutional, By-Law or legislative question to be reviewed by the Student Tribunal. This Brief is not to exceed five pages in length, unless permission has been granted by the Attorney General or the Chancellor of the Student Tribunal.
- C. The Attorney General shall notify the Chancellor of the Student Tribunal, Speaker of the Student Senate and the Student Body President within three Class Days of receiving a valid request for a Constitution, By-Law, or legislation interpretation. The Attorney General shall also inform the Student Senate at the following Senate meeting.

- D. Any interested parties shall have five Class Days to submit Amicus Briefs to the Attorney General.
- E. Within five Class Days of receipt of the Complainant's Brief, the Attorney General shall schedule a date, time and location for the Interpretation Hearing before the Student Tribunal. Interpretation Hearings will be scheduled such that they can be heard in the most expedient manner possible. The reasonableness of this time frame shall be determined by the Attorney General, in consultation with the Dean or designee.
- F. The procedure for an Interpretation Hearing shall be as follows:
  - 1. Prior to the beginning of the hearing:
    - a. Any member of the Tribunal who has special knowledge about the case or a potential bias shall recuse themselves.
    - b. The Chancellor shall determine if there is a quorum among the members of the Student Tribunal.
    - c. If a quorum has not been met, then the Attorney General shall form an ad hoc board for the hearing.
    - d. The Chancellor shall distribute copies of the Amicus Briefs to the members of the Tribunal, who shall read and study the documents.
  - 2. The Complainant shall be given ten minutes to present Relevant Evidence to the Student Tribunal. This time shall include opportunities for the members of the Student Tribunal to ask questions. Requests from the Tribunal or the speaker for extra time to make arguments may be considered by the Chancellor.
  - 3. Following the Complainant's case in chief, the hearing shall follow the following format:
    - a. The procedure for argument shall involve one person of either positive or negative standing to address the body, followed by a person from the other side.
    - b. Each speaker shall be allowed five minutes to present arguments. This time will include questioning by the Student Tribunal. Requests from the Tribunal or the speaker for extra time may be considered by the Chancellor of the Student Tribunal. No speaker will be allowed to speak more than once.
    - c. The Chancellor shall reserve the right to end a speaker's argument if no new evidence is being presented to the Tribunal.
    - d. Argument shall end when the argument list is exhausted.
  - 4. The Complainant shall be given ten minutes to present a closing argument. Requests from the Tribunal or the speaker for extra time may be considered by the Chancellor.
  - 5. The Chancellor shall close the hearing.
- G. The Student Tribunal shall meet with the Dean or designee, the KSU SGA Advisor or designee and the Attorney General in closed executive session to deliberate on the available evidence and information. The Dean or designee, the KSU SGA Advisor or designee and the Attorney General will not have voting privileges. The decision shall be announced when the Tribunal resumes open session.
- H. The interpretation should be (in the order of priority):
  - 1. Based primarily on the common understanding of the words and phrases.
  - 2. Logically consistent with the remainder of the document.
  - 3. Consistent with prior interpretations.
  - 4. In the best interest of the members of the KSU SGA.

- I. The Student Tribunal shall notify the Complainant, Speaker of the Student Senate and the Student Body President of their interpretation within three Class Days of their decision including the rationale for their decision.
- J. The Attorney General shall notify the Student Senate of the Student Tribunal's interpretation by the following Student Senate meeting. The results of the interpretation shall be stored within the KSU SGA Statutes.

Section. 14. Revision of the Judicial Code.

- A. Any revision to the Judicial Code shall be reviewed by the Dean or designee, and the Office of General Counsel, for legal approval, prior to submission to Student Senate for approval. Any amendments made by the Student Senate shall not take effect until reviewed by the Dean or designee, and the Office of General Counsel.
- B. The Judicial Code and overall functioning of the judicial system shall be reviewed each academic year ending in a five or a zero under the direction of the Judicial Advisor.
  - 1. It is recommended that this person create an ad hoc board consisting of the following individuals for this task:
    - a. Past Attorney General(s), if possible.
    - b. Past Chancellors of Student Tribunal, if possible.
    - c. The Attorney General.
    - d. The Deputy Attorney General
    - e. The Chancellor of Student Tribunal.
    - f. A member of the Senate Operations Standing Committee.
    - g. A K-State Polytechnic or Satellite College Representative.
    - h. A Graduate Student Representative.
    - i. A Faculty Representative.
    - j. Five to seven member which are broadly representative of the K-State Student Body
    - k. The Judicial Advisor
  - 2. The ad hoc board's purpose shall be to identify any problems within the judicial system, recommend possible solutions for those problems, recommend other possible improvements to the judicial system, and draft revisions of the Judicial Code as it sees fit.

## Article VI SGA Intern Program

Section. 1. SGA Intern Program

- A. Definitions.
  - 1. "The SGA intern program" shall be defined as the combination of the five-week classes, mandatory regular meetings, the SGA mentor program, and the branch rotation.
  - 2. "Phase I" shall be defined as the set of three consecutive classes that include five total sessions.
    - a. "Class" shall be defined as a set of five sessions.
    - b. "Session" shall be defined as an informational meeting during the first phase of the intern program.

3. “Phase II” shall be defined as the continued education of interns through mandatory regular meetings, the SGA mentor program, and a branch rotation.
    - a. “SGA mentor program” shall be defined as the program facilitated by the Phase II coordinator to pair SGA members with interns interested in the activities of that SGA member.
    - b. “Branch rotation” shall be defined as the placement of interns between the Student Senate standing committees, as well as a visit to a cabinet meeting and a judicial mock hearing or equitable activity to educate interns on each of the SGA branches.
- B. The SGA Intern Program shall consist of two five-week classes during the Fall semester, one five-week class in the Spring semester, as well as supplemental SGA programming for interns who apply and are selected to continue in the SGA Intern Program. Phase I of the SGA Intern Program shall be open to all students and shall not require an application or selection process. Phase II of the SGA Intern Program shall require an application and selection process by the SGA Intern Selection Panel.
1. Applicants must have completed Phase I of the SGA Intern Program. Phase II intern selection shall be based on intern attendance and performance during Phase I, as well as a demonstrated passion to advocate for KSU students and a desire to play an active role in KSU SGA exemplified in the Phase II application.
  2. Questions asked on the Phase II application shall be documented. A predetermined set of questions shall be consistently asked to all applicants. This information shall be open to public review and available upon request from the SGA Intern Coordinators.
  3. The SGA Intern Selection Panel shall be a five-member panel consisting of the Student Body President, the Speaker of the Student Senate, the Attorney General and the SGA Intern Coordinators. In the event of an absence by any panel member, an alternate shall replace the absent member. The alternate(s) shall be any of the following: KSU SGA Advisor, or any member of KSU SGA as chosen by the SGA Intern Coordinators with approval from the Speaker of Student Senate. The SGA Intern Selection Panel shall only convene when the applicant pool for Phase II is large enough that any number of applicants will be rejected.
  4. Phase II from the first course shall consist of no less than twenty Interns and a maximum of thirty-five Interns. The maximum number of Interns may be increased at the discretion of the Intern Coordinators in consultation with the SGA Intern Selection Panel. Phase II membership from subsequent courses shall be decided at the discretion of the SGA Intern Coordinators. All Phase II Interns serve until the end of the current Senate term.
- C. Interns shall be non-voting members of Student Senate and shall be subject to removal by the voting members of Student Senate for malfeasance, nonfeasance, or misfeasance. Interns shall have the ability to make any motion in Student Senate. Interns may not sponsor any legislation without a Senator co-sponsor. Attendance policies shall be provided for in the Student Senate Standing Rules.
- D. Upon the completion of intern selection, the SGA intern coordinators shall match interns with an SGA mentor and assign interns to a rotation based on their indicated branch preferences.
- E. In the event that a vacancy occurs in the Student Senate Intern program no more than two weeks after the start of Phase II, a replacement may be chosen from the most qualified unsuccessful candidates for SGA Intern at the discretion of the five-member selection panel and approved by Student Senate. If a vacancy causes the number of interns to fall below 16 a review of the Intern Program and SGA Intern Coordinators should be encouraged by KSU SGA leadership.

Section. 2. Intern Coordinators

- A. Duties of the two SGA Intern Coordinators shall include:
1. Advertise and administer the SGA intern program. One SGA intern coordinator shall coordinate the five-week classes. The other SGA intern coordinator shall coordinate supplemental programming for interns continuing past the class. For the first class of the term, both SGA coordinators shall work together in its execution.
    - a. The Phase I Intern Coordinator shall coordinate each five-week class. Their duties include developing curriculum, activities, and facilitating relevant speakers for each session. Their role shall be focused on educating interns about SGA.
    - b. The Phase II Intern Coordinator shall coordinate resources for interns continuing past each class. Their duties include administering the SGA Mentor Program and setting up a branch rotation based on the preference of continuing interns. This coordinator shall also hold regular meetings of continuing interns in order to assess their experiences with the program and promote peer-to-peer collaboration. Their role shall be focused on individualizing the program for each intern and catalyzing relationship building.
  2. Distribute the applications of Phase I interns who apply to continue on to Phase II and review and select students to participate in Phase II of the program in conjunction with the members of the SGA Intern Selection Panel. Intern selection is subject to Student Senate approval.
  3. Conduct a program evaluation following the completion of each phase to gauge intern interest and help improve future classes. The results shall be sent to members of each KSU SGA branch.
  4. Create a personalized experience for the interns that equips and encourages interns to remain involved in KSU SGA after the completion of the program.
  5. Coordinate campus visits with prospective KSU students who show interest in KSU SGA. Both Intern Coordinators shall provide New Student Services with their contact information at the start of each academic school year.

## **Article VII**

### **Independent Positions**

Section. 1. Independent Positions

- A. Independent positions shall be offices independent of the three branches. An individual serving in one of these capacities may not concurrently hold an office in one of the three branches.
- B. These positions shall be selected through a university-wide application and selection process conducted by the Student Body President, Student Body Vice President, Speaker of the Student Senate, Speaker pro tempore of the Student Senate, Attorney General and Deputy Attorney General. The process shall be completed by the first Friday after spring to be approved by the Student Senate.
- C. These positions are subject to review by the Student Body President, Speaker of Student Senate, and Attorney General if they are in unanimous agreement that such action be taken.
- D. Student Senate, by resolution adopted by two-thirds vote of the total membership of Student Senate selected and qualified, may remove an independent officer for misfeasance, malfeasance, or nonfeasance (as specified in Article XIII of the Constitution) or violations of the Constitution, By-Laws, Statutes or Student Senate

Rules.

- E. In the event of the resignation, removal from office or the permanent inability of the independent officer to discharge their duties, the Speaker of the Student Senate, the Student Body President and the Attorney General shall appoint a new officer within 48 hours of notice, with the approval of Student Senate.
- F. All SGA positions independent of a branch shall be subject to the policies set forth in this Article unless otherwise specified.

Section. 2. Treasurer

- A. The duties of the Treasurer shall include:
  - 1. Set a date at the beginning of the term, following selection of the Speaker of Student Senate, to meet with the Student Body President, Speaker of the Student Senate, Attorney General, and at least one adviser of KSU SGA to set the discretionary budget for the term. The group must be in unanimous agreement on the budget before the next fiscal year.
  - 2. Maintain the budget and give at least one report per semester to Student Senate, Cabinet, and the Judicial Branch on the state of the SGA budget.
  - 3. Communicating with the Center for Student Involvement Accountant, Privilege Fee Standing Committee Chair, On-Campus Allocations Standing Committee Chair and Travel Allocations Standing Committee Chair outside of Executive Committee meetings to maintain a running report of entities and organizations utilizing SGA Funding and advise chairs when needed.

Section. 3. Communications Director

- A. The duties of the Communications Director shall include:
  - 1. Set a date at the beginning of the term, following selection of the Speaker of Student Senate, to meet with the Student Body President, Speaker of the Student Senate, Attorney General, and at least one adviser of KSU SGA to set up a communications plan for the upcoming year.
  - 2. Meet monthly with branch leaders in order to ensure consistent SGA messaging.
  - 3. Manage all SGA social media accounts and determine alternative outreach opportunities to bring to the forefront of all students.
  - 4. Facilitate and coordinate all marketing and communications efforts for SGA.
  - 5. Work with the Elections Committee to publicize application deadlines, voting periods, and results for KSU SGA Elections.
  - 6. Serve on committees as appointed or requested.