

TRANSITIONAL COUNCIL MEMORANDUM NUMBER 2

IMPLEMENTATION OF ORDER NUMBER 3 (TC/ORD/31 03 2024)

Pursuant to the authority vested in this Council by the Constitution of the Student Body,

Recalling that the Constitution of the Student Body charges this body with “overseeing the transition to this Chapter [of the Constitution]”,

Having debated for several weeks proposals and ideas concerning how the Undergraduate Student Government ought to function,

Appreciative of the work done by the authors selected by the Chair of this body in accordance with Regulation #2,

Guided by the principles of fair representation, transparency, and separation of powers,

Implementing TC Order No. 3, The General Statues of the Undergraduate Student Body,

The following is hereby promulgated:

Section 1 The General Statues of the Undergraduate Student Body

- 1) This Memorandum describes how the immediate implementation of Order No. 3 is to be carried out.
- 2) Appendix A of this Memorandum shall be adopted as the General Statues of the Undergraduate Student Body.

Made law by the Transitional Council this 31st day of March, 2024
/s/Nathaniel Shue
Council Chair

APPENDIX A

Title I: General Regulations

Chapter 1: Front Matter

Article I: Organic Laws and Fundamental Principals

Section 100: Constitutional Supremacy

- A. Chapter One (1) of the Constitution of the Student Body is the supreme organic law of the Undergraduate Student Body.
- B. Chapter Two (2) of the Constitution of the Student Body is the supreme organic law of the Undergraduate Student Body in so far as it does not conflict with Chapter One (1) of the Constitution of the Student Body.

Section 101: The Instrument of Student Judicial Governance

- A. The *Instrument of Student Judicial Governance* is the supreme organic law for the governance of the Undergraduate Honor System. No law shall supersede the provisions of the *Instrument of Student Judicial Governance*.

Section 102: Principles of Governance

- A. The Undergraduate Student Government is a democratic institution thus all governmental power is vested in and derived from the Undergraduate Student Body.
- B. The Undergraduate Student Government derives power from the authorities delegated to it by the University of North Carolina at Chapel Hill.
- C. Except as provided for by the Constitution of the Student Body, no political subdivision of the Undergraduate Student Government, nor any person or group of persons, shall exercise power belonging to a political subdivision that they are not duly authorized to exercise.
- D. No provision of the General Statutes shall be construed to provide any political subdivision of the Undergraduate Student Government, or any person holding a position within the Undergraduate Student Government, with an immunity from liability for violating the law, or any provision of the Constitution of the Student Body.

Section 103: Common Law

- A. All such parts of the common law as were previously in force and use, or so much of the common law as is not inconsistent with, the form of government here established, and which has not been otherwise provided for in whole or in part, not abrogated, repealed, or become obsolete, are hereby declared to be in full force.

Chapter 2: Rules of Construction

Article I: Purpose and Organization

Section 200: Purpose

- A. The General Statutes of the Undergraduate Student Body is enacted as a part of the Undergraduate Student Government's continuing statutory codification program, begun by the Student Congress in 1951 with the publication of the first Student Code. The program contemplates a topic-by-topic revision of the government's general and permanent statute law without substantive change.
- B. Consistent with the objectives of the statutory codification program, the purpose of the General Statutes of the Undergraduate Student Body is to make the law encompassed by this code more accessible and understandable, by:
 - a. rearranging the statutes into a more logical order;
 - b. employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;
 - c. eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and
 - d. restating the law in current American English to the greatest extent possible.

Section 201: Principles

- A. The General Statutes of the Undergraduate Student Body (hereafter referred to as The General Statutes) and all amendments thereto shall be adopted in a transparent manner that allows for the input of the public.
- B. No statute or amendment thereto shall be adopted by unilateral action.
- C. Statutes shall be written without the use of jargon and shall be easy to understand.

Section 202: Organization

- A. The General Statutes shall generally be organized using the following nomenclature:
 - a. Title
 - b. Subtitle
 - c. Chapter
 - d. Subchapter
 - e. Article
 - f. Section
 - g. Subsection
 - h. Paragraph
 - i. Clause

- j. Subclause
 - k. Item
 - l. Subitem
- B. Citations to The General Statutes shall be made by Title and Section. The form for citing Title III Chapter 1 Article III Section 113 in the 2024 General Statutes would be G.S. III:113 (2024).
 - C. Each title, chapter, article, and section within The General Statutes shall be given a title which shall appear in the index and the text of The General Statutes itself. Titles of titles, chapters, articles, and sections shall not be considered part of the text of The General Statutes for the purposes of judicial interpretation. The title of each title, chapter, article, and section shall be included in the enacting legislation.
 - D. Within the General Statutes, no section number shall be duplicated within the same subtitle.
 - E. The classification and organization of the sections of The General Statutes is made for the purpose of convenience, reference, and orderly arrangement, and no implication or presumption of a legislative construction shall be drawn therefrom.
 - F. Titles II, III, and IV may be referred to as “The Government Code”.
 - G. Title V of the General Statutes may be referred to as “The Election Code”.
 - H. Title VI of the General Statutes may be referred to as “The Finance Code”.
 - I. Title VIII Chapter 2 of the General Statutes may be referred to as “Open Meetings Law”.
 - J. Title VIII Chapter 3 of the General Statutes may be referred to as “Public Records Law”.

Section 203: Legality and Severability

- A. The General Statutes shall not compel any member of the Undergraduate Student Government to act in a manner that would be illegal under the laws of the State of North Carolina or the United States of America.
- B. The General Statutes shall be considered severable and presumed constitutional.
- C. Any decision by a court of competent jurisdiction regarding the constitutionality of any part of The General Statutes shall apply only to that part of the General Statutes.
- D. If any statute contains a provision for severability, that provision prevails in interpreting that statute. If any statute contains a provision for nonseverability, that provision prevails in interpreting that statute. In a statute that does not contain a provision for severability or nonseverability, if any provision of the statute or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the statute that can be given effect without the invalid provision or application, and to this end the provisions of the statute are severable.
- E. This section does not affect the power or duty of a court to ascertain and give effect to legislative intent concerning severability of a statute.

Section 204: Suspension

- A. No provision of The General Statutes or of any law may be suspended at any time for any reason; however, laws may provide for the temporary suspension of specific laws during times of emergency as defined in G.S. X:100(C) by adoption of emergency provisions.

Section 205: Legislative Intent

- A. In interpreting any statute, a court shall diligently attempt to ascertain legislative intent.
- B. In enacting a statute, it is presumed that:
 - a. Compliance with the Constitution of the Student Body is intended;
 - b. The entire statute is intended to be effective;
 - c. A just and reasonable result is intended;
 - d. A result feasible of execution is intended; and
 - e. Public interest is favored over any private interest.

Section 206: Construction

- A. The General Statutes is the law of this government and shall be liberally construed to achieve their purpose and to promote justice.
- B. Words and phrases shall be read with their context and shall be construed according to the common and approved usage of the language. Technical words and phrases, and such others as may have acquired a peculiar and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning.
- C. Unless otherwise indicated in the context, references in The General Statutes to titles, chapters, or sections shall mean titles, chapters, or sections of The General Statutes. Whenever any reference is made to any portion of The General Statutes, to any other law, rule, or regulation, the reference applies to all amendments thereto hereafter made unless indicated otherwise.
- D. In construing a statute, whether or not the statute is considered ambiguous on its face, a court may consider among other matters the:
 - a. Object sought to be attained;
 - b. Circumstances under which the statute was enacted;
 - c. Legislative history;
 - d. Common law or former statutory provisions, including laws on the same or similar subjects;
 - e. Consequences of a particular construction;
 - f. Administrative construction of the statute; and
 - g. Title (caption), preamble, and emergency provision.

Section 207: Grammar

- A. A grammatical error does affect the validity of a law. If a sentence or clause is meaningless because of the grammatical error, words and clauses may be transposed to give the law meaning. Punctuation of a law does not control or affect legislative intent in enacting the law.

Section 208: Conflicting Statutes

- A. If statutes enacted at the same or different sessions of The Senate of the Undergraduate Student Body are irreconcilable, the statute latest in date of enactment prevails.
- B. If amendments to the same statute are enacted at the same session of the The Senate of the Undergraduate Student Body, one amendment without reference to another, the amendments shall be harmonized, if possible, so that effect may be given to each.
- C. In this section, the date of enactment is the date on which the last legislative vote is taken on the bill enacting the statute.
- D. If the journals or other legislative records fail to disclose which of two or more items of legislation in conflict is latest in date of enactment, the date of enactment of the respective legislation is considered to be, in order of priority:
 - a. the date on which the Speaker of The Senate of the Undergraduate Student Body signed the item of legislation;
 - b. the date on which the President of the Undergraduate Student Body signed the legislation if applicable; or
 - c. the date on which the item of legislation became law by operation of law.
- E. The repeal of a repealing law shall not revive the first law.
- F. Whenever there is a conflict between a number expressed both by figures and written words, the latter shall prevail unless such words obviously are contrary to the legislative intent.

Section 209: General Statues Not Retroactive

- A. No section of the General Statutes is retroactive unless it is expressly so stated.

Section 2010: Time

- A. In computing a period of days, the first day is excluded and the last day is included.
 - a. If the last day of any period is a Saturday, Sunday, or legal public holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal public holiday.
- B. If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.
- C. The standard time is the time at the 75th meridian longitude west from Greenwich, commonly known as "eastern standard time." Unless otherwise expressly provided, a reference in a statute, order, or rule to the time in which an act shall be performed means the appropriate standard time as provided by this section.

Section 2011: Counting Series

- A. If a statute refers to a series of numbers or letters, the first and last numbers or letters are included.

Section 2012: Savings Provision

- A. Except as provided by otherwise, the reenactment, revision, amendment, or repeal of a statute does not affect:
 - a. Any prior action taken under it;
 - b. Any violation of the statute or any penalty, forfeiture, or punishment incurred under the statute before its amendment or repeal; or
 - c. Any investigation, proceeding, or remedy concerning any privilege, obligation, liability, penalty, forfeiture, or punishment; and the investigation, proceeding, or remedy may be instituted, continued, or enforced, and the penalty, forfeiture, or punishment imposed, as if the statute had not been repealed or amended.
- B. If any provision of The General Statutes conflicts with a law enacted by the The Senate of the Undergraduate Student Body (Hereafter referred to as The Senate), the law controls.

Article II: General Definitions

Section 210: Applicability of Definitions

- A. All definitions outlined within this title shall apply to the entirety of The General Statutes and other laws and and statues unless stated otherwise.

Section 211: Definitions

- A. In determining the meaning of any provisions, unless the context indicates otherwise:
 - 1. Words importing the singular include and apply to several persons, parties, or things;
 - 2. Words importing the plural include the singular;
 - 3. Words of one gender include the other genders;
 - 4. The present tense includes the past and future tenses; and the future, the present;
 - 5. “Digital signature” means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. A digital signature shall have the same force and effect as the use of a manual signature if and only if it embodies all of the following attributes:
 - i. It is unique to the person using it;
 - ii. It is capable of verification; and
 - iii. It is linked to data in such a manner that if the data are changed, the digital signature is invalidated.
 - 6. Unless it is otherwise clearly indicated by the context, whenever the term "or" is used in the General Statutes, it is used in the disjunctive and does not mean "and/or";

7. The words "person" and "whoever" include associations, societies, and student organizations, as well as individuals;
8. "Signature" or "subscription" includes a mark when the person making the same intended it as such;
9. "Oath" includes affirmation, and "sworn" includes affirmed;
10. "Rule" includes regulation;
11. "Writing" includes printing and typewriting and reproductions of visual symbols by photographing, multigraphing, mimeographing, manifolding, or otherwise;
12. "Nominee" is defined as any person who receives a nomination by an authorized Officer or body as provided by the law;
13. "Nomination" is defined as the act of nominating a nominee to a committee, board, or other position;
14. "Agency" shall mean and include, as the context may require, an existing department, institution, commission, committee, board, division, bureau, Officer or official;
15. "Head of the department" shall mean the head of one of the departments created by law;
16. "Appointee" is defined as any nominee who has been confirmed by The Senate;
17. "Appointment" is defined as the act of placing a person in a position after their corresponding confirmation process;
18. "Discretionary appointee" is defined as an appointment that does not require confirmation by The Senate;
19. "Appointer" is defined as the individual who nominated the appointee;
20. "Nominator" is defined as the individual who nominates a nominee;
21. "External appointment" is an appointment made to a board, committee, or commission which is not a political subdivision of the Student Government;
22. "Meeting" means the convening of a quorum of a public body to deliberate or act on a matter over which the public body has supervision, control, jurisdiction, or advisory power; It shall also mean the convening of a quorum of a public body by the public body or by another public official to receive information regarding a matter over which the public body has supervision, control, jurisdiction, or advisory power;
23. "Public body" means the Undergraduate Student Government and any political subdivision thereof, where such body possesses policy-making, advisory, or administrative functions, including any committee or subcommittee of any of these bodies enumerated in this paragraph;
 - i. This definition shall extend to any board, commission, or committee to which the Undergraduate Student Government makes appointments;

- ii. "Public body" does not include a meeting solely among the professional staff of a public body;
- 24. "Quorum" means a simple majority of the total membership of a public body;
- 25. "Records" includes all recorded information, regardless of form or characteristics, made or received by a public body in connection with the transaction of public business and preserved or appropriate for preservation by that body or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Undergraduate Student Government or because of the informational value of data in them excepting records protected by the law or University Policy;
- 26. "Constituency" is defined as the two (2) Constituencies of the Student Government;
- 27. "constituency" is defined as the pool of eligible voters for each respective office;
 - i. The constituency for the President of the Undergraduate Student Body is all duly registered fee-paying undergraduate students;
 - ii. The constituency for President and Vice President of the Rising Senior Class is all duly registered fee-paying juniors or continuing seniors;
 - iii. The constituency for Senators of The Senate is all duly registered fee-paying undergraduate students within their district or in the case of a party list all duly registered fee-paying undergraduate students;
- 28. "Election" is defined as the act of choosing or selecting one or more from a greater number of persons, things, courses, or rights;
- 29. "Elector" means any duly enrolled fee paying undergraduate student;
- 30. "Ballot Measure" is defined as a question placed on the ballot for the electors to vote on; there shall be four types of ballot measures:
 - i. "Recall" is the power of the electors to remove an elective officer;
 - ii. "Initiative" is the power of the electors to propose statutes and to adopt or reject them;
 - iii. "Review" is the power of the electors to approve or reject laws or parts of statutes;
 - iv. "Referendum" is the power of The Senate to place a measure on the ballot for approval by the electors;
- 31. "Elective officer" means an Officer which was elected by the Undergraduate Student Body and Senators of The Senate;
- 32. "Student Organization" shall be defined as a group that has met the requirements of a Registered Student Organization (RSO) or University Sponsored Organization (USO) at the University of North Carolina at Chapel Hill for the current academic year;

33. "Sub-organization" shall be defined as a subordinate group which is connected to a Student Organization either financially or officially;
34. "Undergraduate Student Government Funds" shall be defined as funds used to support the operations of the Undergraduate Student Government;
35. "Student Fee Funds" shall be defined as Student Activity Fees (SAF) allocated by direct or constitutionally mandated appropriations;
36. "Written" includes any representation of words, letters, symbols, or figures;
37. "Midnight" shall be defined as 12:00 A.M.;
38. "Day" shall be defined as the twenty-four period hour from one midnight to the next;
39. "Calendar Days" shall be defined as Monday, Tuesday, Wednesday, Thursday, and Friday; Saturday, Sunday, and all legal public holidays shall not be considered calendar days;
40. "Calendar Week" means seven consecutive calendar days;
41. "Week" means seven consecutive days;
42. "Calendar Months" means January, February, March, April, May, June, July, August, September, October, November, December;
43. "Month" means four (4) consecutive weeks or twenty nine (29), thirty (30), or thirty one (31) days as appropriate;
44. "Year" means twelve (12) consecutive calendar months or 365 or 366 days as appropriate;
45. "Includes" and "including" are terms of enlargement and not of limitation or exclusive enumeration, and use of the terms does not create a presumption that components not expressed are excluded;
46. "Enrolled" is the stage in an item of legislation's legislative progress when it has been passed by The Senate and all amendments to the item of legislation have been incorporated into the text of the item of legislation;
47. "Engrossed" is the stage in an item of legislation's legislative progress when it has been passed by The Senate and has been signed by The Speaker of the The Senate of the Undergraduate Student Body (Hereafter referred to as The Speaker of The Senate);
48. "Act" means a public law enacted by The Senate;
49. "Legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in the legislature and includes any other matter which may be the subject of action by the legislature;
50. "Legislature" means The Senate;

51. "Fiscal year"; shall be defined as a 12-month period at the end of which accounts are reconciled; The fiscal year for the Undergraduate Student Body begins on July 1 of each year and ends on June 30 of the following year;
 52. "Appropriation"; means an authorization by the The Senate for the expenditure of money for a public purpose;
 53. "Enact" to pass a law;
 54. "Public Law" means a law that deals with the constitution and functions of the Undergraduate Student Government and the relationship between persons and the Undergraduate Student Government;
 55. "Private law" means a law which affects an individual, family, or small group;
 56. "Political subdivision" means any division of the Undergraduate Student Government;
 57. "Official oath" means the oath required by the Constitution of the Student Body;
 58. "Communication" includes conversation, correspondence, and electronic communication;
 59. "Preceding," when referring to a title, chapter, or article, means that which came immediately before; and
 60. "Succeeding" means immediately following.
- B. Definitions enumerated within specific titles, chapters, articles, or sections may be used to determine the meaning of words outside of that specific title, chapter, article, or section unless the context in which the word or phrase appears necessarily requires a different construction or unless a different construction is expressly provided by statute.

Section 212: Use of May, Shall, Must, etc.

- A. The following constructions apply unless the context in which the word or phrase appears necessarily requires a different construction or unless a different construction is expressly provided by statute:
- a. "May" creates discretionary authority or grants permission or a power.
 - b. "Shall" imposes a duty.
 - c. "Must" creates or recognizes a condition precedent.
 - d. "Is entitled to" creates or recognizes a right.
 - e. "May not" imposes a prohibition and is synonymous with "shall not."
 - f. "Is not entitled to" negates a right.
 - g. "Is not required to" negates a duty or condition precedent.

Section 213: Definition of Officer

- A. "Officer" shall refer to, as the context requires, the Officers of The Senate and The Officers of the Undergraduate Student Body or those authorized to act on their behalf.
- B. The Officers of The Senate are:

- a. The Speaker of The Senate;
 - b. The Speaker Pro Tempore of The Senate;
 - c. The Secretary of The Senate; and
 - d. Such others as The Senate may designate.
- C. The Officers of the Undergraduate Student Body are:
- a. The President of the Undergraduate Student Body;
 - b. The Vice President of the Undergraduate Student Body;
 - c. The Treasurer of the Undergraduate Student Body;
 - d. The Secretary of the Undergraduate Student Body; and
 - e. The Chief of the Cabinet of the Undergraduate Student Body.

Chapter 3: Formalities of Enactment

Article I: Consideration of Legislation

Section 300: Clauses

- A. The enacting clause of all Acts of The Senate shall be in the following form: “BE IT ENACTED BY THE SENATE OF THE UNDERGRADUATE STUDENT BODY THAT:” If there are explanatory clauses, this clause shall be preceded by the word “THEREFORE.”
- B. The resolving clause of all resolutions shall be “BE IT RESOLVED BY THE SENATE OF THE UNDERGRADUATE STUDENT BODY THAT:” if there are explanatory clauses, this clause shall be preceded by the word “THEREFORE.”

Section 301: Single Proposition

- A. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

Section 302: Printing of Bills and Resolutions

- A. Every bill or resolution shall, when such bill or resolution passes and all amendments to it shall have been recorded, be printed, and such printed copy shall be called the enrolled bill or resolution as the case may be said enrolled bill or resolution shall be signed by the Secretary of The Senate to certify that it is a true copy. Thereafter it shall be printed and shall be signed by the Speaker of The Senate and in the case of a bill sent to the President of the Undergraduate Student Body (Hereafter referred to as The President).

Section 303: Conveyance of Joint Legislation

- A. After legislation is determined to be joint in The Senate and passed by The Senate, an engrossed copy of the legislation shall be transmitted to the Joint Governance Council by The Speaker of The Senate.
- B. Following the rejection of joint legislation by the Joint Governance Council, The Senate shall be notified of such rejection by The Speaker of The Senate at the next meeting of The Senate. The Senate may reconsider such legislation in accordance with its rules.

Section 304: Promulgation of Laws

- A. Following the passage of a bill in the The Senate, The Speaker of The Senate shall cause to be delivered to The President an engrossed copy of the bill.
- B. The President shall return a signed copy of the bill to the Speaker of The Senate within five (5) calendar days of receiving it unless they shall have disapproved of the bill or declined to sign it. In the case of a bill which pertains to the appropriation of funds, The President shall return a

signed copy of the bill to the Speaker of The Senate within five (5) calendar days of receiving it unless they shall have declined to sign it.

- C. Acts of The Senate immediately become law unless otherwise specified. Bills not returned within five (5) calendar days of passage shall become law, without The President's signature, at 11:59 pm.

Section 305: Enrolled Bill

- A. If the language of the enrolled bill version of a statute conflicts with the language of any subsequent printing or reprinting of the statute, the language of the enrolled bill version controls.

Section 306: Signature Page

- A. The signature page of promulgated legislation shall include the following items:
 - a. A statement "Done by the [insert Senate number] Senate of the Undergraduate Student Body on the (1) day of (2) in (3)"—in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by The Speaker of The Senate's signature; and
 - b. A statement "And made law on the (1) day of (2) in (3)"—in which (1), (2), and (3) are as above— to be followed by The President's signature, should they decide to affix it.
- B. In the event that The President declines to sign and return an act by the required deadline, the signature page of promulgated legislation shall include the following items:
 - a. A statement "Done by the [insert Senate number] Senate of the Undergraduate Student Body on the (1) day of (2) in (3)"—in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by The Speaker of The Senate's signature;
 - b. A statement "And made law without signature after ten days on the (1) day of (2) in (3)"— in which (1), (2), and (3) are as above.
- C. In the event that a Presidential veto is overridden, the signature page of promulgated legislation shall include the following items:
 - a. A statement "Done by the [insert Senate number] Senate of the Undergraduate Student Body on the (1) day of (2) in (3)" in which is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out to be followed by The Speaker of The Senate's signature;
 - b. A statement "And disapproved on the (1) day of (2) in (3)" in which (1), (2), and (3) are as above;
 - c. A statement "And veto overridden by the [insert Senate number] Senate on the day of (2) in (3)" in which (1) is the cardinal number of the day of the month, (2) is the

month, and (3) is the year written out to be followed by The Speaker of The Senate's signature.

Chapter 4: Publication and Distribution

Article I: Publication

Section 400: Publication of the Statutes at Large

- A. The Secretary of the Undergraduate Student Body shall cause to be compiled, edited, indexed, and published, the Undergraduate Student Government Statutes at Large (Hereafter the Statutes at Large), which shall contain all the laws and resolutions enacted during each session of The Senate and all proclamations by The President during the session of The Senate.

Section 401: Preparation of The General Statutes

- A. The Speaker of The Senate shall direct and supervise the continuous revision, clarification and co-ordination of The General Statutes in a manner not inconsistent with the provisions of this Chapter.
- B. At the close of each legislative session The Speaker of The Senate shall prepare the annual edition of The General Statutes. The Speaker of The Senate may prepare other editions of The General Statutes as they deem necessary.
 - a. When a conflict between two or more legislative acts affecting the same subject matter in the same provision of law cannot be resolved for the purpose of incorporating the text into the General Statutes, The Speaker of The Senate shall notify the Secretary of the Senate. The Secretary shall certify which of the conflicting legislative acts was enacted last and The Speaker of The Senate shall incorporate into the General Statutes the text of the provision of law last enacted.
- C. In preparing the copy provided for in this section, the The Speaker of The Senate shall not alter the sense, meaning or effect of any act of the legislature, but it may:
 - a. Renumber and rearrange sections or parts of sections;
 - b. Transfer sections or divide sections so as to give to distinct subject matters a separate section number, but without changing the meaning;
 - c. Insert or change the wording of headnotes;
 - d. Change reference numbers to agree with renumbered chapters or sections;
 - e. Substitute the proper section or chapter number for the terms "this act", "the preceding section" and the like;
 - f. Change capitalization for the purpose of uniformity;
 - g. Correct manifest typographical and grammatical errors, and
 - h. Make any other purely formal or clerical changes in keeping with the purpose of the revision.

- D. The Speaker of The Senate shall omit all titles of acts, all enacting, resolving, and repealing clauses, all appropriation measures, all temporary statutes, all declarations of emergency, and all validity, declaration of policy, and construction clauses, except when the retention thereof is necessary to preserve the full meaning and intent of the law. Whenever any validity, declaration of policy, or construction clause is omitted, proper notation of the omission shall be made.

Article II: Distribution of Documents

Section 410: Distribution of Legislation

- A. All resolutions passed by The Senate shall be transmitted to the individuals specified within the resolution.
- B. All laws shall be transmitted to the Undergraduate Executive Council, the Supreme Court of the Student Body, and any inferior courts that may exist.
- C. All legislation concerning elections shall be transmitted to the Board of Elections.
- D. All laws and resolutions passed by The Senate relating to officers of the Undergraduate Student Government or Undergraduate Student Government-recognized organizations shall be transmitted to the officer or organization impacted.
- E. All laws distributed to individuals under this section shall include legislative history, signature page, veto message, and any other notations of The Speaker of The Senate or The President as to the fate of the legislation.
- F. The Secretary of The Senate shall be responsible for the transmission and distribution of legislation as required by this section and shall do so within seven (7) days of the legislation becoming law or being passed by The Senate as the case may be.

Section 411: Distribution of the Statutes at Large and General Statutes

- A. The Secretary of the Undergraduate Student Body shall cause the Statutes at Large to be distributed to all Senators of The Senate, the members of the Undergraduate Executive Council, and the Justices of the Supreme Court of the Student Body. The Secretary of the Undergraduate Student Body shall ensure that a digital copy is made available on the website of the Undergraduate Executive Council
- B. The Speaker of The Senate shall cause the annual edition of the General Statutes to be distributed to all Senators of The Senate, the members of the Undergraduate Executive Council, and the Justices of the Supreme Court of the Student Body. The Speaker of The Senate shall ensure that a digital copy is made available on the website of The Senate.
 - a. Editions of the General Statutes which are not the annual edition may be distributed as The Speaker of The Senate deems necessary.

- C. Any publication of the Statutes at Large or General Statutes shall have as a cover page a certificate of correctness signed by the appropriate Officer indicating that the information contained therein is correct and proper.

Article III: Evidence of Laws

Section 420: Laws Remain in Effect

- A. All laws shall be assumed to be in effect until they are repealed either explicitly or indirectly by other laws unless they are of such nature as to be of obviously instantaneous effect or they provide explicitly for their own expiration.
- B. Resolutions shall have no life beyond the end of the Session during which they were passed.

Section 421: Use as Evidence

- A. The General Statutes shall be prima facie evidence of codified laws.
- B. The General Statutes shall not be evidence of all laws, rules, regulations, agreements, proclamations, and orders currently in effect.
- C. The Statutes at Large shall be prima facie evidence of laws, resolutions and proclamations by the President.

Chapter 5: Miscellaneous Provisions

Article I: Miscellaneous Provisions

Section 500: Prohibition Against Multiple Office Holding

- A. No undergraduate student may hold more than one of the following positions simultaneously:
- a. President,
 - b. Vice President,
 - c. Treasurer,
 - d. Secretary,
 - e. Chief of the Cabinet,
 - f. Organizational Treasurer of the Undergraduate Executive Council,
 - g. Undergraduate Student Attorney General,
 - h. Deputy Student Attorney General,
 - i. Case Manager,
 - j. Undergraduate Solicitor General,
 - k. Deputy Undergraduate Solicitor General,
 - l. Chief Legal Officer,
 - m. Deputy Legal Officer,
 - n. Undergraduate Honor Court Chair,
 - o. Undergraduate Honor Court Vice -Chair,
 - p. Member of the Honor Court,
 - q. Honor System Outreach Coordinator,
 - r. Undergraduate Justice of the Supreme Court of the Student Body,
 - s. Undergraduate Member of the Board of Elections, or
 - t. Senator.
- B. Undergraduate Members of the Board of Elections and Justices of the Supreme Court of the Student Body are prohibited from holding any other position in the Undergraduate Student Government including any external appointment.
- C. Any person who holds a position listed under subsection A and accepts another position that is listed under subsection A shall be deemed resigned from the position that person first held.

Section 501: General Qualifications to Hold Positions

- A. No person shall hold any position within the Undergraduate Student Government or any political subdivision thereof who is not a duly enrolled fee-paying undergraduate student at the University of North Carolina at Chapel Hill. However, The Senate may by vote of majority of

members grant waivers to first year students seeking to serve as professional staff which are duly enrolled during the summer prior to their first semester.

- B. Members who elect to participate in a University-sanctioned leave of absence or program which prevents them from performing their duties for longer than a single academic semester shall be deemed resigned from their post upon commencement of the leave of absence or program, excepting during the Summer Session of The Senate.

Section 502. President and Vice President of the Senior Class

1. Individuals shall meet the following qualifications in order to seek and hold the offices of President or Vice President of the Senior Class:
 - a. As of the first day of the Fall semester following the Spring General Election be a constituent for the office;
 - b. Have not filed for graduation as an undergraduate student;
 - c. Be elected in accordance with the law;
 - d. Have no active sanctions from the Honor System for violations of the Honor Code;
 - e. Have no active sanctions from the Supreme Court of the Student Body for violations of the law; and
 - f. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill.
2. The President and Vice President of the Senior class shall be elected concurrently and must run as a combined ticket.
3. The second Tuesday of February is established as the day for the election of the President and Vice President of the Senior Class.
4. The provisions of this section are not exclusive and other laws or policies of the General Alumni Association shall not be considered subordinate to these provisions.

Section 502. Homecoming Court

- A. Individuals shall meet the following qualifications in order to seek and hold a position in the Homecoming Court:
 - a. Have no active sanctions from the Honor System for violations of the Honor Code;
 - b. Be elected in accordance with the law;
 - c. Have no active sanctions from the Supreme Court of the Student Body for violations of the law; and
 - d. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill.
- B. The day which is eight (8) days before the Homecoming Football Game is established as the day for the election of the Homecoming Court.

- C. The provisions of this section are not exclusive and other laws or policies of the General Alumni Association shall not be considered subordinate to these provisions.

Section 503: Automatic Disqualification

- A. As provided by The Constitution, any person holding office within the Undergraduate Student Government who fails to attend, without excuse, six (6) or more meetings of any body of which they are a member shall be disqualified from holding any office of honor, profit, or trust of the Undergraduate Student Body for a period of twelve (12) months following the completion of their current term.
- B. The legislature interprets “office” in this case to mean any position elected by the Undergraduate Student Body or appointed by and with the advice and consent of The Senate.
- C. The legislature interprets “excuse” in this case to mean a written permission granted by the president officer or chair of a body allowing an individual to not attend a meeting or failing to provide a designee or proxy.
- D. The legislature interprets “any body” to mean any body to mean any political subdivision of the Undergraduate Student Body or external body that an individual has been appointed to or serves on ex officio.
- E. All political subdivisions of the Undergraduate Student Government have a duty to enforce this section.

Title II: Legislative Branch

Chapter 1: The Senate of The Undergraduate Student Body

Article I: Election of Senators

Section 100: Time for the Election of Senators

- A. The second Tuesday of February and the day which is eight (8) days before the Homecoming Football Game are established as the day for the election of Senators. This provision shall not restrict the ability of relevant authorities to hold special elections on the days of their choosing.
- B. At the regular election held next preceding the expiration of the term for which any Senator was elected, at which election a Senator is regularly by law to be chosen, a Senator shall be elected by the people thereof for the term commencing on the first Tuesday of April next thereafter. Senators elected on the day which is eight (8) calendar days before the Homecoming Football Game shall be considered elected for the current term.
- C. It shall be the duty of the Board of Elections to certify the election of Senators to The Speaker of The Senate following any regular or special election.
 - a. The certificate mentioned in this section shall be signed by the Chair of the Board of Elections and countersigned by the Vice Chair of the Board of Elections.
- D. Senators elected from legislative districts shall represent the district in which they were elected for the entirety of their term in office provided that they do not take any action which would cause them to no longer be a constituent for their office within the first eight weeks (8) of their term in office. If an individual does change their status within the eight (8) week time from, they shall automatically be removed as a Senator.

Section 101: Allocation of Seats

- A. The Senate shall be comprised of sixty-seven (67) seats.
- B. Forty five (45) seats of the Senate of the Undergraduate Student Body shall be apportioned using the Huntington Hill Method according to the following legislative districts:
 - a. District 1: Life, Health, and Social Sciences
 - b. District 2: Humanities and Other Programs
 - c. District 3: Media, Education, and the Arts
 - d. District 4: Physical Sciences, Mathematics, Engineering, and Computer Science
 - e. District 5: Business and Economics
- C. The Board of Elections shall then apply the Huntington Hill Method to determine the number of seats per district, utilizing the following equation, wherein d is the district number,

p_d is the population of the district d , and S_d is the number of seats allocated to district d , such that:

$$S_d = \begin{cases} \lceil \frac{p_d}{300} \rceil & \text{if } \frac{p_d}{300} > \sqrt{\lfloor \frac{p_d}{300} \rfloor (\lfloor \frac{p_d}{300} \rfloor + 1)} \\ \lfloor \frac{p_d}{300} \rfloor & \text{if } \frac{p_d}{300} \leq \sqrt{\lfloor \frac{p_d}{300} \rfloor (\lfloor \frac{p_d}{300} \rfloor + 1)} \end{cases}$$

- D. Relevant majors that constitute particular districts shall be classified according to the Undergraduate Catalog.
- E. Twenty Two (22) seats shall be elected at large according to a proportional party list system.

Section 102: Redistricting

- A. The Secretary of The Senate shall ensure that each fall semester, an updated list is provided to the Board of Elections showing the number of students enrolled in each major program as well as the total enrollment of duly enrolled fee paying undergraduate students.
- B. The Senate shall designate in its Rules of Procedure a committee which is responsible for conducting an annual review of the districts and apportionment of seats in the fall semester.
- C. The Senate shall make available to the public a document detailing the size and composition of each district.

Section 103: Qualifications of Senators

- A. Individuals shall meet the following qualifications in order to seek and hold the office of Senator:
 - a. As of their declaration of candidacy be a constituent for the office;
 - b. Have no active sanctions from the Honor System for violations of the Honor Code;
 - c. Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - d. Have not filed for graduation as an undergraduate student;
 - e. Be elected in accordance with the law;
 - f. Be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - g. Not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.
- B. If an individual is found to have utilized methods such as declaring a new major, switching majors, or misrepresenting their constituency for the purposes of acquiring a seat, they shall automatically be disqualified from seeking or automatically be removed from the office of Senator.

Section 104: Provisions not exclusive

- A. The provisions of this article are not exclusive and other laws shall not be considered subordinate to these provisions.

Article II: Provisions Relating to the Operations of The Senate

Section 110: Standing Rules

- A. The Senate shall itself determine the Rules of its Proceedings, which shall continue from one Senate to the next unless specified otherwise, and which shall have the authority to govern all protocols and procedures relating to the initial convocation of a new session

Section 111: Investigations

- A. The Senate and any committees thereof are authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of The Senate, to require by a subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony.
 - a. Each such committee may make investigations into any matter within its jurisdiction and may report such hearings as may be had by it.
- B. All members and political subdivisions of the Undergraduate Student Government, or organizations receiving funding from The Senate are required to give to The Senate or any committee of The Senate, upon request, all relevant information, and all relevant data within their possession, pertaining to Undergraduate Student Government property, fiscal data, information needed for the advocacy of constituents, or the overall function of the Undergraduate Student Government.
- C. All witnesses called before The Senate or any committee thereof shall be required to give testimony under oath, subject to the penalties of perjury.
 - a. The following individuals may administer oaths to testifying witnesses:
 - i. The Speaker of The Senate;
 - ii. The Secretary of The Senate; and
 - iii. the Chair or Acting Chair of a committee.
 - b. If circumstances require, a Senator may administer an oath to a witness testifying on a matter pending in The Senate or in a committee.
- D. A witness called by The Senate or a committee thereof does not have a privilege to refuse to testify to a fact or produce a document on the ground that the testimony or document may tend to disgrace the person or otherwise make the person infamous. The Senate or a committee thereof may require a person to testify or produce a document concerning a matter under inquiry before The Senate or a committee thereof even if the person claims that the testimony or document may incriminate them. If a person testifies or produces a document while claiming that the testimony or document may incriminate him, the person may not be indicted

or prosecuted for any transaction, matter, or thing about which the person truthfully testified or produced evidence.

- E. A witness has a right to counsel when testifying before the The Senate or a committee thereof.
- F. A person commits the offense of contempt if the person:
 - a. has been summoned as a witness to testify or produce papers by The Senate or a committee thereof; and
 - b. refuses to appear, refuses to answer relevant questions, or refuses to produce required books, papers, records, or documents.
- G. If a person is summoned by The Senate or a committee thereof as prescribed by this section and fails to appear, refuses to answer relevant questions, or fails to produce required books, papers, records, or documents, the fact of the failure may be reported to The Speaker of the Senate.
- H. If The Speaker of The Senate receives a report or statement of facts as provided by this section, The Speaker shall certify the statement of facts to the Honor System under the seal of The Senate.
 - a. This shall not prohibit The Senate from pursuing other punishments for contempt such as censure or impeachment.
- I. This section shall not apply to sealed records of the Honor System or any other records protected by state or federal law.

Section 112: Committees

- A. In its Rules of Procedure or by resolution, The Senate may determine the number, composition, function, membership, and authority of its committees.

Section 113: Legal Counsel

- A. The Senate may employ counsel to file suits on behalf of the legislature, to intervene in pending litigation on behalf of the legislature, or to otherwise represent the legislature in the courts. The Senate may choose to employ a Senator as counsel if the Senator is qualified to serve as counsel before the court where the litigation is occurring.
- B. Representation of the legislature under this section is authorized only if:
 - a. The Speaker of The Senate approved the representation in writing, or
 - b. The Senate by resolution approved the representation.
- C. A member of the legislature is immune from liability resulting from the legislature's participation in litigation under this section.

Section 114: Vacancies

- A. When vacancies occur in The Senate, The Speaker of The Senate shall notify the Board of Elections of such a vacancy and request a special election be called if a general election is not

scheduled to occur within thirty (30) days. An individual elected to fill a vacancy shall serve the remainder of the prescribed term.

- B. In case of vacancy in seats reserved for party-list representatives, the vacancy shall be automatically filled by the next representative from the list of nominees in the order submitted to the Board of Elections by the same campaign committee who shall serve for the unexpired term. If the list is exhausted, the campaign committee concerned shall submit additional nominees.

Section 115: Authority to Attend Meetings

- A. Senators shall be eligible and are hereby authorized to attend any meeting of any political subdivision of the Undergraduate Student Government and such attendance shall be permitted at both public meetings and those held in private or executive session.

Section 116: Identification Pins

- A. The Speaker of the Senate may provide for the issuance of identification pins to Senators. The Speaker may determine and adopt the design for such pins and may provide for the manufacture and purchase of such pins.

Section 117: Resignation

- A. Any Senators wishing to resign shall direct their letter of resignation to The Speaker of The Senate.

Section 118: Quorum

- A. A quorum for The Senate shall be a simple majority of Senators present and voting. Senators subject to a penalty for absenteeism or which have otherwise had their voting privileges restricted shall not count towards quorum.

Section 119: Advice and Consent

- A. The advice and consent of The Senate shall only be granted upon a two-thirds ($\frac{2}{3}$) vote of Senators present and voting unless where provided otherwise. The Senate shall by rule provide for any further regulations necessary and proper for governing the process of granting advice and consent.

Section 1110: Review of Organization Constitutions, Bylaws, and Charters

- A. The Senate shall not review the Constitution, Bylaws, or Charter of an organization which receives undergraduate student fees without granting fourteen (14) days notice to the organization and providing said organization an opportunity to provide to The Senate additional comments.
- B. The Senate shall not approve or reject the Constitution, Bylaws, or Charter of an organization which receives undergraduate student fees without granting fourteen (14) days notice to the organization and providing said organization an opportunity to provide to The Senate additional comments.

Chapter 2: Officers, Staff, and Administration of The Senate

Article I: Officers of The Senate

Section 200: Election

- A. The Speaker of The Senate and the Speaker Pro Tempore of The Senate shall be elected by the members of The Senate in accordance with such rules of The Senate governing the election of the Speaker and Speaker Pro Tempore as were in force at the adjournment of the immediately preceding regular session of the legislature.

Section 201: The Speaker of The Senate

- A. In addition to the powers, duties, responsibilities, and authorities provided elsewhere in the Constitution, law, and Rules of Procedure of The Senate, The Speaker of The Senate shall:
 - a. Serve as a voting member of the Joint Governance Council;
 - b. Serve as a voting member of the Carolina Union Board of Directors;
 - c. Serve as a voting member of the Student Fee Audit Committee;
 - d. Serve as an authorized signer for official documents;
 - e. Shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, Officer of The Senate, witness, or other person, in respect to any matter within the jurisdiction of The Senate;
 - f. Serve as the Organizational Treasurer of the Undergraduate Senate unless they shall designate another Officer of the Undergraduate Senate or an appropriate staffer to fulfill such a function; and
 - g. Appoint the institutional staff of The Senate subject to confirmation by The Senate.

Section 202: The Speaker Pro Tempore of The Senate

- A. In addition to the powers, duties, responsibilities, and authorities provided elsewhere in the Constitution, law, and Rules of Procedure of The Senate, The Speaker Pro Tempore of The Senate shall:
 - a. Serve as a voting member of the Joint Governance Council;
 - b. Serve as an authorized signer for official documents; and
 - c. Perform such duties as The Speaker of The Senate may assign.

Section 203: The Secretary of The Senate

- A. In addition to the powers, duties, responsibilities, and authorities provided elsewhere in the Constitution, law, and Rules of Procedure of The Senate, The Secretary of The Senate shall:

- a. Have power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any Officer of the Senate, and to any witness produced before it.

Article II: Staff of The Senate

Section 210: Institutional Staff

- A. The Senate shall have such institutional staff as it may designate in its Rules of Procedure. Institutional Staff shall be defined as staff which perform functions related to the administration of The Senate. Institutional Staff shall not be considered members of The Senate.
- B. The Institutional Staff may be dismissed by The Speaker of The Senate at their discretion.

Section 211: Legislative Auditor

- A. In addition to the powers, duties, responsibilities, and authorities provided elsewhere in the Constitution, law, and Rules of Procedure of The Senate, the Legislative Auditor shall:
 - a. Have authority to compile financial statements and to examine, audit, or review the books and accounts of the Undergraduate Student Government, all political subdivisions of the Undergraduate Student Government, all members and Officers of the Undergraduate Student Government, and all other public or quasi-public agencies or bodies, hereinafter collectively referred to as the "auditee,"
- B. In the performance of their duties as herein stated, the Legislative Auditor, or any member of their staff designated by them, shall have the power to inspect and to make copies of any books, records, instruments, documents, files, films, tapes, and other forms of recordation, including but not limited to computer and recording devices, of the auditee. They may call upon the auditee and any of its officials and staff for assistance and advice, and such assistance shall be given through the assignment of personnel or in such other manner as necessity requires.
- C. The Legislative Auditor must be confirmed by a two-thirds ($\frac{2}{3}$) vote of Senators present and voting.

Section 212: Leadership Staff

- A. The Speaker and Speaker Pro Tempore of The Senate may appoint such staff as they deem necessary and may structure the Offices of the Speaker and Speaker Pro Tempore as they deem fit. The Speaker and Speaker Pro Tempore may dismiss staff at their pleasure.

Section 213: Committee Staff

- A. The Committees of the Senate may appoint such staff as they deem necessary. Committee staffers may be dismissed at their discretion of the Chair of the committee.

Article III: Administration of The Senate

Section 220: Legislative Branch Budget

- A. The Speaker of The Senate is responsible for the preparation of the Legislative Branch Budget. The Speaker of The Senate shall seek input from all relevant stakeholders when preparing the Budget and shall further be responsible for following all relevant laws and regulation when doing so.

Section 221: Record Keeping

- A. The complete legislative records of the two (2) immediately prior sessions of The Senate and the records of the current session shall be maintained in the office of The Senate at all times. At the close of the session, the records of the oldest session on file in the office shall be transferred to the University Archives by The Speaker.

Section 222: Committees of The Senate

- A. There shall be a Senate Standing Committee on Finance and Appropriations.

Chapter 3: Oversight and Reserved Powers

Article I. Reserved Powers

Section 300: Review of Rules

- A. Before any rule can go into effect, the political subdivision of the Undergraduate Student Government promulgating such rule shall submit to The Senate a report containing:
 - a. a copy of the rule;
 - b. a concise general statement relating to the rule; and
 - c. the proposed effective date of the rule.
- B. Upon receipt of a report submitted under this section, The Speaker of The Senate shall provide copies of the report to the Chair of each committee with jurisdiction under the Rules of Procedure of The Senate to report a bill to amend the provision of law under which the rule is issued.
- C. The Senate may consider according to its Rules of Procedure a bill to disapprove of a rule and state that it shall have no effect. If such a bill is enacted the proposed rule shall not have any effect.

Section 301: Review of Appointments

- A. At any time, The Senate or any of its committees may begin a review of an external appointment on that appointee's attendance, performance, or other concerns.
- B. If The Senate or any of its committees initiates a review of an external appointment, the appointee shall be notified of the review commencing and be given an opportunity to provide testimony.
- C. Following the review, The Senate may vote to bar the individual from continuing in their appointment beyond the conclusion of the current term of The Senate.

Section 302: Fee Review

- A. The levy of a new student fee, an increase in an existing student fee, or a repeal of an existing student fee shall be enacted through a concurrent bill according to the process described in the Code of the Permanent Laws of the Student Government.

Article II. Impeachment

Section 310: Any Elected or Appointed Official

- A. The Senate shall have the power to impeach and remove from office any individual elected by the Undergraduate Student Body or whose appointment The Senate approved.
- B. Charges may be entered for misfeasance, malfeasance, nonfeasance, conduct unbecoming, bribery, or other high crimes and misdemeanors.

- C. The Senate shall impeach an individual by the adoption of a resolution upon a simple majority vote.
 - a. No individual shall exercise their official duties after they shall have been impeached and notified thereof until they shall have been acquitted.
 - b. The subject of a resolution need not be present at a meeting to consider the Resolution of Impeachment.
- D. The Senate shall convict an impeached official upon a two-thirds ($\frac{2}{3}$) vote.
 - a. Judgment in cases of impeachment shall not extend further than removal from office, and disqualification to hold and enjoy any office of honor, trust or profit of the Undergraduate Student Body, but this shall not preclude prosecution according to law.
- E. This section shall not be construed to prohibit other means by which an official may be removed from office, as provided by the law.

Section 311: Disqualification

- A. If the Court of Impeachment shall vote to convict, The Senate shall then immediately consider whether to bar such individual from holding office and for how long such prohibition shall remain in place.

Section 312: Impeachment of Joint Officials

- A. Following the conviction of an individual elected by either part of or the whole Student Body or whose appointment a representative body of the Constituency confirmed and the Joint Governance Council approved by the Court of Impeachment, The Speaker shall transmit to the Joint Governance Council:
 - a. A copy of the Resolution of Impeachment;
 - b. Minutes of the trial; and
 - c. Any other materials the Joint Governance Council shall request.

Title III: The Undergraduate Executive Council

Chapter 1: Officers of the Undergraduate Student Body

Article I: Election and Appointment of Officers of the Undergraduate Student Body

Section 100: Time for Election

- A. The day which is fourteen (14) days following the Spring General Election is established as the day for the election of the President of the Undergraduate Student Body.
- B. At the regular election held next preceding the expiration of the term for which The President was elected, at which election The President is regularly by law to be chosen, The President shall be elected by the people thereof for the term commencing on the first Tuesday of April next thereafter.

Section 101: Time for Appointment

- A. The Officers of the Undergraduate Student Body which are not The President shall be nominated by the President-elect of the Undergraduate Student Body for the term commencing on the first Tuesday of April. Officers who are not The President that are nominated by the President to fill vacancies after the term has commenced shall serve for the remainder of the current term.

Section 102: Qualifications

- C. Individuals shall meet the following qualifications in order to seek and hold an Office of the Undergraduate Student Body:
 - a. As of their declaration of candidacy or submission of their application be a duly enrolled fee paying undergraduate student;
 - b. Be elected or appointed in accordance with the law;
 - c. Have no active sanctions from the Honor System for violations of the Honor Code;
 - d. Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - e. Have not filed for graduation as an undergraduate student;
 - f. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - g. Must not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.

Section 103: Provisions not exclusive

- B. The provisions of this article are not exclusive and other laws shall not be considered subordinate to these provisions.

Article II: Duties and Responsibilities

Section 111: General Responsibilities of The Officers of the Undergraduate Student Body

- A. The Officers of the Undergraduate Student Body (Hereafter referred to as The Officers) shall:
- a. Represent the Undergraduate Executive Council and themselves to the best of their ability;
 - b. Attend all meetings pertaining to their position unless they have notified the appropriate Officer;
 - c. Ensure compliance with all appropriate laws, rules, and regulations;
 - d. Complete all training that is required for their position or assigned to them by the Undergraduate Executive Council; and
 - e. Provide regular reports to The Senate.

Section 112: President of the Undergraduate Student Body (The President)

- A. The President, in accordance with the Constitution, shall be the chief executive officer of the Undergraduate Student Body. Subject to the Constitution and the law, the President shall be responsible for representing the Undergraduate Student Body before the Board of Trustees of the University of North Carolina at Chapel Hill.
- B. The President shall, in addition to the responsibilities, powers, duties, and authorities established by the Constitution and by law shall:
1. Represent the Undergraduate Student Body, especially when working with other universities, the faculty, the administration, and campus employees;
 2. Enforce all laws passed by The Senate;
 3. Serve as a member of University boards and committees in accordance with the by-laws of these boards; These boards and committees include but are not limited to:
 - i. Frank Porter Graham Union Board of Directors,
 - ii. General Alumni Association Board of Directors,
 - iii. Athletic Council,
 - iv. Student Television Advisory Board, and
 - v. the Chancellor's Awards Committee;
 4. Serve on the Student Fee Advisory Subcommittee;
 5. Serve as an authorized signer for official documents;
 6. Present the annual State of the Undergraduate Student Body Address and present addresses before the Undergraduate Senate upon request.

Section 113: Vice President of the Undergraduate Student Body (The Vice President)

- A. The Vice President shall have such powers as delegated to them by The President, The Undergraduate Executive Council, or The Senate.
- B. The Vice-President shall, in addition to the responsibilities, powers, duties, authorities established by the Constitution and by law shall:
 - 1. Co-Chair the Student Advisory Committee to the Chancellor;
 - 2. Serve as an authorized signer for official documents;
 - 3. Ensure that all External Appointments are fulfilling their responsibilities;
 - 4. Chair the Student Academic Advising Board; and
 - 5. Serve as a member of University boards and committees in accordance with the by-laws of these boards.

Section 114: Treasurer of the Undergraduate Student Body (The Treasurer)

- A. The Treasurer shall have such powers as are delegated to them by The Undergraduate Executive Council or The Senate.
- B. The Treasurer shall, in addition to the responsibilities, powers, duties, and authorities established by the Constitution and by law shall:
 - 1. Execute and administer the Treasury Laws;
 - 2. Advise The Senate on matters relating to appropriations;
 - 3. Co-Chair the Student Fee Audit Committee;
 - 4. Serve as an authorized signer for official documents;
 - 5. Produce an annual report to The President and to The Senate on the financial condition of the Undergraduate Student Government;
 - 6. Serve as a member on the appropriate University committee or committees governing the process for altering the rates of tuition and student fees; and
 - 7. Serve as a member of University boards and committees in accordance with the by-laws of these boards.

Section 115: Secretary of the Undergraduate Student Body (The Secretary)

- A. The Secretary shall have such powers as are delegated to them by The Undergraduate Executive Council or The Senate.
- B. The Secretary, in addition to the responsibilities, powers, duties, and authorities established by the Constitution and by law shall:
 - 1. Coordinate outreach activities of the Undergraduate Executive Council;
 - 2. Oversee the archiving of documents and the completion of the Undergraduate Student Government Annual Report;
 - 3. Serve as an authorized signer for official documents;
 - 4. Maintain the Great Seal of the Undergraduate Student Government;
 - 5. Designate official spokespersons for the Undergraduate Executive Council; and

6. Serve as a member of University boards and committees in accordance with the by-laws of these boards.

Section 116: Chief of the Cabinet of the Undergraduate Student Body (The Chief of the Cabinet)

- A. The Chief of the Cabinet shall have such powers as are delegated to them by The Undergraduate Executive Council or The Senate.
- B. The shall, in addition to the responsibilities, powers, duties, and authorities established by the Constitution and by law shall:
 1. Coordinate the affairs of the Cabinet;
 2. Draft and propose the position of the Undergraduate Executive Council on political subjects;
 3. Serve as an authorized signer for official documents; and
 4. Serve as a member of University boards and committees in accordance with the by-laws of these boards.

Section 117: Authorization to Delegate Functions

- A. The Officers are authorized to designate and empower any individual which is subordinate to them who is required to be appointed by and with the advice and consent of The Senate, to perform without approval, ratification, or other action by the Officer:
 - a. any function which is vested in the Officer by law, or
 - b. any function which such Officer is required or authorized by law to perform only with or subject to the approval, ratification, or other action of the Officer.
- B. Nothing contained in this section shall relieve the Officer of their responsibility for the acts of any such individual designated by them to perform such functions. Such designation and authorization shall be in writing, shall be published publicly, shall be subject to such terms, conditions, and limitations as the Officer may deem advisable, and shall be revocable at any time by the Officer in whole or in part.
- C. The authority conferred by this section shall apply to any function vested in The Officers by law if such law does not affirmatively prohibit delegation of the performance of such function as herein provided for, or specifically designate The Officers to whom it may be delegated. This section shall not be deemed to limit or derogate from any existing or inherent right of The Officers to delegate the performance of functions vested in them by law, and nothing herein shall be deemed to require express authorization in any case in which such an official would be presumed in law to have acted by authority or direction of The Officers.
- D. As used in this section, the term "function" means any duty, power, responsibility, authority, or discretion vested in The Officers concerned, and the terms "perform" and "performance" may be construed to mean "exercise".

Section 118: Provisions not Exclusive

- A. The provisions of this Chapter are not exclusive and other laws shall not be considered subordinate to these provisions.

Section 119: Resignation

- B. Any Officer of the Undergraduate Student Body wishing to resign shall direct their letter of resignation to The President and The Speaker of The Senate.

Article III: Other Presidential Powers

Section 120: Purpose of Executive Orders

- A. Executive Orders are intended for the following purposes:
 - 1. To establish subdivisions within the Office of the President;
 - 2. To direct the actions of an individual who works for The President,
 - 3. To direct the actions of a political subdivision of the Undergraduate Executive Council if the Undergraduate Executive Council is unable to meet, or
 - 4. For any other purpose as designated by the law.
- B. Any Executive Order that is issued outside the scope of this section shall be considered null and void.

Section 121: Promulgation of Executive Orders

- A. The President alone shall have the power to promulgate an Executive Order.
- B. The Chief of the Cabinet must notarize such an Order for it to be valid and enforceable.
- C. Executive Orders must include specific provisions detailing the scope of the action to be taken and the duration of such actions.
- D. The Executive Order must include the following provisions:
 - 1. The duration of the Order,
 - 2. Which entities the Order will affect,
 - 3. The specific purpose of the Order, and
 - 4. The general actions that will be taken to implement the Order.
- E. All Executive Orders shall have uniform formatting and follow a standard naming convention.
 - 1. Each Executive Order shall be dated, numbered sequentially, and annotated for the administrative year in which The President was inaugurated in the following format: EO-XX- YYY, where XX represents the two-digit year in which The President was inaugurated and YYY represents the number of the Executive Order beginning with the number zero-zero-one (001) for each new administration.
- F. Executive Order shall be organized by:
 - 1. Section
 - 2. Paragraph
 - 3. Clause

4. Sub-Clause
5. Item

G. Executive Orders shall be written without the use of jargon and shall be easy to understand.

Section 122: Duration of Executive Orders

- A. Executive orders shall expire upon the swearing-in of the following President of the Undergraduate Student Body, the issuing of another Executive Order that modifies or rescinds a previous order, or the date of expiration determined within an existing order.

Section 123: Restrictions on Executive Orders

- A. No Executive Order can compel any individual to act in a manner that would be considered illegal.

Section 124: Dismissal of Officials

- A. As provided by the Constitution, The President may dismiss any official from an office they have appointed and The Senate has confirmed. Such dismissal shall only take effect upon a two-thirds ($\frac{2}{3}$) vote of Senators present and voting at a meeting of The Senate. Until such time that The Senate votes on dismissal, the official that The President has moved to dismiss shall be suspended from office. All positions within the Undergraduate Judicial Branch, the Supreme Court of the Student Body, and the Board of Elections shall not be subject to The President's power of dismissal.

Section 125: Reporting of Vacancies

- A. The President shall notify the Board of Elections of vacancies in offices elected by the Undergraduate Student Body except vacancies in The Senate and request a special election be called if a general election is not scheduled to occur within thirty (30) days. An individual elected to fill a vacancy shall serve the remainder of the prescribed term.

Article IV: Offices and Departments Independent of the Undergraduate Executive Council

Section 130: The Office of the President

- A. There is hereby created an Office of the President.
- B. The Office of the President shall not be assigned duties or complete any work which lay within the established jurisdiction of the Undergraduate Executive Council, Cabinet, or political subdivision thereof.

Section 131: The Office of the Vice President

- A. There is hereby created an Office of the Vice President.
- B. The Office of the Vice President shall not be assigned duties or complete any work which lay within the established jurisdiction of the Undergraduate Executive Council, Cabinet, or political subdivision thereof.

- C. The Office of the Vice President shall provide to The Senate a report in January detailing the work being done by the undergraduate students appointed as external appointments. All individuals responsible for appointing external appointments must assist the Office of the Vice President in ensuring that this report is accurate and complete. The report shall include, at a minimum:
- a. Descriptions of each body to which undergraduate students are serving as external appoints;
 - b. The names of all undergraduate students serving as external appointments; and
 - c. Any and all information concerning the matters that the external appointments have been party to as part of their duties.

Section 132: The Department of the Treasury

- A. There is hereby created a Department of the Treasury.
- B. The head of the Department of the Treasury shall be The Treasurer.
- C. The Department of the Treasury shall be authorized to exercise all responsibilities, powers, duties, and authorities of The Treasurer.

Section 133: The Office of the Secretary

- A. There is hereby created an Office of the Secretary.
- B. The Office of the Secretary shall be responsible for the external communications of the Undergraduate Executive Council and its political subdivisions.

Chapter 2: The Undergraduate Executive Council

Article I: Undergraduate Executive Council

Section 200: Purpose and Powers

- A. The Undergraduate Executive Council (hereafter referred to as The Council), in addition to the responsibilities, powers, duties, and authorities established by the Constitution and by law shall:
1. Monitor through evaluations the effectiveness of the governance practices under which The Council and its subdivisions operates and make changes as needed;
 2. Exercise a duty of care over The Council and its political subdivisions by ensuring prudent use of all assets, including facility, people, and goodwill;
 3. Ensure that The Council and its subdivision's activities and transactions are, first and foremost, advancing its mission;
 4. Adopt a Transition Plan as governed by law;
 5. To supervise the official conduct of all Officers; and when The Council deems it advisable to visit all institutions for the purpose of inquiring into the management and needs of the same;
 6. To see that all offices are filled, and the duties thereof performed, or in default thereof apply such remedy as the law allows, and if the remedy is imperfect, acquaint The Senate therewith;
 7. Make decisions that are in the best interest of The Council, not in the best interest of an individual member (or any other individual or entity); and
 8. Ensure that The Council obeys applicable laws and regulations, follows its own policies, and adheres to its stated purpose and mission statement.

Section 201: Membership

- A. The Council shall be composed of the following:
1. President,
 2. Vice President,
 3. Treasurer,
 4. Secretary,
 5. Chief of the Cabinet.
- B. The Chair shall be the President and, when present, shall preside at meetings of the Executive Board.

- C. The Vice President shall be the Vice-Chair. In the absence of the Chair, the Vice-Chair shall discharge the duties and responsibilities of the Chair.
- D. The Secretary shall act as a secretary and take the minutes of all meetings. The Secretary shall see that all notices of meetings of The Council are duly given and that agendas and other relevant documents are distributed.

Section 202: Rules and Procedures

- A. Robert's Rules of Order may guide the conduct of The Council except where in conflict with the law or the rules, regulations, and policies of The Council. No action of The Council is invalid or ineffective by reason of non-compliance with Robert's Rules of Order.
- B. The Council may adopt such rules, regulations, and policies not inconsistent with law or the Constitution for the conduct of its meetings.

Section 203: Meetings

- A. Regular meetings of The Council may be held at such times and at such places as The Chair shall from time to time determine.
- B. Special meetings of The Council may be held at such times and at such places whenever called by The Secretary upon the written direction of any two (2) Officers.
- C. A majority of The Council shall constitute a quorum for the transaction of business at any meeting of The Council, and the vote of a majority of the Officers present at any meeting at which a quorum is present shall be required for any official act. Voting by proxy shall not be allowed.
- D. The Chair, in cooperation with the Secretary, shall establish the order of business for meetings and identify agenda items. At the direction of the Chair, the Secretary shall distribute agendas in advance of regular meetings.
- E. Agendas will include any anticipated discussions and actions. Agendas that include any action items must be distributed to the members of The Council at least twenty-four (24) hours in advance.
- F. Any Council member may request that the Chair include a topic on an agenda before the agenda is published. Council members who would like to offer action must notify the Chair and Secretary in advance, except in extenuating circumstances.
- G. The Council, upon motion or at the request of the Chair, may hold closed sessions. Barring emergencies or other exigent circumstances, a notice of the intent to hold a closed session at a Council meeting will be provided to members of The Council twenty-four (24) hours in advance, along with the purpose for the closed session and any relevant materials.
 - a. During closed sessions, no public comments shall be allowed, and only members of The Council and those designated to attend shall be allowed to attend.
 - b. Closed sessions shall only be held to discuss topics allowed for by law.

Section 204: Statements of Opinion

- A. The Council may take positions on any issue of any kind.
- B. The Council's opinion shall reflect only the opinion of the Undergraduate Executive Council and the not position of the entire Undergraduate Student Government.

Section 205: Creation of Committees, Commissions, Council, and Boards

- A. The Council may designate one or more Council-appointed committees, advisory councils, and other bodies that shall have such name or names as may be determined from time to time by The Council. Such Council-appointed committees, advisory councils, and other bodies may consist of one or more, or no, members of the Council and one or more, or no, persons who are not members of the Council as determined by the Council.
- B. The Council may also appoint a Chair and Vice-Chair for such Council-appointed committees, advisory councils, and other bodies.
- C. Council-appointed committees and other bodies shall have such purposes, powers, authority, and responsibilities as may be designated by The Council. The Council may, from time to time, establish, eliminate and modify the purposes, powers, authority, and responsibilities of any committee or other body; change the size of any committee or other body; and add, remove or replace the chair or member of any committee or other body.
- D. Advisory Councils shall be advisory only and shall have no power or authority to act on behalf of The Council or of the Undergraduate Student Government, but shall provide such advice and assistance to The Council, and have such other purposes, powers, authority, and responsibilities as may be designated by The Council.

Section 206: Counsel

- A. The Council, The Officers of the Undergraduate Student Body, and all political subdivisions of The Council are prohibited from employing private counsel, except with the approval of The Council. The Council shall give their approval only if the Solicitor General has advised them, as provided in subsection B of this section, that it is impracticable for the Solicitor General to render legal services.
- B. The Solicitor General shall be counsel for The Council, The Officers, and all political subdivisions of The Council. Whenever the Solicitor General shall advise The Council that it is impracticable for them to render legal services to The Council, The Officers, and all political subdivisions of The Council, The Council may authorize the employment of private counsel. Private counsel may be authorized when there is no Solicitor General.

Section 207: Suspension of the USG President

- A. Whenever all members of The Council, excluding The President, transmit to the Speaker of The Senate their written declaration that The President is unable to discharge the duties of their office, The Vice President shall immediately assume the powers of the office as Acting

President.

- B. Thereafter, when The President informs the Speaker of The Senate that no inability exists, they shall resume the duties of their office unless all members of The Council, excluding The President, transmit within three (3) days to the Speaker of The Senate their written declaration that The President is unable to discharge the powers and duties of their office.
- C. Thereupon The Senate shall decide the issue, assembling within forty-eight (48) hours for that purpose. If The Senate determines by a two-thirds ($\frac{2}{3}$) vote of Senators present and voting that The President is unable to discharge the powers and duties of their office, The Vice President shall discharge the same as President; otherwise, The President shall resume the powers and duties of their office.

Section 208: Undergraduate Executive Council Organizational Treasurer and Budget

- A. The Council shall nominate an individual who is not The Treasurer to serve as the Organizational Treasurer of The Council.
- B. The Organizational Treasurer is responsible for the preparation of The Council Budget. The Organizational Treasurer shall seek input from all relevant stakeholders when preparing the Budget and shall further be responsible for following all relevant laws and regulations when doing so.

Section 209: Record Keeping

- A. The complete records of the two (2) immediately prior administrations of The Council and the records of the current administration shall be maintained in the office of The Council or the office of a member of The Council at all times. At the close of the administration, the records of the oldest administration on file in the office shall be transferred to the University Archives by The Secretary.

Chapter 3: The Cabinet and Other Political Subdivisions of the Undergraduate Executive Council

Article I: Structure and Purpose of The Cabinet

Section 300: Duties and Responsibilities

- A. The Cabinet, in addition to the powers vested in the Cabinet by law, shall have the following duties and responsibilities:
 - a. To advise The President;
 - b. To coordinate the activities of the Cabinet Departments;
 - c. To coordinate the execution of the policy priorities of The Council; and
 - d. Represent the needs of the Undergraduate Student Body to the University Administration.

Section 301: Membership

- A. The Cabinet shall be composed of the following:
 - 1. The Chief of the Cabinet,
 - 2. The Secretary,
 - 3. The Organizational Treasurer of the Undergraduate Executive Council, and
 - 4. All positions designated as Cabinet by law.

Section 302: Rules and Procedures

- A. The Chief of the Cabinet shall promulgate such rules and procedures as are necessary for the conduct of Cabinet meetings.
- B. The Chief of the Cabinet shall organize all meetings of the Cabinet.
- C. The Secretary shall act as a secretary and take the minutes of all meetings. The Secretary shall see that all notices of meetings of the Cabinet are duly given and that agendas and other relevant documents are distributed.

Section 303: Time for Appointment and Term of Service

- B. All positions designated as Cabinet which are not the Organizational Treasurer of the Undergraduate Executive Council shall be nominated by the President, Chief of the Cabinet, or other Officer of the Undergraduate Student Body as is appropriate when vacancies occur.
- C. Individuals holding a position designated as Cabinet shall serve until they graduate, resign, participate in a University sanctioned leave of absence or program which prevents them

performing their duties for longer than a single academic semester, or are otherwise unable to perform the duties of their office.

Section 304: Qualifications

- D. Individuals shall meet the following qualifications in order to seek and hold a position designated as Cabinet:
- a. Have no active sanctions from the Honor System for violations of the Honor Code;
 - b. Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - c. Be appointed in accordance with the law;
 - d. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - e. Must not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.

Section 305: Resignation

- C. Any individual holding a position designated as Cabinet wishing to resign shall direct their letter of resignation to The President and The Chief of the Cabinet.

Section 306: Provisions not exclusive

- C. The provisions of this article are not exclusive and other laws shall not be considered subordinate to these provisions.

Article II: Cabinet Departments

Section 310: Notification

- A. The Chair of The Council shall notify The Senate of the creation of positions which are to be members of The Cabinet which are not provided for by law.

Section 311: General Responsibilities of Members of The Cabinet

- A. Individuals which are members of The Cabinet shall:
1. Attend all Cabinet meetings;
 2. Communicate regularly with a representative of the Graduate and Professional Student Government that works in a similar capacity, when necessary;
 3. Serve on university boards, committees, or commissions as appropriate; and
 4. Keep detailed records of their work to facilitate the transition process.

Section 312: General Provisions Relating to the Functioning of Cabinet Departments

- A. Each Cabinet Department shall be overseen by no more than one Department Director.
- B. The Communications Department Director shall either be The Secretary or report to them.
- C. The Finance Department Director shall be the Organization Treasurer.
- D. All other Cabinet Department Directors outlined in this Chapter shall report to the Chief of

the Cabinet.

Section 313: Academic Affairs and Professional Development Department

- A. There is hereby created an Academic Affairs and Professional Development Department.
- B. The Academic Affairs and Professional Development Department shall:
 - 1. Encourage academic excellence by advocating for effective academic policies and the adoption of modern, evidence-based learning techniques;
 - 2. Foster an environment for the arts on campus that demands room for a diverse group of voices and engages the entire student body;
 - 3. Showcase and celebrate the work and accomplishments of students, researchers, lecturers, and professors; and
 - 4. Collect and disseminate student feedback on their learning experiences.

Section 314: Campus Life and Student Experiences Department

- A. There is hereby created a Campus Life and Student Experiences Department.
- B. The Campus Life and Student Experiences Department shall:
 - 1. Create an inclusive and welcoming community for incoming first-year students;
 - 2. Create programs to facilitate student experiences; and
 - 3. Work to ease the student transition experience by amending key registration processes and policies that connect incoming students to the broader UNC network.

Section 315: Civic Engagement and Outreach Services Department

- A. There is hereby created a Civic Engagement and Outreach Services Department.
- B. The Civic Engagement and Outreach Services Department shall:
 - 1. Lead efforts to encourage UNC students to register to vote, and indeed vote, in local, state, and national elections;
 - 2. Encourage students to engage with student organizations, student life, and Student Government;
 - 3. Create collaborative service networks within the Chapel Hill community; and
 - 4. Improve the student body's access to service opportunities.

Section 316: Diversity, Equity, and Inclusion Department

- A. There is hereby created a Diversity, Equity, and Inclusion Department.
- B. The Diversity, Equity, and Inclusion Department shall:
 - 1. Act as a facilitating partner for student organizations that focus on diversity issues;
 - 2. Work to improve the inclusiveness of the university through education, advocacy, and experiential learning; and
 - 3. Work to make the university more accessible and welcoming for every student, regardless of race, gender identity, sexuality, socioeconomic status, faith, nationality, or disability.

Section 317: Student Wellness and Safety Department

- A. The Student Wellness and Safety Department shall:
1. Strive to reduce the frequency of sexual and gender-based harassment, sexual violence, interpersonal violence, and stalking on and around campus, and increase rates of formal or informal reporting of these incidents;
 2. Strive to improve the Carolina experience for students with mental health issues, by reducing stigma through awareness campaigns, improving care through advocacy, and informing students of available support through education; and
 3. Work closely with student organizations that focus on safety and wellness.

Section 318: Environmental Affairs Department

- A. There is hereby created an Environmental Affairs Department.
- B. The Environmental Affairs Department shall:
1. Collaborate with students, faculty, and staff to create a more cohesive environmental presence on campus
 2. Promote key environmental principles and encourage sustainable lifestyles amongst the student body.

Section 319: State and External Affairs Department

- A. There is hereby created a State and External Affairs Department.
- B. The State and External Affairs Department shall:
1. Advocate on behalf of undergraduate students at the local, state, and federal level;
 2. Attend meetings of the Chapel Hill Town Council; and
 3. Work with community partners to advance the interests of Undergraduate Students.

Section 3110: Finance Department

- A. There is hereby created a Finance Department.
- B. The Finance Department shall:
1. Serve as a financial resource for cabinet members as they plan, organize, and execute activities.
 2. Raise funds for The Council from a variety of sources, including but not limited to The Senate and private donations.
 3. Fulfill all mandated duties of an organizational treasurer.

Article III: Other Political Subdivisions of the Undergraduate Executive Council

Section 320: General Provisions Relating to the Functioning of Political Subdivisions of the Undergraduate Executive Council

- A. All political subdivisions of The Council excluding those which are part of The Cabinet shall

be organized as The Council deems fit.

- B. The Council shall designate to whom such political subdivisions report whether it be a member of The Cabinet, An Officer, or The Council itself.
- C. The Council shall notify The Senate of the creation of political subdivisions not provided for by law.

Section 321: Duties, Responsibilities, and Qualifications of the Undergraduate Solicitor General

- 5. There shall be an Undergraduate Solicitor General.
- 6. There shall be an Office of the Undergraduate Solicitor General which shall be overseen by the Undergraduate Solicitor General.
- 7. Individuals shall meet the following qualifications in order to seek and hold the office of Undergraduate Solicitor General:
 - a. Have no active sanctions from the Honor System for violations of the Honor Code;
 - b. Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - c. Be appointed in accordance with the law;
 - d. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - e. Must not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.
- 8. The Undergraduate Solicitor General shall, in addition to the responsibilities, powers, duties, and authorities established by law:
 - a. Serve as the primary legal counsel for the Undergraduate Executive Council;
 - b. Appoint Deputy Undergraduate Solicitor Generals;
 - c. Review all cases decided adversely to determine whether they should be appealed and, if so, what position should be taken; and
 - d. Shall determine whether the Council will participate as an amicus curiae, or intervene, in cases.
- 9. Any individual holding the office of Undergraduate Solicitor General wishing to resign shall direct their letter of resignation to The Chair of the Undergraduate Executive Council.
- 10. The Undergraduate Solicitor General shall serve until they graduate, resign, participate in a University sanctioned leave of absence or program which prevents them performing their duties for longer than a single academic semester, or are otherwise unable to perform the duties of their office.
- 11. The provisions of this section are not exclusive and other laws shall not be considered subordinate to these provisions.

Title IV: Judicial Branch

Chapter 1: Courts of the Undergraduate Student Body

Article I: Organization, Powers, and Duties of Courts and Judges

Section 100: Number and Composition of Courts

- A. The Undergraduate Student Body constitutes one judicial district.

Section 101: Created and Composition of District Courts

- A. There shall be in each judicial district a district court which shall be a court of record known as a Superior Court of the district.
- B. Each district court shall consist of the district judge or judges for the district in regular service. Justices or judges designated or assigned shall be competent to sit as judges of the court.
- C. Except as otherwise provided by law, or rule or order of court, the judicial power of a district court with respect to any action, suit or proceeding may be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges.

Section 102: Appointment and Number of Judges

- A. The President shall appoint, by and with the advice and consent of The Senate, district judges for the several judicial districts, as follows:

District	Judges
Undergraduate Student Body	3

Section 103: Qualifications, Tenure, and Residence of District Judges

- A. Individuals shall meet the following qualifications in order to seek and hold the office of district judge:
- Have no active sanctions from the Honor System for violations of the Honor Code;
 - Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - Be appointed in accordance with the law;
 - Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - Must not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.
- B. The district judges shall hold office until they graduate, resign, participate in a University sanctioned leave of absence or program which prevents them performing their duties for longer

than a single academic semester, or are otherwise unable to perform the duties of their office. Any individual holding the office of district judge wishing to resign shall direct their letter of resignation to The President and The Speaker of The Senate.

- C. District judges shall not be physically absent from the University's campus for more than one academic semester, excluding summer and winter intersession periods. .
- D. The provisions of this section are not exclusive and other laws shall not be considered subordinate to these provisions.

Section 104: Seniority of Judges

- A. The chief judge of the district shall be the district judge in regular service who is senior in commission of those judges.
- B. The chief judge shall have precedence and preside at any session which they attend.
- C. Other district judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to the order in which their nominations were approved by The Senate.
- D. A judge whose commission extends over more than one district shall be junior to all district judges except in the district in which they resided at the time they entered upon the duties of their office.
- E. If a chief judge is temporarily unable to perform their duties as such, they shall be performed by the district judge in regular service, present in the district and able and qualified to act, who is next in precedence.

Section 105: Division of Business among District Judges

- A. The business of a court having more than one judge shall be divided among the judges as provided by the rules and orders of the court. The chief judge of the district court shall be responsible for the observance of such rules and orders, and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe.
- B. Notwithstanding any other provision of law, each court shall determine the order in which actions are heard and determined, except that the court shall expedite the consideration of any action for temporary or preliminary injunctive relief, or any other action if good cause therefore is shown. For purposes of this subsection, "good cause" is shown if a right under the Constitution of the Student Body or a statute would be maintained in a factual context that indicates that a request for expedited consideration has merit.

Section 106: Vacant Judgeship as Affecting Proceedings

- A. When the office of a district judge becomes vacant, all pending process, pleadings, and proceedings shall, when necessary, be continued by the clerk until a judge is appointed or designated to hold such court.

Section 107: Bias or Prejudice of Judge

- A. Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against them or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.
- B. The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than three (3) days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith.

Section 108: En Banc Determination

- A. A majority of the judges of a district court may order that an appeal or other proceeding be heard or reheard by the district court en banc. An en banc hearing or rehearing is not favored and ordinarily will not be ordered unless:
 - a. En banc consideration is necessary to secure or maintain uniformity of the court's decisions; or
 - b. The proceeding involves a question of exceptional importance.
- B. A party may petition for a hearing or rehearing en banc.
 - a. The petition must begin with a statement that either:
 - i. The district court decision conflicts with a decision of the Supreme Court of the Student Body or of the court to which the petition is addressed (with citation to the conflicting case or cases) and consideration by the full court is therefore necessary to secure and maintain uniformity of the court's decisions; or
 - ii. The proceeding involves one or more questions of exceptional importance, each of which must be concisely stated; for example, a petition may assert that a proceeding presents a question of exceptional importance if it involves an issue on which the panel decision conflicts with the authoritative decisions of other district courts that have addressed the issue.
- C. A vote need not be taken to determine whether the case will be heard or reheard en banc unless a judge calls for a vote.
- D. When convened en banc, a majority of the membership of the court constitutes a quorum and the concurrence of a majority of the court sitting en banc is necessary for a decision.

Section 109: Behavior of Judges

- A. As provided by the Constitution, Judges of inferior courts shall be independent from political involvement and maintain an utmost level of impartiality in executing all official acts. Therefore, Judges shall refrain from:

- a. Rendering formal or informal advisory opinions as to questions of law outside of official actions,
 - b. Making public statements out of court as to particular questions of law,
 - c. Discussing out of court the merits and issues of controversies or cases before the court or to be before the court,
 - d. Urging the amendment, passage, or defeat of any measure before The Senate or any other political subdivision of the Student Government after their confirmation as a Judge,
 - e. Campaigning or publicly endorsing any campus political candidate, constitutional amendment, or referenda, and
 - f. Doing any act or making any statement out of court which would tend to disparage the impartiality of the judicial system.
- B. Nothing in subsection A of this section shall prohibit free discussion among the judges of the courts and among the persons serving on the court staff.
- C. Nothing in subsection A of this section shall be construed to prohibit the chief Judge from discharging their responsibilities to administer the court and speak on administrative questions to petitioners of the court.
- D. The blatant or repeated commission by members of the court of any of the acts prohibited by subsection A of this section may be grounds for impeachment and removal by The Senate. A lesser commission may be the basis for a member to recuse themselves from hearing and deciding a case on the matter in question.
- E. A judge may not sit in a case if either of the parties is related to them by affinity or consanguinity within the third degree.
- F. Judges shall be bound by the Code of Ethics established by the Supreme Court of the Student Body. The ability of the Supreme Court of the Student Body to impose penalties for violations of the Code of Ethics shall not prohibit The Senate from undertaking its own disciplinary actions.

Section 1010: Term of the Court

- A. The term of the Court shall begin on the inauguration day of The President and shall continue until the subsequent inauguration day.

Section 1011: Powers and Duties of Courts

- A. Judges and courts have all powers necessary for the exercise of its jurisdiction and the enforcement of its lawful orders, including authority to issue the writs and orders necessary or proper in aid of its jurisdiction. An alternative writ or rule nisi may be issued by a judge of a court which has jurisdiction. Exercise of this authority by a judge is subject to review by the whole court if the court is composed of more than one (1) judge.

- B. A court shall require that proceedings be conducted with dignity and in an orderly and expeditious manner and control the proceedings so that justice is done.

Section 1012: Contempt of Court

- A. Except as provided by Subsection C, a court may punish for contempt.
- B. Courts shall issue punishments for contempt of court at their discretion provided such punishment is not cruel or unusual.
- C. A court may not punish by contempt an Officer, a political subdivision or member of a political subdivision for failure to initiate any program or to perform a statutory duty related to that program:
 - a. If the legislature has not specifically and adequately funded the program; or
 - b. Until a reasonable time has passed to allow implementation of a program specifically and adequately funded by the legislature.

Section 1013: Transfer of Cases

- A. If by an amendment to this chapter a district court has its jurisdiction changed, all cases and proceedings from that county that are pending in the district court of the judicial district from which the jurisdiction was removed are transferred to the district court of the judicial district which now has jurisdiction or to the Supreme Court of the Student Body if not such district court exists. The judge of each affected district court shall sign the proper orders in connection with the transfer.
- B. If by an amendment to this chapter a district court has its jurisdiction changed, or if an amendment to this chapter changes the time or place at which the terms of court are held, all processes, writs, bonds, recognizances, and other obligations issued from and made returnable to that court before the effective date of the transfer or other change are returnable as provided by this subsection. An obligation issued from the affected court is returnable to another district court or to the Supreme Court of the Student Body as the case may be, but may not be made returnable on a date that is earlier than the date on which the obligation was originally returnable. The obligations are legal and valid as if the obligations had been made returnable to the issuing court.
- C. The obligees in all appearance bonds and recognizances taken in and for a district court before the effective date of an amendment to this chapter, and all witnesses summoned to appear before that district court under laws existing before the effective date of an amendment to this chapter, are required to appear at another district court or the Supreme Court of the Student Body as the case may be on the date that court directs, but may not be required to appear on a date that is earlier than the date on which the obligees or witnesses were originally required to appear.

Section 1014: Budget

- A. District courts if they desire operating funds shall request such funds from the Supreme Court of the Student Body.

Article II: Staff of The Courts

Section 110: Clerk

- A. The chief judge of the district court may appoint a clerk of court. The clerk of court shall be subject to removal by the chief judge of the district court. If there is no clerk of court, the chief judge shall perform their duties.
- B. The clerk of court shall, under the direction of the chief judge, prepare the decisions of the court for publication in bound volumes and advance copies in pamphlet installments.

Section 111: Marshal

- A. The chief judge of the district court may appoint a marshal, who shall be subject to removal by the chief judge of the district court. If there is no marshal, the chief judge shall perform their duties.
- B. The marshal shall:
 - a. Attend the court at its sessions;
 - b. Serve and execute all process and orders issued by the court or a member thereof;
 - c. Take charge of all property of the Student Government used by the court or its members.

Article III: Jurisdiction and Venue

Section 130: Personal Jurisdiction

- A. Any court established by this chapter shall have personal jurisdiction over legal issues brought by any undergraduate student of the University of North Carolina at Chapel Hill, defined as anyone who pays the Undergraduate Student Organizations Fee.
- B. Any court established by this chapter shall have personal jurisdiction over legal issues brought by any undergraduate registered student organization of the University of North Carolina at Chapel Hill, defined as any student organization that has a total membership of 50% +1 undergraduates, or any codified subdivision of the Undergraduate Student Government.
- C. Any court established by this chapter shall have personal jurisdiction over legal issues brought against any undergraduate student of the University of North Carolina at Chapel Hill, defined as anyone who pays the Undergraduate Student Organizations Fee.
- D. Any court established by this chapter shall have personal jurisdiction over legal issues brought against any undergraduate registered student organization of the University of North Carolina at Chapel Hill, defined as any student organization that has a total membership of 50% +1 undergraduates, or any codified subdivision of the Undergraduate Student Government.

Section 131: Subject Matter Jurisdiction

- A. The Superior Court of the Undergraduate Student body shall have subject matter jurisdiction over matters arising under the laws enacted by The Senate.

Section 132: Venue

- A. Unless otherwise specified, all judicial proceedings under this chapter shall be heard in the Dialectic Hall.

Section 133: Appeals Procedure

- A. Any party who wishes to appeal a decision of the district court shall do so by either filing a request for an en banc determination or by filing the appropriate documents in a timely manner with the stated measures of the Supreme Court of the Student Body.

Article IV: Procedures

Section 140: Seal of Process

- A. All writs and process issuing from a court shall be under the seal of the court and signed by the clerk thereof.

Section 141: Documentary Evidence

- A. If any institution, or any political subdivision of the Undergraduate Student Government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence, or event, and in the regular course of business has caused any or all of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless its preservation is required by law. Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement, or facsimile does not preclude admission of the original. This subsection shall not be construed to exclude from evidence any document or copy thereof which is otherwise admissible under the rules of evidence.
- B. Books or records of account or minutes of proceedings of any political subdivision of the Undergraduate Student Government shall be admissible to prove the act, transaction or occurrence as a memorandum of which the same were made or kept.
- C. Properly authenticated copies or transcripts of any books, records, papers or documents of any political subdivision of the Undergraduate Student Government shall be admitted in evidence equally with the originals thereof.

- D. Extracts from the Journal of the Senate when the injunction of secrecy is removed, certified by the Secretary of the Senate, shall be received in evidence with the same effect as the originals would have.

Section 142: Rules of Procedure

- A. The courts established under this chapter shall comply with and follow all rules and procedures established in the Code of the Laws of the Student Government and the Rules of Procedure established by the Supreme Court of the Student Body for the operations of the Judicial Branch.
- B. The courts established under this chapter may establish additional rules of procedure provided that:
 - a. Any rule prescribed by a court under subsection B shall be prescribed only after giving appropriate public notice and an opportunity for comment. Such rule shall take effect upon the date specified by the prescribing court and shall have such effect on pending proceedings as the prescribing court may order.

Chapter 2: The Undergraduate Honor System

Article I: Undergraduate Student Attorney General and Undergraduate Attorney General's Staff

Section 200: Duties and Responsibilities of the Undergraduate Student Attorney General and the Undergraduate Student Attorney General's Staff

1. The Undergraduate Student Attorney General (USAG) and members of the USAG's staff shall, in addition to the responsibilities, powers, duties, and authorities established by law:
 - a. Recruitment, appointment, training, certification, and oversight of members of the USAG's Staff. The staff of the USAG shall be responsible for investigating all alleged violations of the Honor Code by undergraduate students, providing defense counsel as requested, and presenting matters to the Honor Court for resolution. In making staff appointments, the USAG should endeavor to assemble a staff whose diversity reflects that of the student body as a whole. In the event of disagreement between the Attorney General and the Vice Chancellor for Student Affairs concerning training or certification, the issue shall be decided by the Committee on Student Conduct.
 - b. Review and investigation of alleged violations of the Code of Student Conduct. The USAG or the USAG's designee shall receive complaints of all alleged violations by undergraduate students; investigate such complaints to determine whether there is sufficient evidence to refer the incident to the Honor Court; formulate and bring charges; advise students to be charged concerning their rights, the availability of counsel, and procedures to be employed; bring charges to the Honor Court; and respond to appeals as necessary.
 - c. Contribute to cooperative efforts to strengthen the campus Honor System. In cooperation with other members of the Honor System Outreach Coordinator Search Committee, the USAG shall recommend to the Undergraduate Student Body President¹ one or more qualified candidates to serve as Honor System Outreach Coordinator. The Undergraduate Student Attorney General shall also serve as an appointed or ex officio member of the Committee on Student Conduct, foster cooperation between the USAG's Office and the Office of the Undergraduate Honor Court, work closely with the Faculty Advisory Panel on the Honor System, and advise

¹ The Language of the *The Instrument of Student Judicial Governance* refers to the President of the Undergraduate Student Body as the Undergraduate Student Body President.

the Judicial Programs Officer, Vice Chancellor for Student Affairs, Chancellor, and Chair of the Faculty about matters relating to the Honor System and Honor Code.

2. All language within this section shall be subordinate to the *Instrument of Student Judicial Governance*.

Article II: The Undergraduate Honor Court

210: Duties and Responsibilities of the Chair of the Undergraduate Honor Court and Undergraduate Honor Court Vice-Chairs

1. The Chair of the Undergraduate Honor Court and Undergraduate Honor Court Vice Chairs shall in addition to the responsibilities, powers, duties, and authorities established by law:
 - a. Recruit, nominate, train, certify, and oversee members of the Undergraduate Honor Court. Members of the Honor Court may not sit on a hearing panel until they have been found to be knowledgeable concerning the regulations, provisions, procedures, sanctions, and functioning of the Honor System as delineated in this Instrument, and accordingly certified as “qualified” by the Chair of the Undergraduate Honor Court and the Vice Chancellor for Student Affairs. In the event that the Chair and the Vice Chancellor for Student Affairs disagree over procedures for certification, the issue shall be decided by the Committee on Student Conduct.
 - b. Administer the Honor Court. The Chair shall assign hearing panels composed of the Chair or a Vice Chair (as presiding officer) and the requisite number of Court members to conduct hearings and to serve on University Hearings Boards. The Chair shall make such assignments by random selection using a separate presiding officer pool (composed of the Chair and Vice Chairs) and a panel member pool (composed of the remaining members of the court). The Chair shall also perform such other duties as may be appropriate consistent with this Instrument.
 - c. Contribute to cooperative efforts to strengthen the campus Honor System. In cooperation with other members of the Honor System Outreach Coordinator Search Committee, the Chair of the Undergraduate Honor Court shall recommend to the Undergraduate Student Body President² one or more qualified candidates to serve as Honor System Outreach Coordinator. The Chair of the Undergraduate Honor Court shall also serve as an appointed or ex officio member of the Committee on Student Conduct, foster cooperation Undergraduate Honor Court, work closely with the Faculty Advisory Panel on the Honor System, and advise the Judicial Programs Officer, Vice Chancellor for Student Affairs, Chancellor, and Chair of the Faculty about

² The Language of the *The Instrument of Student Judicial Governance* refers to the President of the Undergraduate Student Body as the Undergraduate Student Body President.

matters relating to the Honor System and Honor Code.

2. All language within this section shall be subordinate to the *Instrument of Student Judicial Governance*.

Article III: Undergraduate Honor System Outreach Coordinator

Section 220: Duties and Responsibilities of the Undergraduate Honor System Outreach Coordinator and Undergraduate Honor System Outreach Staff

1. The Undergraduate Honor System Outreach Coordinator and members of the Undergraduate Honor System Outreach Staff, shall in addition to the responsibilities, powers, duties, and authorities established by law:
 - a. Recruit, appoint, train, and oversee Honor System Outreach Members. The Honor System Outreach Coordinator shall make staff appointments of Honor System Outreach members, and shall oversee the recruitment, training, and outreach efforts of Honor System Outreach members. In making staff appointments, the Honor System Outreach Coordinator should endeavor to assemble a staff whose diversity reflects that of the student body as a whole.
 - b. Coordinate and Promote Outreach Activities. The Honor System Outreach Coordinator shall coordinate and promote outreach activities by the Office of the Honor System; work with the Faculty Honor System Advisory Committee to improve information and education relating to academic integrity issues; work with the student government and other student organizations to foster information and education regarding student conduct issues; and such other related coordination and outreach activities as may be appropriate after consultation with the USAG, Office of the Undergraduate Honor Court, the Graduate and Professional Attorney General, the Graduate and Professional Honor Court Chair, the Graduate and Professional Honor System Outreach Officer, the Judicial Programs Officer, the Dean of Students, and the Committee on Student Conduct. The Honor System Outreach Coordinator shall also serve as an appointed or ex officio member of the Committee on Student Conduct.
2. All language within this section shall be subordinate to the *Instrument of Student Judicial Governance*.

Chapter 3: Legal Counsel

Article I: General Provisions

Section 300: Right to Counsel

- A. In all courts the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.
- B. If a person wishes to be represented by a counselor but is unable to retain one the court shall request the Undergraduate Chief Legal Officer to assign one.

Section 301: Qualifications to Serve as Counsel

- A. Any individual seeking to serve as counsel before a court established Under Chapter Two (2) of the Constitution must meet the following qualifications:
 - a. Be a currently enrolled fee-paying student;
 - b. Have passed the Student Bar Exam; and
 - c. Have no active sanctions imposed by the Honor Court, any court of the Undergraduate Student Body, or by the Supreme Court of the Student Body.
- B. The Student Bar Exam shall be administered by the clerk of court. To pass this test an individual must score an eighty percent (80%) or greater. The clerk of court shall see that a certificate is produced bearing the seal of the court as proof that an individual has passed the Student Bar Exam.
 - a. Such records of an individual passing the Student Bar Exam, shall have the same full faith and credit in every court and office of the Undergraduate Student Body.
- C. The Student Bar Exam shall test an individual's knowledge of the Constitution of the Student Body, the General Statutes of the Undergraduate Student Body, the Rules and Procedures established by the Supreme Court of the Student Body, the rules of procedure of the court, and such other matters as the clerk of court deems necessary.
- D. This section shall not apply to individuals seeking to represent themselves pro se however such individuals shall be advised by the clerk of court and judges of the court to take the Student Bar Exam.
- E. Any organization seeking to file suit must be represented by a qualified counselor.

Article II: Undergraduate Chief Legal Officer

Section 310: Duties, Responsibilities, and Qualifications of the Undergraduate Chief Legal Officer

1. There shall be an Undergraduate Chief Legal Officer.
2. There is hereby established an Office of Legal Counsel which shall be overseen by the Undergraduate Chief legal Officer.
3. Individuals shall meet the following qualifications in order to seek and hold the office of

Undergraduate Chief Legal Officer:

- a. Have no active sanctions from the Honor System for violations of the Honor Code;
 - b. Have no active sanctions from the Supreme Court of the Student Body for violations of the law;
 - c. Be appointed in accordance with the law;
 - d. Must be a duly registered fee-paying undergraduate student in good standing at the University of North Carolina at Chapel Hill; and
 - e. Must not be subject to automatic disqualification for violation of any provision of the Constitution of the Student Body.
4. The Undergraduate Chief Legal Officer shall, in addition to the responsibilities, powers, duties, and authorities established by the law:
- a. Serve as legal counsel, providing zealous and competent representation to assigned clients;
 - b. Appoint legal counsel for cases before the Board of Elections, the courts of the Undergraduate Student Body, and the Supreme Court of the Student Body when representation is requested by a party or parties;
 - c. Oversee the Office of Legal Counsel (OLC);
 - d. Recruit, appoint, and train Deputy Legal Officers (DLO);
 - e. Review and investigate alleged violations brought before the Board of Elections or Supreme Court of the Student Body; and
 - f. Be empowered to remove DLOs as deemed necessary.
5. Any individual holding the office of Undergraduate Chief Legal Officer wishing to resign shall direct their letter of resignation to The President.
6. The Undergraduate Chief Legal Officer shall serve until they graduate, resign, participate in a University sanctioned leave of absence or program which prevents them performing their duties for longer than a single academic semester, or are otherwise unable to perform the duties of their office.
7. The provisions of this section are not exclusive and other laws shall not be considered subordinate to these provisions.

Title V: Elections

Chapter 1: General Provisions

Article I: Foundations

Section 100: Definitions

- A. Within this Title, in determining the meaning of any provisions, unless the context indicates otherwise:
1. “Ballot Petition” is defined as a document that a duly authorized representative collects signatures with for the purposes of ensuring that a ballot measure, candidate or party list appears on the ballot;
 2. “Party list” is defined as a list of candidates for office submitted by a campaign committee that stand collectively for office under the auspicious of the campaign committee;
 3. “Campaign” is defined as any activity to elicit support during the election period;
 4. “Campaign Committee” is defined as an organization campaigning during an election period either by the submission of a party list or general campaigning for a candidate, party list, or ballot measure;
 5. “Private Campaigning” is defined as preparation of campaign materials and private recruitment by individuals or a campaign committee before the beginning of the election period;
 6. “Public Campaigning” is defined as any campaigning by individuals or a campaign committee following the beginning of election period;
 7. “Campaign Workers” are defined as any individuals working at the direction of a candidate for office or a campaign committee;
 8. “Certified Candidate” is defined as an individual or party list that has been certified by the Board of Elections to appear on the ballot;
 9. “Declaration of Candidacy” is defined as the submission of the official declaration of candidacy document by an individual or campaign committee chair;
 10. “Declared Candidate” is defined as an individual or party list who has submitted their Declaration of Candidacy and is pending certification by the Board of Elections;
 11. “Hallstorming” is defined as the act of visiting campus residence halls operated by the Department of Housing & Residential Education or Granville Towers for the purpose of campaigning;
 12. “Social Media” means a website or internet medium that:
 - i. permits a person to become a registered user, establish an account, or

- create a profile for the purpose of allowing users to create, share, and view user-generated content through such an account or profile;
 - ii. enables one (1) or more users to generate content that can be viewed by other users of the medium; and
 - iii. primarily serves as a medium for users to interact with content generated by other users of the medium;
- 13. “Early Voting” is defined as casting a ballot prior to election day at a location designated by or system approved by the Board of Elections and depositing the voted ballot in the tabulation system.
- 14. “Campaign materials” is defined as materials or services produced, authorized, or initiated by a candidate, campaign committee, or campaign workers, with the intent to campaign.
 - i. Campaign materials shall be considered those items that are part of a final product used for the purpose of campaigning. Objects used in the making of campaign materials that are reusable are not considered part of the final product.
 - 1. Campaign materials that are purchased or donated already assembled shall be assessed at the fair-market value of the final product.
 - 2. Items or services given to potential voters during a campaign, excluding food and beverages, shall be included in the definition of campaign materials and services.
 - 3. Items used to collect physical signatures for a ballot petition
 - 4. Any services or resources used to design, create, or operate materials such as a website or social media page shall be included in the definition of campaign materials and resources.
 - 5. E-mail, social media, texting, and telephone calls shall be assessed at a cost of zero. Paid advertising online, paid mailing lists, and other similar services shall be assessed at their actual cost.
- 15. “Campaign expenditure” in a given election cycle shall be defined as any transaction of money, receipt of gifts-in-kind, or other economic exchange for any campaign materials or services distributed or used at any point following the last day of voting of the previous election valued at fair-market value.
 - i. Campaign materials or services that were purchased before the last day of voting in the previous regular election shall be treated as gifts- in-kind from the owner.

- ii. Campaign materials or services that are borrowed shall be treated as a gift-in-kind.

Section 101: Legislative Intent

1. It is the intent of the legislature that the application of this title and the conduct of elections be uniform and consistent to reduce the likelihood of fraud in the conduct of elections, protect the secrecy of the ballot, promote voter access, and ensure that all legally cast ballots are counted.
2. Regulations in this title shall be used for elections concerning only the Undergraduate Student Body.
3. A provision of this title may not be interpreted to prohibit or limit the right of a qualified individual with a disability from requesting a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law.
4. The vote in an election is by an official ballot.

Chapter 2: Election Administration

Article I: Notice of Elections

Section 200: Responsible Party

1. The following authorities shall give notice of an election not less than thirty (30) days in advance of a general election and twenty (20) days in advance of a special election:
 - a. The Board of Elections;
 - b. The Senate; and
 - c. The Council.

Section 201: Notice Contents

1. The notice of a general or special election must state:
 - a. The nature and date of the election;
 - b. The location of each polling place and location to request provisional ballots;
 - c. The hours that the polls will be open;
 - d. The website of the authority conducting the election; and
 - e. Any other information required by other laws.

Section 202: Failure to Give Notice.

1. Failure to give notice of an election does not affect the validity of the election.

Article II: Ballot Form

Section 210: Ballot Preparation

1. The following authority shall have the official ballot prepared:
 - a. The Board of Elections for any election concerning the Undergraduate Student Body.
2. The authority responsible for having the official ballot prepared shall have placed on the ballot the name of each candidate or party list:
 - a. Who has filed with the authority the necessary documents for a place on the ballot that complies with the requirements as to form, content, and procedure that the documents must satisfy for the candidate's name or party list to be placed on the ballot; or
 - b. Whose entitlement to placement on the ballot has been lawfully certified to the authority.
3. To make a necessary correction on the ballot, the authority responsible for having the official ballot prepared must issue new ballots.
4. The preparation of a ballot measure to be submitted to the voters at an election shall be the responsibility of the entity proposing the ballot measure. The ballot measure shall be comprised of simple, unbiased, concise, and easily understood language and be in the form of an explanatory statement and a question. The ballot measure shall not exceed two hundred

(200) words in length and shall not include words that are struck through, underscored, or in boldface type.

- a. The Board of Elections shall be responsible for ensuring that these requirements are properly enforced.

Section 211: Name on the Ballot

1. A candidate's name shall be printed on the ballot with the given name or initials first, followed by a nickname, if any, followed by the surname, in accordance with this Section.
2. In combination with the surname, a candidate may use one or more of the following:
 - a. title of up to one (1) Student Government Office currently held;
 - b. a contraction or familiar form of a given name by which the candidate is known; or
 - c. an initial of a given name.
3. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used.
4. A candidate's name may not appear more than once on the ballot except as a candidate for:
 - a. two (2) or more offices that are permitted by law to be held by the same person; or
 - b. the Offices of Student Body President or President of the Undergraduate Student Body and another office.
5. Candidates for The Senate may run for any district for which they are qualified but may not run in multiple districts or on multiple party lists simultaneously.

Section 212: Form of Ballot

1. A designation of the nature of the election and the date of the election shall be printed at the top of the ballot.
2. "OFFICIAL BALLOT" shall be printed in large letters on the ballot immediately below the designation and date of the election.
3. The names of candidates on the ballot shall be randomized.
4. Adequate space shall be provided on the ballot for write-in votes.
5. The ballot shall contain sufficient instructions for how to vote. Such instructions shall include:
 - a. Immediately below "OFFICIAL BALLOT," the following instruction shall be printed: "Vote for the candidate of your choice in each race by placing an 'X' or filling in the shape beside the candidate's name."
 - b. If more than one candidate is to be elected in any race on the ballot, "Vote for none, one, two, ... or ____" (in the numerical sequence appropriate for the number of candidates to be elected) shall be printed immediately before the text required in the previous item.
6. For any election the order in which items shall appear shall be:
 - a. Ballot measures

- b. Elections for Office representing the entire Undergraduate Student Body;
- c. Elections for Office representing parts of the Undergraduate Student Body.

Section 213: Availability of Ballots

1. It shall be the affirmative responsibility of the Board of Elections to ensure that all electors are able to vote in an election by providing easy access to the ballot.
2. The Board of Elections shall ensure that paper ballots or digital ballots are made available during elections.
3. Provisional Ballots shall be provided for all elections during early voting and on election day at the office of the Board of Elections, the Office of the Student Government, or polling places in case voters experience errors or technical difficulties during the voting process.
 - a. Provisional ballots must include spaces for entry of all required voter information (name, PID #, class, and district), the elector's signature with the Honor Pledge, and the elector's choices for each office and ballot measure that they wish to vote in the election.
 - b. All provisional ballots shall be certified if the elector has provided correct and complete information.

Section 214: Availability of Ballot Petitions and Other Documents

1. All documents submitted by campaign committees or candidates including but not limited to candidate registration forms and ballot petitions shall be made publicly available for inspection. Candidates and campaign committees shall be granted unfettered access to any all documents submitted by them to the Board of Elections.

Article III: Polling Locations

Section 220: Number of Polling Places

1. The Board of Elections shall operate at least one physical polling location for the duration of early voting and election day.

Section 221: Location of Polling Places

1. Each polling place shall be located inside a building.
2. The building selected for a polling place shall be a public building if practicable.
3. A polling place may not be located at the residence of a person who is:
 - a. a candidate for an elected office.
4. Each polling place shall be accessible to and usable by persons with physical disabilities

Article IV: Tabulation

Section 230: Tabulation for Single Seat Elections

1. In the case of a single-seat election, the number of votes received by a candidate in either

the initial tabulation or in an additional round of tabulation shall be equal to the number of ballots on which that candidate is the highest ranked continuing candidate.

2. In the case of a single-seat election, a candidate shall be elected to the office if:
 - a. In the initial tabulation of ballots, the candidate receives a number of votes greater than fifty (50) percent of the number of ballots cast in the election; or
 - b. If the election official carries out an additional round of tabulation under subsection (3), the candidate receives the greatest number of votes of the 2 remaining continuing candidates (as described in such subsection).
3. If, under the initial tabulation of ballots, no candidate is elected to office (or, in the case of a primary election, no candidate advances to the general election for such office) under the criteria described in subsection (2), the election official shall carry out additional rounds of tabulation in accordance with subsection (4) until only two continuing candidates remain.
4. In each additional round of tabulation carried out under this subsection:
 - a. The candidate receiving the fewest number of votes among all candidates shall be treated as a defeated candidate;
 - b. For each ballot cast for a defeated candidate, the election official shall determine the highest-ranked candidate on the ballot who is a continuing candidate; and
 - c. The vote cast on the ballot shall be transferred to, and added to the total number of votes received by, the highest-ranked continuing candidate determined under item (b).

Selection 231: Tabulation for Multiple Seat Elections

1. In the case of a multi-seat election, the votes shall be counted in a series of rounds of tabulation until the number of winning candidates equals the required number of winning candidates with respect to the election, as described in subclause two (2).
2. The multi-seat election threshold with respect to an election shall be equal to the total number of valid votes cast in the election divided by the sum of the number of seats plus one (1).
 - a. Represented as $t = \frac{v_t}{s+1}$ where t is threshold, v_t is the number of valid votes cast in the election and s is the number of seats.
3. In the case of a multi-seat election, a candidate shall be considered a winning candidate and shall be elected to one of the offices if:
 - a. In any round, the candidate has a vote total that exceeds the multi-seat election threshold, as determined under this section; or
 - b. The candidate is a continuing candidate and the number of remaining continuing

candidates plus the number of candidates already designated as winning candidates is equal to or less than the required number of winning candidates with respect to the election.

4. In the case of a multi-seat election, the votes shall be counted in a series of rounds, beginning with the initial round, under which each candidate has a number of votes equal to the number of votes cast in the election in which the candidate was the highest-ranked candidate, and proceeding as follows:
 - a. If, following any round of counting, the number of winning and continuing candidates combined is greater than the required number of winning candidates with respect to the election, and at least one candidate has a vote total that exceeds the multi-seat election threshold, as determined under this section, then the following round shall be a surplus tabulation round as described in subsection.
 - b. If, following any round of counting, the number of winning and continuing candidates combined is greater than the required number of winning candidates with respect to the election, and no candidate has a vote total that exceeds the multi-seat election threshold, as determined under this section, then the following round shall be a candidate elimination round as described in subclause six (6).
 - c. If, following any round of counting, the number of winning and continuing candidates combined is equal to or less than the required number of winning candidates with respect to the election, then the remaining continuing candidates shall be designated as winning candidates, and the tabulation is complete.
5. In this section, a 'surplus tabulation round' is a tabulation round under which each candidate with a vote total greater than the multi-seat election threshold is designated as a winning candidate and the surplus votes for such candidate are transferred to other candidates, as described in subsection eight (8).
6. In this section, a 'candidate elimination round' is a tabulation round under which the candidate with the fewest votes is designated as defeated and votes for that candidate are transferred to other candidates, as described in subsection nine (9).
7. In a surplus tabulation round, each candidate with a vote total that exceeds the multi-seat election threshold shall be designated as a winning candidate, and the election official shall transfer the surplus votes for each such candidate to other candidates as follows:
 - a. The official shall determine the surplus fraction for each candidate designated as a winning candidate at the beginning of the round by taking the difference between the candidate's vote total at the beginning of the round and the multi-seat election threshold, and dividing that difference by the candidate's vote total at the beginning of the round.

- i. Represented as $f_s = \frac{|c_{vb} - t|}{c_{vb}}$ where f_s represents surplus fraction, c_{vb} represents candidates vote total at the beginning, and t represents the multi-seat election threshold
 - b. The official shall reweight each vote counting for each candidate designated as a winning candidate at the beginning of the round by multiplying the vote's current weight (equal to one if the vote has not been reweighted in any prior surplus tabulation round) by the surplus fraction determined with respect to the candidate under item (a), rounding down to four decimal places.
 - i. Represented as $w_r = w_c * f_s$ or in its expanded form $w_r = w_c * \frac{|c_{vb} - t|}{c_{vb}}$ where w_r is the reweight, w_c is the current weight, where f_s represents surplus fraction, c_{vb} represents candidates vote total at the beginning, and t represents the multi-seat election threshold
 - c. The official shall transfer each vote counting for each candidate designated as a winning candidate at the beginning of the round to the highest ranked continuing candidate on the ballot on which the vote was cast, counting the vote as a fraction of a vote equal to its new weight as determined under item (b).
 - d. For all subsequent surplus tabulation rounds, the official shall set the vote total of each candidate designated as a winning candidate at the beginning of the round to be equal to the multi-seat election threshold.
8. In a candidate elimination round, the candidate with the fewest votes shall be designated as defeated, and the election official shall transfer the votes for such candidate to other candidates as follows:
 - a. The official shall transfer each vote counting for the candidate designated as defeated at the beginning of the round to the highest ranked continuing candidate on the ballot on which the vote was cast, except that if the vote was counted as a fraction of a vote due to being reweighted in a prior surplus transfer round, it shall continue to count as the same fraction of a vote in the subsequent candidate elimination round.
 - b. For all subsequent candidate elimination rounds, the official shall set the vote total of each candidate designated as defeated at the beginning of the round to zero votes.

Selection 232: Tabulation for Proportional List Elections

- A. The Board of Elections shall tally all the votes for the party lists, rank them according to

the number of votes received and allocate party-list representatives proportionately according to the percentage of votes obtained by each party list as against the total votes cast for the party-list system.

- B. Party-list representatives shall be proclaimed by the Board of Elections based on the list of names submitted by the campaign committee to the Board of Elections according to their ranking in the said list.

Section 233: Manner of Voting

- A. Every elector shall be entitled to two (2) votes for Senators of The Senate. The first is a vote for candidates in their legislative district, and the second, a vote for the party list they want represented in The Senate provided, that a vote cast for a party list not entitled to be voted for shall not be counted.

Section 234: Additional Requirements

- A. All write-in candidates must receive a minimum of fifteen (15) unique votes in order to be certified as elected by the Board of Elections.

Section 235: Public Viewing of Tabulation

- A. The Board of Elections shall provide upon request an unofficial tally of votes cast during early voting. They shall only provide the total number of votes cast and no information regarding how many votes a candidate, party list, or ballot measure has received.
- B. Any meeting of the Board of Elections where votes are tabulated shall be open to the public within the constraints imposed by this section.
- C. Each campaign for President of the Undergraduate Student Body is entitled to have one representative present at a meeting where the Board of Elections is tabulating votes for that office.
- D. Each campaign committee which has a party list on the ballot is entitled to have one representative present at a meeting where the Board of Elections is tabulating votes for an election of party list representatives.
- E. Any candidate or campaign that is entitled to have a representative present at a meeting where votes are being tabulated must inform the Board of Elections as to who their representative is at least one (1) day in advance.
- F. The Board of Elections may adopt additional rules for the conduct of the public provided that such rules do not restrict the public from viewing the tabulation of votes, documenting the conduct of the Board of Elections, or unreasonably prevents the public from observing the tabulation process.
- G. The Board of Elections shall in no way subvert the requirements or intent of this section by obfuscating the tabulation process by referring to candidates, party lists, or ballot measures by pseudonyms or by denying the public the ability to see the ballots be counted.

Section: 236: Publication of Election Results

- A. The Board of Elections shall publish preliminary results of an election as expeditiously as possible and when publishing results shall include the following information:
 - a. Total number of votes cast;
 - b. The total amount of votes each candidate, partylist, and ballot measure received which shall include all ranked votes;
 - c. The turnout rate; and
 - d. Any other information the Board of Elections deems necessary to release.
2. Final election results must be approved within ninety six (96) hours of the election concluding and shall include the same information as required for preliminary results in addition to all financial statements submitted by candidates and campaign committees.

Article V: Nonpartisan Voter Guide

Section 240: General Provisions

1. The Board of Elections shall by rule shall prescribe the size, format and method of distribution of the Nonpartisan Voter Guide (NVG), subject to the limits described in this chapter.
2. The Board of Elections by rule shall adopt an electronic filing system to allow statements or arguments to be filed electronically.

Section 241. Statements and Information to be Included

1. The Board of Elections shall prepare and have printed in the NVG for a general election and any special election a statement containing:
 - a. Requirements for an individual to qualify as an elector;
 - b. A statement on the cover of the NVG that the guide may be used to assist voters in voting; and
 - c. Instructions, including the right of a voter to request a provisional ballot, and the right of a voter to seek assistance in marking the ballot.
2. The Board of Elections shall have printed in the NVG for a general election or any special election a copy of the title and text of each ballot measure to be submitted to the Undergraduate Student Body at the election for which the pamphlet was prepared. Each ballot measure shall be printed in the pamphlet with:
 - a. The number and title of the ballot measure;
 - b. The explanatory statement prepared for the measure; and
 - c. Arguments relating to the measure and filed with the Board of Elections.
3. The Board of Elections shall include a disclaimer in boldface type the following form:

“Information provided in statements or arguments submitted by a candidate, a political

party, an assembly of voters or a person supporting or opposing a measure have not been verified for accuracy by the Board of Elections.”

Section 242. Statements and Arguments Submitted by Candidates and Campaign Committees

1. Statements and arguments submitted for inclusion in a nonpartisan voter guide by a candidate, campaign committee, or a person supporting or opposing a ballot measure shall consist only of words or numbers.
2. The Board of Elections shall reject any statement, argument, translation or other matter offered for filing and publishing in a voters’ pamphlet that:
 - a. Contains any obscene, profane or defamatory language, or
 - b. Incites or advocates hatred, abuse or violence toward any person or group.
3. Not sooner than the fourteen (14th) day and not later than seventh (7th) the day before an election, a candidate or agent on behalf of the candidate may file with the Board of Election a statement of the reasons the candidate should be elected.
 - a. The candidate’s statement shall begin with a summary of the following:
 - i. Occupation, educational and occupational background, and prior governmental experience
4. Not sooner than the fourteen (14th) day and not later than seventh (7th) the day before an election, the registered agent or the chair of a campaign committee which has submitted a party list may file with the Board of Election a statement of the reasons the party list should be elected.
5. Not sooner than the fourteen (14th) day and not later than the seventh (7th) day before an election or a special election at which a ballot measure is to be voted upon, any person may file with the Board of Elections an argument supporting or opposing a ballot measure.
6. At the bottom of each allotted space of the NVG containing a statement filed by a candidate, campaign committee, the Board of Elections shall include a statement identifying the person who furnished the statement.

Article VI: Candidate and Campaign Committee Registration

Section 250: Declaration of Candidacy

- A. The Board of Elections shall at the beginning of each election period make available for individuals seeking to run for office a form and such form shall be the Declaration of Candidacy Form. The submission of this form by an individual shall constitute the submission of the official declaration of candidacy document by an individual.
 - a. This document must be submitted in conjunction with the official training mechanism in order to be considered valid.

- b. In conjunction with submitting their declaration of candidacy, each candidate shall also submit:
 - i. Proof of membership within the appropriate constituency; and
 - ii. Proof that the individual meets all the qualifications to hold office.
 - c. The Board of Elections may at any time request additional information to determine if an individual is qualified to run for office. If the Board of Elections determines that an individual which was already allowed to run for office is not legally allowed to run for office, they shall immediately be ordered to cease campaigning and be removed from the ballot if necessary.
- B. Candidates shall maintain a list of campaign workers. The Board of Elections may request this list at any time, and it must be submitted to the Board of Elections with the financial statement. Falsifying this list or deliberately obscuring an individual's position as a campaign worker shall be considered perjury and grounds for immediate disqualification by the Board of Elections.

Section 251: Campaign Committee Registration

- A. The Board of Elections shall make available a form to create a campaign committee.
 - a. Such form shall be the Campaign Committee Registration Form.
 - b. Such form shall be available and shall only be available each year during the period from July 1 to the first day of class of the Fall semester.
- B. Such registration shall last for two (2) years and shall be renewable provided that the campaign committee remains in good standing. Good standing shall be defined as:
 - a. Have not received fifteen (15) or more points in a given election cycle;
 - b. Have not otherwise been found to be operating in a manner which was found to be illegal by the Board of Election;
 - c. Have no active sanctions from the Supreme Court of the Student Body for violations of the law.
- C. Campaign committees must annually inform the Board of Elections as to who the chair of the committee campaign is and designate an official registered agent who is authorized to submit documents to the Board of Elections. The registered agent and chair must both have completed the training mechanism and submit proof of doing so.
- D. Campaign committees shall maintain a list of campaign workers. The Board of Elections may request this list at any time, and it must be submitted to the Board of Elections with the financial statement. Falsifying this list or deliberately obscuring an individual's position as a campaign worker shall be considered perjury and grounds for immediate disqualification by the Board of Elections.
- E. Submission of a Declaration of Candidacy Form by an individual seeking to run for office shall

not also constitute the submission of a Campaign Committee Registration Form.

Section 252: Party List Registration

- A. Registered campaign committees may file with the Board of Elections, not later than twenty one (21) days before an election, a manifestation of its desire to participate in the party-list system.
- B. Each registered campaign committee shall submit to the Board of Elections not later than seven (7) days before the election a list of names, not less than six (6) from which party-list representatives shall be chosen in case it obtains the required number of votes. A person may be nominated in one (1) list only. Only persons who have given their consent in writing may be named in the list. No change of names or alteration of the order of nominees shall be allowed after the same shall have been submitted to the Board of Elections except in cases where the nominee dies, or withdraws in writing, their nomination, becomes incapacitated in which case the name of the substitutes nominee shall be placed last in the list.
 - a. In conjunction with submitting the party list, the registered agent for the party list shall also submit proof that each individual listed on the party list meets all the qualifications to hold office.
 - b. The Board of Elections may at any time request additional information to determine if an individual is qualified to run for office. If the Board of Elections determines that an individual who was already allowed to run for office is not legally allowed to run for office, they shall immediately be ordered to cease campaigning and be removed from the ballot if necessary.

Section 253: Training Mechanism

- A. The Board of Elections shall at the beginning of each election period make available for individuals seeking to declare candidacy or form a campaign committee a training mechanism for individuals to become familiar with the Elections Code.
 - a. This training mechanism must be inclusive of every regulation and precedent that will govern each election. A clear effort must be demonstrated by the Board of Elections to include any information that could be deemed relevant.
- B. The Board of Elections shall offer this training mechanism in a synchronous or asynchronous manner as they deem appropriate.

Article VII: Procedure for Calling a Special Election and Other Matters

Section 260: Grounds for and Scheduling of Special Elections

- A. Special Elections shall be held to fill confirmed vacancies of elective officers or vote on ballot measures.

- B. Vacancies shall be considered confirmed if:
 - a. The Speaker of The Senate reports to the Board of Elections that seats in The Senate are vacant, or
 - b. The President reports to the Board of Elections vacancies in an Office elected by the Undergraduate Student Body except vacancies in The Senate.
- C. Special Elections for ballot measures shall be held no fewer than six (6) and no more than fifteen (15) days after the petition for such has been certified by the Board of Elections.

Section 261: Procedure for Ballot Measures Originated by The Senate

- A. The Board of Elections shall be responsible for ensuring that ballot measures originated by The Senate are placed on the ballot according to the legislation originating the ballot measure.

Article VIII: Regulations Governing Ballot Petitions

Section 270: Requirements for Candidate Ballot Petitions

- A. The number of constituents' signatures required to file a valid petition shall be as follows:
 - a. At least one thousand (1000) unique signatures for the President of the Undergraduate Student Government.
 - b. At least two hundred and fifty (250) unique signatures for the President and Vice President of the Rising Senior Class.
 - c. At least two hundred (200) unique signatures for a part list.
 - d. At least fifty (50) unique signatures for Senators of The Senate elected from legislative districts.
- B. An individual may sign multiple petitions for each office but no individual shall sign a single petition more than once. Non-constituent signatures shall be considered void.
- C. The signatures for a candidate ballot petition may be collected:
 - a. Electronically by Onyen-verified electronic signatures, or
 - b. In hard copy, accompanied by a name, and PID.
 - c. In the case of signatures collected for Senators from legislative districts they must also collect the individual's major.
 - d. In the case of signatures collected for President and Vice President of the Rising Senior Class the year of the student.
- D. The Board of Elections may prescribe additional rules to ensure the validity of signatures.
- E. Sitting Senators, seeking to be reelected to a seat representing a legislative district and not ever having been subject to any penalty or sanction imposed by The Senate, shall not be required to submit a Ballot Petition and shall automatically be certified by the Board of Elections in the initial list of Certified Candidates.

Section 271: Requirements for Ballot Measure Petitions

- A. As provided by The Constitution, the number of signatures required to file a valid petition shall be:
 - a. In the case of a recall:
 - i. Fifty (50) unique signatures of electors in the constituency of an elected Senator.
 - ii. One-third ($\frac{1}{3}$) of the total number of electors who voted in an election for the President of the Undergraduate Student Body.
 - iii. One hundred (100) unique signatures of electors for Senior Class President and Vice President.
 - b. In the case of an initiative or review one-third ($\frac{1}{3}$) of the total number of electors who voted in an election for the President of the Undergraduate Student Body.
- B. Non-constituent signatures shall be considered void.
- C. The signatures for a candidate ballot petition may be collected:
 - a. Electronically by Onyen-verified electronic signatures, or
 - b. In hard copy, accompanied by a name, and PID.
 - c. In the case of signatures collected for recalling Senators representing legislative districts they must also collect the individual's major.
 - d. In the case of signatures collected for recalling the President and Vice President of the Rising Senior Class the year of the student.
- D. The Board of Elections may prescribe additional rules to ensure the validity of signatures.

Article IX: Public Financing of Elections

Section 280: Undergraduate Student Government Financing of Election Expenditures

- A. The following shall be required of a candidate in order to receive Undergraduate Student Government financing of their campaign:
 - 1. The candidate shall have completed the required training mechanism;
 - 2. The candidate shall have properly submitted a declaration of candidacy;
 - 3. The candidate shall submit a financial statement to the Board of Elections as outlined by this Title;
 - 4. The candidate shall be an undergraduate student; and
 - 5. The candidate shall have appropriately submitted to the Board of Elections, within twenty four (24) of the submission of the financial statement, an additional form requesting reimbursement for line items listed on their financial statement.
 - i. For the purposes of this section, "Eligible Campaign Expense" shall be defined as the total cost of all line items for which a candidate requests reimbursement in this form less expenditures prohibited by this Title.

- B. The following shall be required of a campaign committee in order to receive Undergraduate Student Government financing of their campaign:
1. The campaign committee shall be properly registered;
 2. The campaign committee shall submit a financial statement to the Board of Elections as outlined by this Title;
 3. The campaign committee shall be composed primarily by fee-paying duly enrolled undergraduate students; and
 4. The campaign committee shall have appropriately submitted to the Board of Elections, within twenty four (24) of the submission of the financial statement, an additional form requesting reimbursement for line items listed on their financial statement.
 - i. For the purposes of this section, "Eligible Campaign Expense" shall be defined as the total cost of all line items for which a candidate requests reimbursement in this form less expenditures prohibited by this Title.
- C. For the purposes of reimbursing campaign expenditures, the Board of Elections may request funds from The Senate for the purpose of reimbursing or otherwise defraying the expense of electioneering for eligible candidates or campaign committees.
- D. The Senate shall consider this request in a manner consistent with the funding criteria of the Finance Code.
- D. The Board of Elections shall oversee the reimbursement of eligible candidates and party lists at the lesser of the following:
1. The candidate's or party list's Eligible Campaign Expense; or
 2. A rate equal to the quotient of the sum of all Eligible Campaign Expenses of all candidates and campaign committees divided by the total amount of funds appropriated to the Board of Elections for the purposes described in this section.
- E. If campaign materials or services are given gratuitously or excessively below normal cost, the candidate or campaign committee shall submit to the Board of Elections a receipt for the goods or services provided. The said assessment shall be subject to revision by the Board of Elections and deliberate erroneous assessments may be subject to penalty.
- F. The Board of Elections shall have the power to determine the fair-market value of a campaign material or service, if such information is not readily available to the general public.

Chapter 3: Election Timeline

Article I: General Election Cycles

Section 300: Dates for General Elections

- A. The Spring General Election shall be held on the second Tuesday of February with voting taking place from 5:00 p.m. of that Tuesday until 5:00 p.m. of the following Wednesday.
- B. The Fall General Election shall be held eight (8) calendar days before the Homecoming Football Game with voting taking place from 5:00 p.m. of that Tuesday until 5:00 p.m. of the following Wednesday.

Section 301: Special Elections

- A. Special Elections shall be held during the Fall and Spring semesters on a day when classes are in session with voting taking place from 5:00 p.m. of the day of the election until 5:00 p.m. of the following day.

Section 302: Election Timeline

- A. An election cycle shall take place over the course of twenty one (21) days subject to appropriate adjustments made by the Board of Elections provided that no election cycle shall last longer than twenty-five (25) days unless The Senate shall adopt a resolution authorizing such action. The ability of the Board of Elections to adjust the election cycle shall extend to the ability to adjust the specific times at which documents such as ballot petitions are due and voting takes place provided that an adjustment to such deadlines not be longer than twenty four (24) hours unless The Senate shall adopt a resolution authorizing such action.
 - a. Adjustments to the election cycle and the times for the submission of documents are due and voting takes place must be made on the basis of the Academic Calendar adopted by the University or because of a declared state of emergency.
- B. Twenty one (21) days prior to the election day, the Declaration of Candidacy Form, Campaign Committee Registration Form, and Training Mechanism shall be made available.
- C. Fourteen (14) days prior to the election day, ballot petitions must be submitted to the Board of Elections for certification. Ballot petitions must be submitted by 11:59 p.m. in a manner prescribed by the Board of Elections.
- D. Thirteen (13) days prior to the election day, the Board of Election shall release the list of Certified Candidates.
- E. If needed, a Run-Off Election shall occur seven (7) days after the election.

Section 303: Early Voting Timeline

- A. Early voting shall begin three (3) days before an election and end one (1) before the election for a total of two (2) days.

Section 305: Additional Regulations for Ballot Measure Campaigns

- A. Prior to collecting signatures for a ballot measure, a campaign committee must declare their intent to place a ballot measure on the ballot to the Board of Elections through the means established by the Board of Elections.
- B. Ballot measure campaigns may collect signatures for a ballot measure at any time during the year.
- C. Campaigns committees shall register with the Board of Elections a signature-campaign timeline which shall define the period in which the campaign will be actively collecting signatures. A signature-campaign timeline shall not exceed thirty (30) days.
- D. If a referendum campaign fails to collect sufficient signatures to appear on the ballot during their signature collection period, the Board of Elections shall render a decision on the basis of the number of signatures collected.
 - a. If the campaign is within ten (10) percent of the requisite number to appear on the ballot, they may grant an extension of no more than three (3) days for the collection of signatures; or
 - b. If the campaign is not within ten (10) percent of the, they shall end the signature period and impose a moratorium on the ballot measure for a time period not less than thirty (30) days and not more than ninety (90) days. At the end of the moratorium period, the ballot measure may be proposed again.

Chapter 4: Campaigning Regulations

Article I: Undergraduate Student Government Participation and Resources

Section 400: Use of Undergraduate Student Government Resources

- A. For the duration of any election cycle, no campaign materials may be displayed or stored in the offices of the Undergraduate Student Government or any political subdivision thereof.

Section 401: Undergraduate Student Government Involvement in Campaigns

- A. The following individuals shall not campaign, be a member of a campaign committee, or seek office without having resigned prior to the beginning of the election cycle:
 - a. The Undergraduate Student Attorney General;
 - b. The Chair of the Undergraduate Honor Court;
 - c. Any Justice or Judge;
 - d. The Undergraduate Solicitor General;
 - e. Members of the Board of Elections; and,
 - f. Members of the Office of Legal Counsel including the Undergraduate Chief Legal Officer, except in the case of legal hearings, pre-trials, trials, and legal papers.
- B. When campaigning, it must be made clear that an individual which holds a position within the Undergraduate Student Government or any political subdivision thereof is speaking only on behalf of themselves and not for Undergraduate Student Government or any political subdivision thereof.

Section 402: Nonpartisan Civic Engagement

- A. Undergraduate Student Government listservs may be used, in a non-partisan manner, to notify constituents that elections are occurring.
 - a. Ballot measures shall be described in accordance with the phrasing submitted to the Board of Elections.
 - b. If a candidate's name or party list is mentioned, all certified candidates or party lists running for that same office must also be mentioned.
 - c. No statement supporting a candidate, campaign committee, or question on the ballot shall be included in such an email.
- B. In conjunction with the Board of Elections, The Senate shall be empowered to host a non-partisan forum for candidates and party lists.
 - a. The Senate shall be empowered to formulate the rules for participation in their respective forums, in consultation with the Board of Elections.
 - b. Candidates or party lists participating in a forum shall be bound by the forum rules and persistent violation of those rules may result in the dismissal of the

- offending party from the forum.
- c. If The Senate schedules necessitate that a forum occur prior to the deadline for candidate certification, candidates and party lists shall not be penalized for participating in the forum.

Article II: Candidate and Campaign Committee Regulations and Responsibilities

Section 410: Responsibilities

- A. Candidates and campaign committees are expected to know and obey the laws contained in this title. Candidates retain the right to all actions not explicitly prohibited or reasonably prohibited by this title. All campaign materials shall be considered the personal property of the candidate or campaign committee.

Section 411: Technology Use

- A. The following rules shall apply to candidate and campaign committee websites:
 - a. URL(s) of web page(s) must be specified in the financial statement submitted by candidates and campaign committees.
 - b. No campaign-related material may be publicly posted on the internet until a candidate has declared their candidacy or a campaign committee is properly registered.
 - c. No university-owned computers may be set to default a candidate's or campaign committee's webpage, social network group, or other campaign-related materials.
- B. Unsolicited e-mailing shall be permissible for campaigning after a candidate has declared their candidacy or a campaign committee is properly registered. The message must include the e-mail address of the sender or other electronic reply address and may not be given a "high" or "URGENT" priority designation.
- C. Social media, group messaging, and direct messaging shall be allowed for private campaigning.
- D. Mass use of social media shall not be allowed during the period of private campaigning. Mass use of social media shall be allowed during the period of public campaigning.

Section 412: Private Campaigning

- A. Potential candidates and campaign committees shall be subject to the laws governing elections.
- B. No candidate or campaign committee shall publicly campaign before declaring their candidacy or properly registering.
- C. Candidates and campaign committees may privately campaign before declaring their candidacy or properly registering.

Section 413: Public Campaigning

- A. Upon declaring their candidacy or proper registration, candidates and campaign committees may publicly campaign subject to the rules of this title.
- B. All candidates and campaign committees shall be responsible for the actions of their campaign workers whether or not they have knowledge of such actions. If a violation occurs without the knowledge of the candidate or campaign committee, the candidate or campaign committee must take the following actions upon discovery or notification of such violation:
 - a. The candidate or campaign committee must try to nullify or correct the action causing the violation if possible;
 - b. The candidate or campaign committee must suspend the worker from campaign work; and,
 - c. The candidate or campaign committee must report the violation to the Board of Elections and the steps taken to rectify the violation within twenty-four (24) hours of their notification of the violation.
- C. With the assistance of the Department of Housing & Residential Education, the Board of Elections shall develop an annual policy for hallstorming. All candidates and campaigns shall be bound by this policy.

Section 414: Post Election

- A. All candidates, including write-in candidates, and campaign committees shall submit financial statements, in a format to be specified by the Board of Elections, no later than 11:59 pm three (3) days after the election. A financial statement must be submitted even if there were no campaign expenditures.
- B. The Board of Elections may request any candidate to produce additional financial evidence clarifying or justifying their statements.
- C. All election certifications shall be contingent on the submission of verified financial statements by the winning candidate.
- D. All campaign materials must be removed from University property within ninety-six (96) hours after the close of the polls.

Section 415: Additional Regulations for Ballot Measure Campaigns

- A. All forms of campaigning permissible outlined for public campaigning shall be permissible during the signature collection period for a ballot measure campaign.

Section 416: General Regulations and Prohibited Actions

- A. The following acts shall be considered acts worthy of immediate disqualification by the Board of Elections following the appropriate adjudication process:

- a. Intentionally or knowingly interfering with the polling, voting, or voter count mechanisms;
- b. Physical Abuse, included but not limited to, assault, battery, sexual assault, threats of violence, stalking, hazing, terrorizing conduct, or other conduct that seriously threatens the health or safety of any person;
- c. Sexual, racial, or other forms of harassment, for the purposes of this section harassment is defined as verbal, electronic, or other conduct based on an individual's protected status that interferes with an individual's participation in a University program or activity, thereby creating a hostile environment;
- d. Illegal possession, use, or manufacture of destructive devices or weapons;
- e. Larceny, burglary, fraud, theft, embezzlement, extortion, blackmail, arson, or destruction of property;
- f. Failure to complete the online training mechanism;
- g. Perjury, destroying evidence, tampering with evidence or witnesses, or intentionally or knowingly providing false information, evidence or testimony to the Board of Elections;
- h. Exceeding the campaign finance spending limit by twenty (20) percent or more;
- i. Intentionally or knowingly misrepresenting or failing to report expenditures;
- j. Intentionally or knowingly submitting multiple ballots, modifying another individual's ballot, or submitting a ballot for another person;
- k. Receiving support from any foreign government, foreign political party, foundation, organization, or person whether directly or through any of its officers or members or indirectly through third parties for partisan election purposes;
 - i. For the purposes of this subsection "foreign" shall include any person which is not a duly enrolled fee paying student at the University of North Carolina at Chapel Hill or an advisor to the Student Government.
- l. Bribing of any person or group of voters,
 - i. This subsection shall not be interpreted to preclude giving electors campaign branded items or non-monetary items, or items of negligible value such as buttons or small promotional items, worth less than five (5) dollars with no group or person receiving items in combination worth twenty five (25) dollars;
- m. Bribing, conspiring with, claiming endorsement of, or otherwise corruptly influencing a Board of Elections member or any other person involved with the administration or operations of an election; and

- n. Intimidating, threatening, or retaliating against voters, parties to a Board of Elections or court case, witnesses subpoenaed for a Board of Elections or court case, candidates, campaign workers, potential candidates, or other persons related to the elections.
- B. The following acts shall be considered acts worthy of penalization by the Board of Elections following the appropriate adjudication process:
- a. Defacing, destroying, altering or otherwise changing any candidate's campaign materials before the election;
 - b. Removing material of any candidate unless in restricted areas without the permission of the candidate;
 - i. Materials in legally restricted areas may only be removed by a candidate, campaign committee, appropriately authorized individual, or persons authorized by the Board of Elections.
 - c. Deliberately misrepresenting any issue to be voted on by the electors in an election conducted under the auspices of this title, including but not limited to falsely defaming another campaign or intentionally presenting falsities regarding the platform of another campaign, but any misrepresentation resulting from intended satire shall not constitute such violation;
 - d. Using on behalf of any candidate or campaign committee for the purpose of public campaigning or campaign recruitment at any time; this restriction does not prohibit the use of these locations for the purpose of private campaign meetings within existing campaign teams or the preparation of campaign materials:
 - i. The interior of all academic classrooms and lecture halls during classes;
 - ii. The interior of all campus libraries;
 - iii. The interior of all dining halls,
 - 1. Candidates shall be allowed to verbally campaign and obtain signatures in areas within the dining halls that have no One Card or monetary requirement;
 - iv. The interior or exterior of all University or Chapel Hill Transit operated vehicles; and,
 - v. The private property of any individual who has not given prior consent;
 - e. Placing campaign materials on University property in such a way as to damage that property.
 - f. Placing campaign materials on trees, shrubs, or other plants on the University campus;
 - g. Violating University policies or any rules or regulations established by the University, provided for by law, or by the Board of Elections.

Article III: Campaign Finances

Section 420: Campaign Spending Limits

- A. The following are the maximum amounts that may be spent by a candidate seeking the associated office:
 - a. Individuals seeking the Presidency of the Undergraduate Student Body may spend no more than one thousand (1000.00) dollars,
 - b. Individuals seeking the Presidency and Vice Presidency of the Rising Senior Class may spend no more than four hundred (400.00) dollars,
 - c. Individuals seeking to be elected to a seat in The Senate of the Undergraduate Student Body from a legislative district may spend no more two hundred (200.00) dollars.
- B. If a candidate is involved in a runoff election, the following spending limits shall apply to the run-off stage of the election:
 - a. Individuals seeking the Presidency of the Undergraduate Student Body may spend no more than five hundred (500.00) dollars,
 - b. Individuals seeking the Presidency and Vice Presidency of the Rising Senior Class may spend no more than two hundred (200.00) dollars,
 - c. Individuals seeking a seat in The Senate of the Undergraduate Student Body may spend no more one hundred (100.00) dollars.
- C. The spending restrictions listed in this section shall also apply to all write-in candidates.
- D. Campaign committees shall not spend in excess of five hundred (500.00) dollars.

Section 421: Campaign Spending Regulations

- A. A candidate or campaign committee shall not be penalized in the instance that said candidate or campaign committee is endorsed and that endorsement is publicized by a student organization.
- B. Any materials or funds expended for or on behalf of a candidate or campaign committee shall not be considered a campaign expense if used without the knowledge of the candidate or a campaign committee.
- C. If a candidate or campaign committee obtains knowledge of a gratuity, service, or material that did not have their prior consent, the gratuity, service or material must be returned or officially declined within twenty-four (24) hours of their discovery of the expenditure or it will be deemed a campaign expenditure.
- D. Any individuals who expends material, funds, or gratuitous services for or on behalf of a candidate or campaign committee without gaining candidate's prior consent shall be immediately served a cease and desist warning from the Board of Elections. Failure to cease and

desist shall constitute a violation of the law and grounds for punitive action, including but not limited to notification of the Undergraduate Student Attorney General.

Chapter 5: Authorities and Enforcement Powers

Article I: General Provisions

Section 500: Enforcement

- A. All provisions within this title shall be subject to enforcement, and violations subject to punitive action, by the Board of Elections, courts of competent jurisdiction, and by the Honor System pursuant to the *Instrument of Student Judicial Governance*.

Section 501: Rule Making Authority

- A. The Board of Elections may issue additional regulations and provide penalties for violating those regulations within the limits prescribed by law.
- B. The Board of Elections does not under any circumstances have the power or ability to interpret the law.

Section 502: Use of Precedent

- A. Rulings of the Board of Elections shall not be considered binding. Under no circumstances may elections be governed solely by precedent. Rulings and determinations of the Board of Elections shall not under any circumstances be considered equal to the written text of the law.

Article II: Administrative Authorities

Section 510: Responsibility to Administer

- A. The Board of Elections must properly administer all elections and shall have the necessary power to do so within the limits of the law.

Section 511: Administrative Authority

- A. In furtherance of their duty to properly administer elections, the Board of Elections shall as a matter of due course, have the authority to on their own initiative take actions to protect the security of the ballot, ensure that all candidates and party lists which appear on the ballot are qualified to appear, and ensure that the elections are free and fair. This shall not be construed as to allow the Board of Elections to take punitive actions against a party list or candidate outside the adjudication system.
- B. The Board of Elections upon being notified of errors or discovering errors made in the administration of an election shall act to correct those errors as expeditiously as possible. Complaints against actions taken by the Board of Elections as part of the administration of an election may be filed with a court of competent jurisdiction.

Article III: Punitive Actions and The Point System

Section 520: Punitive Actions

- A. The Board of Elections shall have the power to issue the following penalties following proper adjudication:
 - a. Formally reprimand any person;
 - b. Issue points according to the system provided by law; and
 - c. Disqualify a candidate or party list.

Section 521: Reprimands

- A. A formal reprimand issued by the Board of Elections shall be a statement issued by the Board of Elections in the final opinion of the Board of Elections. It shall serve as a record that a party has been found liable for an action but that the act committed did not warrant punishment beyond formal disapproval.

Section 522: The Point System

- A. The Board of Elections shall issue points to candidates or campaign committees in the final opinion of the Board of Elections. The Board of Elections shall have the ability to determine the number of points issued to a candidate or campaign committee, within the limits specified by law.
- B. If a candidate is assessed fifteen (15) points, they are automatically disqualified and shall be ordered to cease all campaigning and if necessary be barred from the ballot for this election cycle. If a candidate is assessed ten (10) or more points, the Board of Election shall include an asterisk next to the name of the candidate on the ballot explaining the violations they have been found liable of committing.
- C. If a campaign committee is assessed fifteen (15) points, they shall be ordered to cease operating for the remainder of the election cycle and have their registration terminated. If the campaign committee had registered a party list the party list will also be removed from the ballot. A chair of a campaign committee which is assessed fifteen (15) points shall be barred from holding such a position in any other campaign committees for a period of six (6) months. This penalty shall prohibit individuals including those barred from serving as a campaign committee chair from joining or forming other campaign committees.
- D. The following election violations categories shall be used when assessing points:
 - a. Negligence: This category shall include, but shall not be limited to, violating University policies or any rules or regulations established by the University, rules or regulations provided for by law, or by the Board of Elections which are not otherwise enumerated by any other category of election violation.
 - b. Defacing campaign materials or school property: This category shall include, but shall not be limited to, destroying campaign materials, placing campaign materials in unauthorized locations, damaging UNC property, and destroying wildlife.

- c. Misrepresentation of an Election Issue: This category shall include, but not be limited to, deliberate or intentional presentation of falsities regarding the platform of another campaign.
 - d. False Start: This category shall include, but shall not be limited to, beginning campaigning or collecting signatures before the official starting time.
 - e. Location: This category shall include, but not be limited to, campaigning in locations where it is prohibited.
 - f. Technology: This category shall include, but not be limited to, campaigning online in prohibited ways.
 - g. Falsification: This category shall include, but shall not be limited to, providing information or submitting documents with false information to the Board of Elections or other relevant authorities that does not rise to the level of perjury.
 - h. Financial Problems: This category shall include, but not be limited to, exceeding the established spending limits.
 - i. Harmful or Malicious Behavior: This category shall include, but not be limited to, intentionally damaging an opponent's campaign or adversely affecting a ballot measure campaign irreversibly or maliciously.
- E. The following points shall be assigned to election violations per category per offense. At the discretion of the majority opinion of the Board of Elections, multiple violations of the same offense may be compiled into a single election violation.
- a. Violations found to meet the standard of negligence shall be assessed four (4) points though the Board of Elections may, based on their discretion, add or subtract two (2) points.
 - b. Violations found to meet the standard of defacing campaign materials or school property shall be assessed two (2) points though the Board of Elections may, based on their discretion, add or subtract one (1) point.
 - c. Violations found to meet the standard of misrepresentation of an election issue shall be assessed two (2) points though the Board of Elections may, based on their discretion, add or subtract one (1) point.
 - d. Violations found to meet the standard of false start shall be assessed six (6) points though the Board of Elections may, based on their discretion, add or subtract three (3) points.
 - e. Violations found to meet the standard of location shall be assessed four (4) points though the Board of Elections may, based on their discretion, add or subtract two (2) points.

- f. Violations found to meet the standard of technology shall be assessed two (2) points though the Board of Elections may, based on their discretion, add or subtract one (1) point.
 - g. Violations found to meet the standard of falsification shall be assessed six (6) points though the Board of Elections may, based on their discretion, add or subtract four (4) points.
 - h. Violations found to meet the standard of financial problems shall be assessed four (4) points though the Board of Elections may, based on their discretion, add or subtract two (2) points.
 - i. Violations found to meet the standard of harmful or malicious behavior shall be assessed eight (4) points though the Board of Elections may, based on their discretion, add or subtract four (4) points.
- F. Should the candidate commit a violation, or a supporter commits a violation that the candidate should be reasonably aware of, after such time as the Board of Elections can meet to issue an opinion, the complaint shall be heard by a court of competent jurisdiction. The court will then decide if the violation had the potential to alter the outcome of the election. If so decided, the court holds the right to nullify the election result for that office.
- G. A candidate or campaign committee which receives a point or points, as issued within the final opinion of a Board of Elections hearing, shall also have their maximum spending limit decreased. Each point shall correspond to a three percent (3%) decrease from the original maximum spending limit for a candidate or campaign. This penalty shall not exceed the amount that a candidate has already spent.

Section 523: Disqualification

- A. The Board of Elections shall disqualify candidates or party lists based on the criteria provided for in G.S. VI:416 in the final opinion of the Board of Elections. The Board of Elections may, based on the evidence presented to them, assess a lower penalty in the form of points or reprimand if they believe the evidence does not prove that the action taken merits disqualification but still merits punishment.

Article IV: Adjudication Process

Section 530: General Procedures

- A. All duly enrolled fee paying undergraduate students are entitled to the ability to file complaints with the Board of Elections for alleged violations of the law.
- B. Upon receiving a complaint, the Board of Elections shall organize a hearing to adjudicate the matter.

- C. The Board of Elections must issue a final opinion before any appeals or other filings may be made in a court of competent jurisdiction.
- D. The Board of Elections shall ensure that copies of all complaints, answers, and other documents are provided to all parties in the proceedings.
- E. All documents filed with the Board of Elections as part of the adjudication process shall promptly be made public however the Board of Elections may redact any emails, phone numbers, addresses or other information protected according G.S. VIII:303.

Section 531: Complaints

- A. All plaintiffs must be a member of the constituency for the respective office of the candidate in which the plaintiff is filing an election complaint against. Any duly enrolled fee paying undergraduate student may file complaints against a campaign committee regardless of which elections the campaign committee is involved with.
- B. Election complaints shall contain in concise and clear language in separate, numbered paragraphs, the following:
 - a. The name of the plaintiff;
 - b. The name of the defendant;
 - c. The categories of the purported election violation or the specific disqualifiable offenses;
 - d. Descriptions of the defendant's purported election violations; and
 - e. Any evidence of the defendant's purported election violations.
- C. A complaint shall be signed by the plaintiff and shall indicate their address, telephone number, and email if any, and shall certify as follows, "I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief." If the plaintiff is a member of an opposing campaign, this must be disclosed in the complaint.
- D. A complaint submitted by a plaintiff represented by counsel shall also be signed by the counsel who shall indicate their address, telephone number, and email if any.
- E. Failure to follow all stipulated guidelines shall not be sufficient grounds to dismiss the complaint. However, the Board of Elections may request that a plaintiff refile a complaint that is egregiously out of form.

Section 532: Answers

- A. The defendant named in a complaint filed by the plaintiff is not obligated but is entitled to file an answer to any complaint. Such answer must be filed within twenty-four (24) hours after the Board of Elections provides the defendant with a copy of the complaint.
- B. Answers shall contain in concise and clear language in separate, numbered paragraphs with headings, the following contents:

1. The admission or denial of every allegation made in the complaint; and
 2. An allegation of any defense upon which the defendant relies.
- C. When preparing an answer, the defendant shall refer to the corresponding numbers of the paragraphs of the election complaint in which the allegations are made, and shall either:
1. Admit the allegation;
 2. Admit the allegation in part, and deny it in part, specifying the part denied and the reason for denial;
 3. Admit the allegation, but request that the allegation be changed to a different punitive category; or
 4. Deny, specifying the reason for denial.
- D. If a defendant is without knowledge or information sufficient to form a belief as to the truth of an allegation made in an election complaint, the defendant shall so state, and this shall have the effect of a denial.
- E. Failure to follow all stipulated guidelines shall not be sufficient grounds to dismiss the answer. However, the Board of Elections may request that a defendant refile an answer that is egregiously out of form.
- F. If the defendant fails to file an answer, the Board of Elections may grant the defendant an extension of time in which to file the answer if the Board of Elections determines that there were circumstances beyond the control of the defendant justifying the delay. Defendants shall not be granted more than twenty four (24) additional hours to file an answer.

Section 533: Hearing Procedures

- A. Upon receiving a complaint, the Board of Elections shall schedule a hearing. A hearing must be held within seventy two (72) hours of a complaint being submitted.
- B. At the issued time and place of the hearing, the Board of Elections hearing shall commence with or without the attendance of the plaintiff or the defendant.
- C. The plaintiff shall be granted time to present their case.
- D. The defendant shall have the right to respond to any allegations against them.
- E. The plaintiff and defendant have the right to present witnesses and evidence during a hearing.
- F. All hearings shall be open to the public however the Board of Elections may enact reasonable rules governing the public's viewing of hearings.
- G. After the hearing, the Board of Elections shall move into closed session to determine the final opinion of the Board of Elections.
- H. Further rules and procedures for hearings may be prescribed by the Board of Elections provided that the fundamental rights of students are protected.

Section 534: Post-hearing Procedures

- A. Within forty-eight (48) hours of the conclusion of a hearing, the Board of Elections shall issue a final opinion.
- B. The final opinion must be approved by a majority of Members of the Board of Elections.
- C. The final opinion shall state:
 - 1. Any punitive decisions against a candidate or campaign;
 - 2. The rationale of the decision(s) of the majority opinion of the BOE;
 - 3. The names of BOE members casting their votes in the affirmative of the final opinion; and
 - 4. The names of BOE members casting their votes in the dissension of the final opinion.

Section 535: Appeals

- A. If the plaintiff or the defendant disagrees with the final opinion of the Board of Elections, they may appeal to a court of competent jurisdiction.
- B. Such an appeal must be made within forty-eight (48) hours of the release of the final opinion of the Board of Elections. If such an appeal is not issued within such time constraints, then the decision of the Board of Elections stands as binding and valid for the remainder of the election cycle.
- C. The Board of Elections shall transmit to the court hearing an appeal a copy of the election complaint, the answer if one was filed, the minutes of the hearing, and the final opinion of the Board of Elections.
- D. Appeals of final opinions of the Board of Elections shall be heard de novo and with minimal deference.

Title VI: Financial Regulations

Subtitle A: Miscellaneous

Chapter 1: General Provisions

Article I: Foundations

Section 100: Definitions

- A. Within this title, in determining the meaning of any provisions, unless the context indicates otherwise:
- a. “General Reserve” shall be defined as the Carolina Union Student Organizations (CUSO) estimate of Student Activity Fees for a fiscal year minus constitutionally mandated appropriations.
 - b. “Appropriations Reserve” shall be defined as the amount of funds that may be appropriated by The Senate in a given semester.
 - c. “Subsequent Appropriations Budget” shall be defined as the amount of funds remaining in the Appropriations Reserve in a given semester following the passage of the Semi-Annual Undergraduate Student Government Budget.
 - d. “Controllable Equipment” shall be defined as any equipment or collection of items purchased with more than one hundred dollars (\$100) of Undergraduate Student Government funds.
 - e. “Web issue” shall be defined as content appearing on the web space of Student Organizations producing Undergraduate Student Government sponsored publications.
 - f. “Regular appropriations” shall be defined as any appropriation made within the Semi-Annual or Subsequent funding cycles.

Section 101. Legislative Intent

- A. It is the intent of the legislature that the application of this title and the expenditure and use of student fee funds be conducted in a viewpoint neutral manner consistent with or exceeding the requirements of University policy.
- B. Student fee funds should be used primarily for the funding of programs, services, and events of benefit to the Undergraduate Student Body at Large.
- C. This title and all other relevant statutes or common law shall regulate all financial activities of every organization and any of their sub-organizations that receive Undergraduate Student Government Funds.

Article II: Framework for Providing Funding to Student Organizations

Section 110: Disbursement of Undergraduate Student Government Funds

- A. Prior to the First Semi-Annual Budget Hearings, the amount of the Appropriations Reserve shall be determined by The Treasurer. The size of the Appropriations Reserve set by The Treasurer may be changed by adoption of appropriate legislation. The sum of the two Appropriations Reserves in a fiscal year must be no greater than one hundred percent (100%) of the General Reserve.
- B. There shall be two (2) types of direct disbursement of SG Funds.
 - a. The Semi-Annual Undergraduate Student Government Budgets shall be the primary allocations of funds from the Appropriations Reserve. The Chair of the Committee on Finance and Appropriations shall provide for the collection of funding requests, to be completed prior to the first day of classes and shall then refer a budget bill to the full Senate no later than eight (8) weeks following the first day of classes. The Senate shall then hear and vote on the budget bill during their next regularly-scheduled meeting.
 - b. Subsequent Appropriations shall be defined as the allocation of funds from the Subsequent Appropriations Budget during the fall and spring semesters. Fall Subsequent Appropriations shall begin immediately following the passage of the Fall Semi-Annual Undergraduate Student Government Budget shall end at the opening of the next Spring Budget Hearings. Spring Subsequent Appropriations shall begin immediately following the passage of the Spring Semi-Annual Undergraduate Student Government Budget and shall end at the opening of the next Fall Budget Hearings.
 - c. Disbursement cycles could be adjusted by the Chair of the Committee on Finance and Appropriations in case of an emergency.
- C. Should there be a balance in the Fall Appropriations Reserve following the Fall Subsequent Appropriations period, any additional funds shall be transferred to the Spring Appropriations Reserve. Should there be a balance in the Spring Appropriations Reserve following the Spring Subsequent Appropriations period, any additional funds shall be transferred to the following fiscal year's General Reserve.

Section 111: Viewpoint Neutrality

- A. As required by the Constitution, funding decisions may not have any relationship to the particular view of the group or activity. Requests for funding must be made in a manner that is neutral to the views of the organization. Funding may not be contingent on a particular level of support or popularity of an organization, although the amount allocated to an organization may take into account student involvement in the organization and the expected benefits to other students. Criteria used to evaluate funding proposals must be consistently applied.
- B. A guide containing funding criteria will be updated by the Chair of the Committee on Finance and Appropriations each fiscal year.
- C. The provisions of this section shall be supreme over all other provisions of the Finance Code.

Section 112: Intended Recipients of Student Fee Funds

- A. Only groups that are a Registered Student Organization (RSO) with the Division of Student Affairs or branches of the Undergraduate Student Government shall be allowed to receive undergraduate student fee funds.

Section 113: Reversion of Funds

- A. Any organization's Student Fee Funds shall be subject to reversion at 5:00 pm on June 30. Constitutionally funded organizations, with the exception of the Honor Court, shall not be subject to reversions of their Student Fee Funds.
- B. Any remaining funds in the Reversions Balance shall be transferred to the General Reserve.

Section 114. Ownership

- A. All materials, supplies, equipment, or otherwise non-negotiable goods acquired with Student Fee Funds shall be considered the exclusive property of the Undergraduate Student Government unless otherwise specified by The Senate.

Article III: Duties and Responsibilities of Financial Officers

Section 120: Duties of the Chair of the Committee on Finance and Appropriations

- A. The Chair of the Committee on Finance and Appropriations shall organize and implement the Budgetary and Subsequent Appropriations Process in accordance with this Title.
- B. The Chair of the Committee on Finance and Appropriations shall be responsible for educating student organizations about Undergraduate Student Government funding.
- C. Before hearing a funding request, the Chair of the Committee on Finance and Appropriations shall confirm if the student organization or branch of the Undergraduate Student Government has a certified Organizational Treasurer (OTr) and RSO status. If an organization has not satisfied all requirements, the Chair of the Committee on Finance and Appropriations shall deny the request to appear before the Committee on Finance and Appropriations and place the student organization at the end of the funding queue after those requirements have been met.

Section 121: Duties of the Treasurer of the Undergraduate Student Body

- A. The Treasurer shall have the supreme authority to expend Student Fee Funds of all organizations receiving them only in accordance with the Constitution, this Title, and acts of The Senate. No transfer of funds shall be made from the student government fee fund balance to a student organization or branch of the Undergraduate Student Government without the prior approval of The Senate in the current or previous fiscal years.
- B. The Treasurer may set deadlines for the submission of documents necessary to expend funds and may execute extensions or exceptions to any such deadline as is necessary and proper.

Section 122: Duties of Organizational Treasurers

- A. Organizations receiving student fee funds are required to nominate individuals to act as Organizational Treasurers of their respective organizations, with authority to expend student fee funds and Generated funds.
- B. An OTr's term for a particular organization will start immediately after they are certified by completing and passing the Treasurer's Test or upon their designation as such by their organization, whichever be later. Their term shall end upon the publication of a new version of the Treasurer's Test or upon the removal of their designation by their organization, whichever be sooner.
- C. OTrs must pass the Treasurer's Test before meeting with the Committee on Finance and Appropriations in regards to a funding request.
- D. Each OTr must pass the Treasurer's Test each fiscal year before requesting student fee funds, regardless of the previous status of certification.
- E. Each OTr must register the appropriate contact information with CUSO for each organization that they are an OTr for.

Chapter 2: Oversight and Accountability

Article I. Enforcement Authorities

Section 200: Supremacy of Finance Code

- A. This title shall supersede the by-laws, charter, constitution, or statement of purpose of any student organization that receives student fee funds.
- B. Ignorance of this title shall not be an excuse for any organization or officer from compliance with their provisions.

Section 201: Freezing of Funds

- A. The Treasurer shall have the authority to freeze the student fee funds of any organization that has failed to comply with this title or any other law with written notice being sent to the OTr of the student organization, the Chair of the Committee on Finance and Appropriations, and CUSO.
- B. The Committee on Finance and Appropriations shall convene at the earliest possible time thereafter to set a termination date of the freeze and take any other action they deem necessary. The Treasurer shall not have the authority to re-freeze funds of an organization on the same incidental grounds.
- C. Upon suspected violation of this title, The Senate shall be further empowered to withdraw approval for part or the whole of an organization's funding via a funding bill stating as much. This bill shall be treated as a normal bill and must enter into law via the normal process. The Treasurer shall then be obligated to freeze the funding for so long as approval is withdrawn.
 - a. The Senate shall not pass this bill without first considering the facts of the case and whether there was indeed a violation of this Title.
 - b. Accused organizations shall have the right to defend themselves during the consideration of this bill.

Section 203: Prosecution

- A. Any person or persons responsible for repeated or serious violation of this title shall be subject to prosecution for an offense against the Undergraduate Student Body in a means consistent with the *Instrument of Student Judicial Governance*.

Section 204: Judicial Review

- A. Any action taken in violation of this title shall be voidable by a court of competent jurisdiction.
- B. In any enforcement proceeding, the court has jurisdiction and authority to issue all necessary orders to require compliance with, or to prevent noncompliance with, or to declare the rights of parties under the provisions of this title. Any noncompliance with the orders of the court may be punished as contempt of court.

- C. Any undergraduate student shall have the ability to sue the Undergraduate Student Government in a court of competent jurisdiction for violations of this Title.
- D. In any enforcement proceeding, the plaintiff may seek and the court may grant any or all of the following forms of relief:
 - a. Injunctive relief.
 - b. Declaratory judgment.
 - c. Judgment rendering the action void.

Section 205: Penalty of Disability

- A. Should an organization display a pattern of actions which consistently violate this Title, The Treasure may request The Senate adopt a bill to disable an organization from applying for and receiving student fee funds.
- B. This resolution must contain evidence of the pattern of violations by the given organization.
- C. This resolution may disable an organization from receiving student fee funds for a period no greater than three (3) Semi-Annual Budget cycles beginning with the cycle following the current cycle.
- D. A resolution disabling an organization from receiving funds may not be repealed prior to its expiration.

Subtitle B: Student Fee Funding

Chapter 1: Criteria for Funding

and other Regulations

Article I: Funding Priorities

Section 100: Objective Criteria

- A. Any and all appropriations with the exception of stipends made by a political subdivision of the Undergraduate Student Government must be evaluated according to the following criteria:
 - a. Representation: how many students are affected and the number of students involved in a project. This should be examined by considering past involvement, enthusiasm for the program, and the amount of involvement anticipated by the organization.
 - b. Vitality: how vital a program is to the organization. This should be examined by considering the priority of the program in relation to other programs sponsored by the organization, whether or not it is, in part, a fundraising program, and how it would affect the morale of the organization
 - c. Specialization: how unique a program is to the Undergraduate Student Body. This should be examined by considering the cultural and educational value of the program, whether or not it overlaps with another program on campus, the amount of recognition it brings to the University, and the identification it has with the organization.

Section 101: Funding Categories

- A. Requests for student fee funds for printing jobs costing at least one hundred dollars (\$100.00) must be accompanied by signed bids from at least two (2) printers. The lowest bidder shall receive the printing job, except if there are extenuating circumstances. The Chair of the Committee on Finance and Appropriations shall decide what circumstances permit exceptions to this rule.
- B. The Senate shall allocate up to twenty-five dollars (\$25.00) per student organization per event for the purpose of publicizing. Reimbursements shall not exceed actual costs.
- C. The following rules on travel and lodging expenditures apply only to expenditures from student fee funds:
 - a. No meals shall be paid for with student fee funds, except where such meals are part of conference registration of compensated Undergraduate Student Government

employees attending a work-related conference.

- b. If a registration fee includes the cost of meals and/or lodging, the fee shall be itemized as accurately as possible so that fees, meals, and lodging can be considered separately. The cost of meals may not be paid for with student fee funds, and lodging expenses shall be funded only within the guideline below.
 - c. Individuals may be reimbursed for lodging expenses that fall within these guidelines if a receipt from the place of lodging is presented to CUSO. The receipt should be verified by the president of the organization involved. Compensated Undergraduate Student Government employees attending job-related conferences shall be entitled to reimbursement for the cost of the conference lodging at the official University rate.
 - i. Lodging for Speakers: The maximum allowance from student fee funds lodging shall be a maximum of ninety dollars (\$90.00) per night per Speaker on the UNC Campus.
 - ii. Lodging for Off-Campus Events: The maximum allowance from student fee funds for lodging shall be a maximum of thirty-five dollars (\$35.00) per night per student attending the event.
 - d. Criteria for approval for rail, public transit, privately owned buses, or air travel shall be the necessity, cost, and distance involved. Organizations should seek out the most inexpensive times and tickets and be prepared to travel by car if their request is not approved. The Senate may not pay for more than sixty (60) percent of actual air travel costs.
 - e. The allowance for travel in a privately-owned car or van is \$0.54/mile for trips up to 100 miles and \$0.33/mile for trips of 100 miles or more. If The Senate chooses to fund the trip, then for each vehicle funded, it must fund the whole length of the trip at and only at this rate. To be reimbursed for travel expenses, an individual must submit, within thirty (30) days of return, to CUSO the mileage calculations of the trip from an online mapping source; reimbursement shall be made per mile. The individual shall, on their honor, aver that the mileage calculations are true and proper. Carpooling is encouraged for all travel by car, van, or bus so as to reduce the amount of carbon emissions produced from these activities.
 - i. Cars, Vans, or Buses Owned by UNC Motor Pool: The maximum travel allowance will be co-covalent with the rates set by the UNC Motor Pool (BFI-65- 70).
- D. Capital expenditures shall be defined as expenses over five hundred dollars (\$500.00) in whole or in part from funds that the student fee funds for material items with benefits lasting more than one year.

- E. Any expenditure made for a single speaker's honorarium, travel, and/or lodging totaling two thousand dollars (\$2,000) of student fee funds or more shall require the approval of The Treasurer. After the date of the event, The Treasurer forfeits the ability to approve or disapprove the Speaker specified for said event.
- F. Speaker's fee/honorarium and travel/lodging must be disbursed in accordance with the student fee funds requested by the student organization.
- G. The Ehrman Clause: No current UNC-Chapel Hill or UNC Hospital employee, including professors, faculty, and staff, shall receive in excess of five hundred dollars (\$500.00) from student fee funds within the period of one (1) fiscal year for any number of events or services. The funding limit applies to all expenses, including but not limited to:
 - a. Speaking Fees/Honorarium
 - b. Lodging
 - c. Travel
 - d. Equipment
 - e. Reimbursements for Miscellaneous Expenditures
- H. The Senate shall allocate to a student organization annually up to fifty dollars (\$50.00) per fiscal year per performing member of a student organization for the purpose of obtaining costumes and other clothing items for performances or any other related and relevant student organization activities. Costumes must be in standard sizes and cannot be custom tailored for a student.
- I. The Senate may not fund more than seventy-five dollars (\$75) per person per day of registration fees for out-of-state events. The Senate may not fund more than one-hundred fifty dollars (\$150) in total registration fees per person for each out-of-state event. Events refer to conferences, competitions, workshops, seminars, and similar activities.
- J. Equipment and supplies essential to programs, services, or events may be funded. Miscellaneous categories in line with those of CUSO (such as supplies, telephone, secretarial, printing, and publicity) essential to the continuation of the organization shall be considered for funding on the basis of how the organization's programs as a whole benefit the Undergraduate Student Body. Funding for an organization as a whole shall not be considered as one category; each program, service, or event shall be considered as a separate category as listed in the budget request form.
- K. Funds may be appropriated for programs originating beyond the University at local, state, and national levels that directly affect students at the University of North Carolina at Chapel Hill.

Section 102: Funding for Political Activities

- A. The Undergraduate Student Government shall promote the free exchange of ideas and diversity of opinion necessary for a complete education.

- B. For the purposes of this section, “Electioneering” shall be defined as a campaign activity such as the holding of a rally, the printing of a poster, flyer, brochure, or other advertisements, or sponsorship of a fundraiser designed to further or hinder the candidacy of an individual or individuals for elected office. No student fee funds shall be appropriated to fund programs, services, or events, the purpose of which is the furtherance or hindrance of the candidacy of an individual or individuals for federal, state, local, faculty-elected, or employee-elected office through electioneering.
- C. For the purposes of this section “Lobbying” shall be defined as an effort to persuade any government official (including those officials within national, state, or local administrations) to take a certain position on any issue through direct communication with that entity or official. Efforts to persuade officials within the University of North Carolina System’s administration shall not be considered lobbying. No student free funds shall be appropriated to fund programs, services, or events that have the purpose of which is the furtherance or hindrance furthering or hindering the candidacy of an individual or individuals for federal, state, local, faculty-elected, or employee-elected office through electioneering.
- D. Nothing within this title shall prohibit lobbying or other general expressions of endorsement of support for such candidates or issues described above by a student organization receiving student fee funds or by a member of such a student organization, so long as the expenses of such efforts are funded by Generated Funds and not student fee funds.

Section 103: Funding for Publications

- A. For the purposes of this section, “Publication” shall be defined as any student organization that receives more than \$100 in Undergraduate Student Government funds in a fiscal year for the purpose of printing any kind of periodical, such as a magazine, newspaper, or journal.
- B. For the purposes of this section, “Print Issue” shall be defined as a printed collection of content created by a Publication.
- C. For the purposes of this section, “Web Issue” shall be defined as a collection of material that is freely and readily accessible by UNC students online.
- D. For the purposes of this section, “The Number of Print Issues” (NPI) shall be defined as the number of unique Print Issues printed by the Publication in a fiscal year.
- E. For the purposes of this section, “The Number of Web Issues” (NWI) shall be defined as the number of unique Web Issues with original content produced by the Publication in a fiscal year.
- F. For the purposes of this section, a Publication’s Funding Multiplier shall be defined within the following table by finding the row corresponding to NWI and the column corresponding to NPI:

	Print = 1	2	3	4	5+
Web = 0	0.15	0.40	0.65	0.90	(NPI/2)-1
1	0.65	0.90	1.40	1.90	NPI/2
2+	0.90	1.40	2.15	2.90	(NPI/2)+1

G. For the purposes of this section, a Publication's Funding Limit shall be defined as the Publication's Funding Multiplier multiplied by the average cost for the publication to print a single Print Issue.

H. Student organizations may advance or hinder the candidacy of an individual in a publication with Split Expenditure. The pages within an issue of a publication paid for or distributed by a recognized student organization that contains any language considered by The Treasurer as electioneering and all copies of those pages shall not be paid for by student fee funds.

Section 104: Prohibited Appropriations and Expenditures

1. No expenditure or appropriation may be made from any student fee funds that is any of the following types:
 - a. Expenditures for electioneering or lobbying,
 - b. Expenditures for any religious events that aim to indoctrinate or recruit for a specific religion,
 - c. Expenditures for a purpose that will solely be realized in the following fiscal year,
 - d. Expenditures for purchases beyond immediate operational needs,
 - e. Donations to any organization except in exchange for a Speaker who, in lieu of an honorarium, has submitted in writing an explicit request for such,
 - f. Food for consumption, with the exception of programming that addresses food insecurity on campus; These programming requests must be preapproved by The Treasurer.
 - i. For the purposes of the above exception, "programming that addresses food insecurity on campus" shall be defined as a program which freely and openly provides food of substance to one hundred (100) or more students,
 - g. Purchase of firearms and weaponry,
 - h. Advertisements in publications, such as newspapers or magazines, or on websites. Candidates in campus elections and campus referenda are exempt,
 - i. Retroactive payment for tax-liable services,
 - j. Payments of salaries to people no longer employed by an organization, except in settlement of salary due at the time of termination of employment,

- k. Expenditures that result in a tangible gain solely for an individual, not including salaries, stipends, or campaign subsidies,
- l. Alcohol, Tobacco, and Illegal Substances,
- m. Dues to national or otherwise superior organizations of which the organization requesting funding is a member, or reimbursements or defrayment of dues paid by members, or
- n. Gift cards, certificates, vouchers, cash cards or any token which may be exchanged for some other item of value.

Section 105: Recognition of Undergraduate Student Government

- A. Student organizations that receive funding from Undergraduate Student Government shall recognize the role Undergraduate Student Government had in the funding of their event or publication in the following ways:
 - a. All publications receiving funding from Undergraduate Student Government shall place the following statement upon either the cover or title page of each copy of their publication: This publication is funded at least in part by Student Fees which were appropriated and disbursed by the Undergraduate Student Government at UNC-Chapel Hill.
 - b. At all events which are funded with Undergraduate Student Government funds, an announcement shall be publicly made to the audience that states, "This event is funded at least in part by Student Fees which were appropriated and disbursed by the Undergraduate Student Government at UNC-Chapel Hill." Additionally, any flyers advertising the event and any programs to be distributed at the event shall bear this message on the front of the program in at least 7-point font. An event shall be exempted from this announcement requirement if there is an official program for the event which states the same in writing.
 - c. The Treasurer shall have the authority to freeze the funds of any group that neglects to recognize the role of Undergraduate Student Government in their funding as required by this section. The Treasurer may further require the group to repay all Undergraduate Student Government funds spent on the event or publication and may keep the group's funds frozen until such time as repayment is made or a plan to repay has been agreed to by the group. Groups may appeal the decision of the Treasurer to a court of competent jurisdiction.

Article II: Salaries and Wages

Section 110: Salaries

- A. Any student receiving payment for services must be pre-approved by the Office of Student

Life and Leadership (SLL) before services are rendered.

- B. The Senate has the authority to fund salaries only for non-leadership positions whose responsibilities are exclusively clerical or administrative in nature. Undergraduate Student Government positions included would be two-thirds ($\frac{2}{3}$) of the annual cost for the Office Assistants (OAs) and the full annual cost of the Controller. Lists of all salaried employees shall be submitted by the OTrs to The Treasurer and The Senate each fiscal year.
- C. Employees paid hourly shall receive at least the prevailing minimum wage in the state of North Carolina. Raises may be granted for merit or duration of employment by the employer, with approval from The Senate. No raises are ever required.

Article III: Handling and Distribution of Equipment

Section 120: Responsibility for Inventory and Control

- A. "Equipment", for the purpose of this article, shall be defined as capital items according to law that were purchased with student fee funds.
- B. Each student organization shall develop operating procedures for the control of supplies and equipment. These procedures shall be consistent with this Title. Organizations must submit their procedures to The Treasurer for approval..
- C. All student organizations shall be responsible for maintaining accurate and updated inventories of all Equipment in its possession.
 - a. All clothing items need to be included in the inventory.
 - b. For publications, a count of all undistributed magazines currently held by the student organization shall be included in the inventory.
 - c. Bulk purchases of items where each individual item has a value less than fifty dollars (\$50) but where the entire purchase is equal to or exceeds fifty dollars (\$50) shall be included in the inventory.
- D. The president and organizational treasurer of each student organization shall always be responsible for the inventory and control of Equipment.
- E. The Undergraduate Student Government or any political subdivision thereof shall have the right to inspect the inventory and Equipment of any student organization.
- F. The discovery and documentation of any inconsistency between the organization's inventory, the Equipment they can prove to be in their possession, and the records of The Senate, The Treasurer, or CUSO shall be cause for penalty under this Title.
- G. The Treasurer may issue additional regulations for the control of Equipment.

Section 121: Disposing, Leasing, and Loaning of Equipment

- A. Should an organization wish to discard Equipment, they shall report such to The Treasurer who shall make appropriate efforts to work with University Surplus so that it

may be properly removed.

- B. Should an organization liquidate, ownership of all equipment purchased with student fee funds shall lie solely with the Undergraduate Student Government. Organization officers or members may not sell or otherwise dispose of equipment when liquidating the organization's assets.
- C. Equipment may not be sold by a student organization.
- D. The lease of Undergraduate Student Government equipment to any individuals or non-student organizations is prohibited.
- E. The loan of Undergraduate Student Government equipment by one student organization to another student organization is permitted and encouraged.

Chapter 2: Semi-Annual Budget Process

Article I. Organizational Matters

Section 200: Scheduling

- A. Prior to the last day of class of the previous semester, the Chair of the Committee on Finance and Appropriations shall create a schedule for the Budget Process of the succeeding semester and shall notify the Committee on Finance and Appropriations, the Treasurer, and the Speaker of The Senate of this schedule.
- B. The schedule created by the Chair of the Committee on Finance and Appropriations shall include:
 - a. (a) Mandatory Orientation Meeting(s), to be held no later than one (1) calendar week before the deadline for the submission of organizational Budget Request forms;
 - b. a deadline for the submission of organizational Budget Request form, which shall be no later than twelve (12) hours before the commencement of the Committee on Finance and Appropriations Semi-Annual Budget Hearings and prior to the first day of classes;
 - c. the date and time of all Committee on Finance and Appropriations hearings, the first of which shall be prior to the first day of classes of the succeeding semester and the last of which shall be no later than eight (8) weeks following the first day of classes.

Section 201: Notification of the Campus Community

- A. The Chair of the Committee on Finance and Appropriations, with the assistance of the Office of Student Life and Leadership, shall make this schedule publicly available to the campus community and shall send it to the president and treasurer of each registered student organization. The Secretary and The Speaker of The Senate, shall be further responsible for advertising this schedule.
- B. The Chair of the Committee on Finance and Appropriations shall include in this notification excerpts of the Finance Code pertaining to the responsibilities of student organizations in the Semi-Annual Budget Process and the criteria and philosophy used to evaluate Budget Requests.

Section 202: Organizational Budget Orientation Meetings

- A. The Chair of the Committee on Finance and Appropriations shall have the responsibility to schedule at least one Organizational Budget Orientation Meeting but may schedule as many such meetings as they see appropriate, and it shall be the duty of The Treasurer and Speaker of The Senate to assist the Committee on Finance and Appropriations in conducting these meetings.

- B. Each group wishing to participate in the Semi-Annual Budget Process of a given semester shall be required to send a representative to at least one Organizational Budget Orientation Meeting in that same semester.
 - a. It shall be the responsibility of The Treasurer to keep a list of all organizations which sent representatives to an Organizational Budget Orientation Meeting.
 - b. If an organization does not send a representative to an Organizational Budget Orientation Meeting, they will not be eligible for funding in the respective Budgetary Cycle.
- C. The format of the Organizational Budget Orientation Meeting shall be as follows:
 - a. The Semi-Annual Budget Process shall be explained in detail to organizations. This explanation shall include the criteria used in funding, the procedure that groups must follow during the Semi-Annual Budget Process, the kinds of questions to expect while appearing before the Committee on Finance and Appropriations and The Senate, and the fundamentals of the CUSO reimbursement process.
 - b. The leaders of the meeting shall demonstrate how to create a Budget Request and provide a sample Budget Request.

Section 203: Budget Resolution

- A. At a meeting of The Senate prior to the first day of classes, The Senate shall consider, at the proposal of the Chair of the Committee on Finance and Appropriations, a budget resolution which shall govern what share of the Appropriations Reserve shall be appropriated during the Semi-Annual Budget Cycle of the upcoming semester.
- B. The budget resolution shall set a rate rather than a total number of dollars. This rate shall be known as the Resolution Rate.
- C. The Appropriations Reserve multiplied by the Resolution Rate shall be known as the Budget Resolution Total.
- D. The budget resolution shall consist of a Resolution Rate, the list of categories to be funded by The Senate in the Semi-Annual Budget Cycle, and further financial regulation specific to that Cycle.
- E. The Speaker of The Senate shall take all necessary actions within their established power to ensure that a Budget Resolution is passed prior to the first day of class; the budget cycle may not begin and may be delayed until the passage of a Budget Resolution.

Section 204: Budget Requests

- A. Organizations who wish to receive student fee funding shall use a Budget Request Form provided by the Chair of the Committee on Finance and Appropriations. Such requests shall be considered as follows:

- a. The organization shall submit the Budget Request Form and an explanation describing the funding request to the Chair of the Committee on Finance and Appropriations, who shall confirm the organization's official recognition and that the organization has a certified treasurer. The organization shall be required to submit all pertinent documentation (i.e. invoices, digital communication, etc., regarding speaker fees, building/venue, production costs, capital expenditures, dues, and fees, professional labor/fees, security) relating to line items in their request form.
- b. Sub-organizations are required to request their funding as a part of the parent Student Organization.
- c. The Semi-Annual Budget Requests of all organizations shall not exceed \$10,000.
- d. The Senate shall always retain plenary authority to repeal appropriations but may not reclaim any funds already disbursed.

Article II. Budget Hearings

Section 210: Organization, Scheduling, Procedure of Budget Hearings and Related Matters

- A. The following provisions shall govern the scheduling of Budget Hearings:
 - a. The Chair of the Committee on Finance and Appropriations shall schedule a hearing of the requests of all organizations which submitted a budget request form using a random number generator, except for branches of student government which shall be heard first.
 - b. All organizations shall be informed of the date, time, and location of their hearing no less than two (2) days before the fact.
 - c. The Committee on Finance and Appropriations may convene as many times as they and the Chair of the Committee on Finance and Appropriations decide in order to hear requests, but all requests must be heard, and a Budget Bill voted on no later than eight (8) weeks following the first days of classes.
 - d. To determine the amount of funding available for a given hearing, the Chair of the Committee on Finance and Appropriations shall divide the dollar amount of funding requested for that hearing by the total dollar amount of all budget requests. The Chair of the Committee on Finance and Appropriations shall then multiply that quotient by the Budget Resolution Total, and the product shall be the amount of funding available for that meeting.
- B. The following provisions shall govern Subcommittee hearings:
 - a. The Chair of the Committee on Finance and Appropriations shall split into as many subcommittees as necessary during the Budget Hearings, one of which shall be chaired by the Chair another by the Vice Chair, and further at the discretion of the Chair.

- b. Requests shall be split evenly between the subcommittees during a given meeting of the Committee on Finance and Appropriations.
 - c. Each organization shall receive up to 4 minutes to present on their request.
 - d. At the end of the presentation, the subcommittee shall have up to 5 minutes to ask questions regarding their request.
 - e. At the end of the questioning period, the floor of the subcommittee will be opened to motions to recommend funding in a given amount.
 - i. The recommendations shall be broken down by funding category.
 - ii. Each motion to recommend must be supported with a second, or else it shall fail. If there is a second and no objections, the amount shall be recommended for the Budget Bill. If there is a second and objection, the recommendation shall be voted on by the whole subcommittee, a majority of those present and voting being needed to sustain the recommendation.
 - iii. Each recommendation must be accompanied by a short report from the Finance Subcommittee on why this item is being funded pursuant to the codified funding criteria.
- C. The following provisions shall govern the final the Committee on Finance and Appropriations hearing:
- a. Once all organizations have been heard in a subcommittee hearing, the full Committee on Finance and Appropriations shall convene to review and hear the Budget Bill based on the recommendations from the subcommittees.
 - b. The Committee on Finance and Appropriations shall revise the Budget Bill as appropriate under the criteria outlined within this Title.
 - c. The Committee on Finance and Appropriations shall ensure that the total amount appropriated in the Budget Bill does not exceed the Appropriations Reserve for that semester.
 - d. At the end of consideration of amendments to the Budget Bill, the Committee on Finance and Appropriations shall vote on whether or not to report it to The Senate.
 - i. The Committee on Finance and Appropriations shall only be allowed to report the Budget Bill without prejudice.
 - ii. Should the vote to report the Budget Bill fail and the Committee on Finance and Appropriations adjourn before it may vote again, it shall only require a simple majority of The Senate to recall the bill from committee and hear it.
 - iii. Should the Committee on Finance and Appropriations have failed to report a Budget Bill eight (8) weeks following the first day of classes and The Senate does not recall the bill from committee at their next meeting, the Semi-Annual

Budget Process for that semester shall immediately end, and all money in the Appropriations Reserve shall be available for appropriation during the Subsequent Appropriations Process.

- D. The following provisions shall govern The Senate's consideration of the Budget Bill:
 - a. The next meeting of The Senate after the Committee on Finance and Appropriations reports the Budget Bill shall include a hearing of the Budget Bill.
 - b. All organizations which would receive funding from the Budget Bill shall be required to have a representative present at this hearing. If they cannot provide a representative, they shall be required to send a detailed memorandum defending their current request to the Speaker of The Senate, which shall be made available to all members of The Senate. No organization shall have their funding affected by their failure to provide a representative at this hearing.
- E. Should the vote to pass the bill fail, The Senate shall consider it once more, as if it was successfully reconsidered.
- F. Should on this second vote the Budget Bill again fails, the Semi-Annual Budget Process for that semester shall immediately end, and all money in the Appropriations Reserve shall be available for appropriation during the Subsequent Appropriations Process.

Article III. The Budget Bill

Section 220: Organization of the Budget Bill

- A. After all budget requests have been heard by subcommittees, the Chair of the Committee on Finance and Appropriations shall compile all subcommittee recommendations into a single budget bill.
 - a. The amounts in this initial version of the Budget Bill shall be the exact amounts recommended by the subcommittees.
- B. The budget bill shall be considered as "Introduced by the Chair of the Committee on Finance and Appropriations."
- C. The budget bill shall be split into two chapters:
 - a. The first chapter shall be "The Budget for the Undergraduate Student Government" and shall contain the funding allocations for student government branches.
 - b. The second chapter shall be "The Budget for Student Organizations" and shall contain the funding allocations for all other organizations.
 - c. The provisions of this paragraph shall not preclude the ability of additional chapters, articles, and sections being included in the Budget Bill.
- D. The allocations for each organization shall be a discrete section within each chapter.

- E. Each line item/funding category in which the organization is being allocated funding shall be a discrete subsection.
- F. A total amount of funding being allocated to a given organization shall be included as an additional subsection at the end of each section.
- G. A total amount of funding being allocated to all organizations in that shall be included as a separate section at the end of each chapter

Section 221: The Official Report of the Budget

- A. Attached as an addendum to all versions of the Budget Bill shall be an Official Report of the Budget, which shall contain information and data regarding the appropriations contained within the budget.
- B. Versions of the Report of the Budget shall be compiled and updated by the Legislative Auditor, in cooperation with the Chair of the Committee on Finance and Appropriations, upon the initial introduction of the Budget Bill, following the Final Committee on Finance and Appropriations Hearing, and following the Full Senate hearing.
 - a. Should there be no Legislative Auditor, this duty shall fall to the Vice Chair of the Committee on Finance and Appropriations.
- C. In discrete sections, the following information shall be provided:
 - a. The total amount of funding appropriated in this bill;
 - b. The amount of funding which would be left in the Appropriations Reserve should this bill enter into law;
 - c. The total amount of funding appropriated in each funding category;
 - d. The total amount of funding requested during the Budget Process for that semester;
 - e. The total amount of funding requested per funding category during the Budget Process for that semester;
 - f. The average and median amounts appropriated to organizations in each chapter;
 - g. The number of organizations which requested funding in each chapter.

Section 222: Transmission and Notification of the Bill

- A. Once the bill enters into law, it shall be the responsibility of the Speaker of The Senate to transmit the full bill and Report of the Budget Bill to the following individuals within twenty-four (24) hours:
 - a. The Treasurer
 - b. The Controller
 - c. The Student Government Advisor
 - d. The Director of the Office of Student Life and Leadership
 - e. The Director of CUSO
 - f. The Director of the Carolina Union

- g. The Chair of the Joint Governance Council
- B. Once the bill enters into law, it shall be the responsibility of the Chair of the Committee on Finance and Appropriations to transmit the full bill and Report of the Budget Bill to the treasurers and presidents of all organizations which requested funding during that budget process.

Chapter 3: Subsequent Appropriations

Article I. Appropriations Process

Section 300: General Provisions

- A. The Senate shall have the authority to spend all funds remaining in the Appropriations Reserve following the Semi-Annual Budget Process via Subsequent Appropriations.
- B. Subsequent Appropriations requests by organizations shall not exceed \$1,500.
- C. The Senate may not approve Subsequent Appropriations requests in excess of the balance of the Appropriations Reserve following the Semi-Annual Budget Process.
- D. Subsequent Appropriations shall be open only to organizations which were not appropriated funding during the Semi-Annual Budget Process.
- E. The order in which each category of requests will be heard shall be determined using a random number generator.
 - a. The first hearing of the subsequent appropriations cycle of a given semester shall begin no later than three weeks following the end of that semester's semi-annual budget process.
- F. The Chair of the Committee on Finance and Appropriations shall set a schedule for all Committee on Finance and Appropriations hearings of Subsequent Appropriations Requests based on the order established in the above subsection. To determine the amount of funding available for a given meeting, the Chair of the Committee on Finance and Appropriations shall divide the dollar amount of funding requested for that meeting by the total dollar amount of all Subsequent Appropriations requests. The Chair of the Committee on Finance and Appropriations shall then multiply that number by the balance of the Appropriations Reserve, and the product shall be the amount of funding available for that meeting.

Section 301: Requests by Organizations

- A. Organizations which wish to receive funding via Subsequent Appropriations shall use a Subsequent Appropriations Request Form provided by the Chair of the Committee on Finance and Appropriations. Such requests shall be considered as follows:
 - a. The organization shall submit the Subsequent Appropriations Request Form and an explanation detailing the funding request to the Chair of the Committee on Finance and Appropriations, who shall confirm the organization's official recognition and that the organization has a certified organizational treasurer.
 - b. Each subsequent appropriations request form shall be considered a draft funding bill. These pieces of legislation shall be considered "Introduced by the Chair of the Committee on Finance and Appropriations."

- c. The Committee on Finance and Appropriations shall first allow a representative of the organization to explain the request for a time period not exceeding two (2) minutes.
- d. The bill shall then become amenable to members of the Committee on Finance and Appropriations, who shall seek to allocate funding along the official funding criteria.
- e. Once all requests scheduled for that meeting have been heard, the Committee on Finance and Appropriations Shall again amend the bills in order to ensure that the total amount of funding appropriated does not exceed the amount of funding available for that meeting.

Section 302: Consideration by The Senate

- A. The Senate shall consider Subsequent Appropriation bills like any other piece of legislation. The same procedure applied to the Committee on Finance and Appropriations will be in effect as a request is presented before The Senate. Amendments to the organization's budget may only be made to the effect of altering the student fee funding allocation as per this document.

Section 303: Retroactive Appropriations

- A. Retroactive Appropriations may be funded in the same manner as other appropriations. Retroactive Appropriations shall only be funded for events or other expenses that occur during the appropriations cycle in which the request is submitted. A retroactive appropriation request is a request considered by The Senate after the pertaining programs or services have already been performed, have commenced, or have been realized within the accounts payable of the organization requesting the money.

Article II. Further Funding Cycles

Section 310: Food Insecurity Funding

- A. At the start of each fiscal year, a lump sum of twenty thousand dollars (\$20,000) will be set aside for activities that address food insecurity on campus for programming purposes.
 - a. The Senate shall conduct a single funding cycle for the appropriation of these funds in each fiscal year.
 - b. Food Insecurity Allocation requests by organizations shall not exceed \$5,000.
 - c. Requests shall be funded proportionally to the number of distinct meals freely, openly, and publicly provided using the funds from the request, and may fund such programming at a rate of up to twenty (20) dollars per meal in a fiscal year.
 - d. The Treasurer shall issue further regulations relevant to the administration of this process as is necessary and proper with ensuring the greatest impact of these towards the limitation of food insecurity.

Subtitle C: Undergraduate Student Government Finances

Chapter 1: Undergraduate Student Government Budget

Article I: General Provisions

Section 100: Definitions

- A. “The Undergraduate Student Government Budget” shall be the collected body of all funds planned to be spent by the Undergraduate Student Government in a fiscal year.
- a. This includes all Student Fee Funds, enrichment funds, grants, and all other sources of revenue to be received by the political subdivisions listed in G.S. VI:110(A).

Article II: Budget Proposals

Section 110: Entities Required to Submit Budgets

- A. The following organizations and any of their political subdivisions shall be required to take part in Undergraduate Student Government Budget process:
- a. The Senate
- b. The Undergraduate Executive Council
- c. The Undergraduate Honor System
- d. Inferior courts established by The Senate
- e. The Office of Legal Counsel
- f. The Commission on the Future of the Undergraduate Student Body

Section 111: Individuals Responsible for Submitting Budget Proposals

- A. The Organizational Treasurer of each organization listed in G.S. VI(C):110 shall be responsible for submitting to the Senate Committee on Finance and Appropriations their budget proposals by a deadline prescribed by law.

Section 112: Budget Proposal Form

- A. The Budget Proposals submitted to the Senate Committee on Finance and Appropriations must contain:
- a. a comparison, for the last completed fiscal year, of the total amount of outlays estimated in the Budget transmitted pursuant to chapter for each major program involving uncontrollable or relatively uncontrollable outlays and the total amount

- of outlays made under each such major program during such fiscal year;
- b. a comparison, for the last completed fiscal year, of the total amount of revenues estimated in the Budget transmitted pursuant to this chapter and the total amount of revenues received during such year, and, with respect to each major revenue source, the amount of revenues estimated in the Budget transmitted pursuant to this chapter and the amount of revenues received during such year; and
 - c. an analysis and explanation of the difference between each amount set forth pursuant to paragraphs a and b as the amount of outlays or revenues estimated in the Budget submitted under this chapter for such fiscal year and the corresponding amount set forth as the amount of outlays made or revenues received during such fiscal year.
 - d. The Budget transmitted pursuant to this chapter for each fiscal year shall include information with respect to estimates of appropriations for the next succeeding fiscal year for grants, contracts, or other payments under any program for which there is an authorization of appropriations for such succeeding fiscal year and such appropriations are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year in which the appropriation is to be available for obligation.
 - e. The Budget transmitted pursuant to this chapter for each fiscal year, shall contain a presentation of budget authority, proposed budget authority, outlays, proposed outlays, and descriptive information in terms of
 - i. a detailed structure of national needs which shall be used to reference all agency missions and programs;
 - ii. agency missions; and
 - iii. basic programs
 - f. To the extent practicable, each agency shall furnish information in support of its budget requests in accordance with its assigned missions in terms of functions and subfunctions, including mission responsibilities of component organizations, and shall relate its programs to agency missions

Section 220: Organization of the Budget Bill

- H. After all budget proposals have been heard, the Chair of the Committee on Finance and Appropriations shall compile committee recommendations into a single bill.
- I. The Undergraduate Student Government Budget shall be considered as “Introduced by the Chair of the Committee on Finance and Appropriations.”
- J. The budget bill shall be split into six chapters:

- a. The first chapter shall be “The Budget for the Senate” and shall contain spending plans.
- b. The second chapter shall be “The Budget for the Undergraduate Executive Council” and shall contain spending plans.
- c. The third chapter shall be “The Budget for the Undergraduate Honor System” and shall contain spending plans.
- d. The fourth chapter shall be “The Budget for the Inferior Courts” and shall contain spending plans.
- e. The fifth chapter shall be “The Budget for the Office of Legal Counsel” and shall contain spending plans.
- f. The sixth chapter shall be “The Budget for the Commission on the Future of the Undergraduate Student Body” and shall contain spending plans.
- g. The provisions of this paragraph shall not preclude the ability of additional chapters, articles, and sections being included in the Undergraduate Student Government Budget.

Article III: Consideration of the Undergraduate Student Government Budget

Section 120: Timeline for Consideration

- A. Budget proposals must be submitted to the Senate Committee on Finance and Appropriations no later than the first day of May.
 - a. The Chair of the Committee on Finance and Appropriations shall schedule a hearing of the requests of all organizations which submitted a budget proposal, in the order organizations appear in G.S. VI(C): 110.
 - b. The Committee on Finance and Appropriations may convene as many times as they and the Chair of the Committee on Finance and Appropriations decide in order to hear requests.
- B. The Senate Committee on Finance and Appropriations shall refer a Budget Authorization not later than the last day of May.
- C. The Senate shall adopt an Undergraduate Student Government Budget not later than June 30th.

Section 121: Procedure for Consideration

- A. The Senate Committee on Finance and Appropriations shall consider Budget proposals according to the rules and procedures of The Senate.
- B. Individuals who submit budget proposals shall be allocated ten (10) minutes to present their proposals, before yielding to questions from The Senate Committee on Finance and

Appropriations.

- C. Budget proposals shall be evaluated by The Senate Committee on Finance and Appropriations, and shall be authorized to edit the proposal as deemed necessary.

Chapter 2: Appropriations

Article I: Joint Appropriations

Section 110: General Provisions

- A. Joint Appropriations shall be governed by the Joint Code and the Student Constitution
- B. The Undergraduate Senate shall have the authority to prescribe additional rules for appropriations made using in part or whole Undergraduate Fee Funds.

Section 111: Additional Rules for Undergraduate Funds

- A. Any political subdivision of Student Government which is composed of both Graduate and Undergraduate members and wishes to receive Student Fee Funds shall request such funding through the Joint Appropriations process. Any request submitted by such outside of that process shall not be considered by the Senate.

Article II: Special Appropriations

Section 120: General Provisions

- A. "Special appropriations" shall be defined as any appropriation of Student Fee Funds made outside of previously described funding cycles.
- B. The Treasurer shall be directed to set aside at least 5% of the annual Appropriations Reserve for Special Appropriations.
- C. The Treasurer shall have the authority to inform the Chair of the Senate Committee on Finance and Appropriations of matters which require a special appropriation to be made.

Section 121: Consideration of Special Appropriations

- A. Special Appropriations shall be held to the same criteria as regular appropriations of Representation, Vitality, and Specialization.
- B. The Chair of the Senate Committee on Finance and Appropriations shall call a meeting to hear special appropriation requests within two weeks of a bill being proposed to The Senate.
- C. The special appropriation shall be written into a bill containing all amounts in line items determined by the Chair of the Committee on Finance and Appropriations.
- D. The special appropriations bill shall be considered as "Introduced by the Chair of the Committee on Finance and Appropriations."

Article III: Stipends

Section 130: Stipends

- A. The Senate shall have the authority to issue stipends to Officers, or any position which is subject to Undergraduate Senate confirmation. The Senate shall only issue stipends to officers who, in their official capacities principally are responsible for performing a function of the University.

- B. No later than one (1) week following the first day of class of each Spring semester, the Chair of the Committee on Finance and Appropriations shall make available to relevant undergraduate officers of the student government a form to enter requests for stipends for the following student government term.
- C. No later than five (5) weeks following the first day of class of the Spring semester, the Committee on Finance and Appropriations shall convene to hear requests for stipends, taking testimony from any relevant officer on the importance of paying a stipend to that respective office.
- D. Following these hearings, the Chair of the Committee on Finance and Appropriations shall propose a Stipends Bill, which shall contain a schedule of all stipends which shall be paid to officers of the student government in the following fiscal year.
- E. Stipends Total:
 - a. The Budget Resolution of the Spring term shall include, in addition to the Resolution Rate, a Stipends Funding Rate which shall be a proportion.
 - b. The Stipends Funding Rate added to the Resolution Rate shall not exceed one (1).
 - c. The Stipends Funding Rate multiplied by the amount of the Appropriations Reserve shall be the Stipends Total.
 - d. The Stipends Bill may not appropriate funds to Stipends in excess of the Stipends Total.
- F. All stipend funds shall be considered appropriated to The Senate but shall be expended via the appropriate University human resources process in collaboration with the appropriate administrative partners of the student government.
- G. Should no Stipends Bill have been successfully adopted by the date two weeks prior to the first Tuesday of April, a continuing resolution shall be considered by The Senate prior to the first Tuesday of April which shall extend the stipends rates of the current fiscal year into the next fiscal year.
- H. Following the first Tuesday of April, no Stipends Bill shall be adopted for the following fiscal year.
- I. The Stipends Bill shall always be adopted for the following fiscal year and stipend funds shall only have effect for the following fiscal year and shall only revert at the end of the following fiscal year.
- J. The appropriation of funds to stipends shall be consistent with the sole funding criterion of Vitality to University Functions. Vitality to University Functions shall be defined as the extent to which the performance of that officer's duty is necessary for completion of a delegated authority of the Undergraduate Student Government or other necessary official University function.

- K. The provision of stipends shall not be related to the number of hours of work completed by an Officer.
- L. No Officer shall receive a salary, wage, or stipend for their position except a stipend appropriated from student activity fee funds by The Senate.
- M. Stipend funds shall not be subject to reversion at the end of the upcoming fiscal year.

Chapter 3: Financial Management

Article I: Financial Reporting and Public Statement of Accounts

Section 110: Record Keeping

- A. Financial officers of the Undergraduate Student Government shall be required to keep detailed records of any and all financial information relating to the revenues, expenditures, accounts, and audits made by the organization.
- B. Financial records shall be maintained on a regular basis and kept in public venues.

Section 111: Publicization of Financial Records

- A. Financial Records shall be delivered to the Senate Committee on Finance and Appropriations every two months, beginning at the start of the Fiscal Year on July 1.
- B. The Vice-Chair of the Senate Committee on Finance and Appropriations shall publish a compilation of all financial records and communicate the information to the full Senate when received by the Committee on Finance and Appropriations.

Title VII: Commission on the Future of the Undergraduate Student Body

Chapter 1: Membership and Organization

Article I: Structure and Meeting Procedures

Section 100: Purpose and Powers

- A. As provided by the Constitution, The Commission on the Future of the Undergraduate Student Body (hereafter referred to as The Commission) shall meet every four (4) years and shall produce a four-year plan to outline long term objectives and plans of the Undergraduate Student Government. Such a plan must outline the steps necessary to advance the interests of the Undergraduate Student Body for the next four (4) years.
- B. As provided by the Constitution, The Commission shall be a legal entity separate from the Legislative and Judicial Branches of the Undergraduate Student Government as well as the Undergraduate Executive Council and its political subdivisions.

Section 101: Membership

- A. The Commission shall be composed of the following members:
 - 1. Two Individuals elected from The Senate;
 - 2. Two Individuals selected by The Undergraduate Executive Council;
 - 3. One individual selected by The President who holds no office of honor, trust, or profit of the Undergraduate Student Body;
 - 4. One individual selected by The Speaker of The Senate who holds no office of honor, trust, or profit of the Undergraduate Student Body; and
 - 5. The Speaker of The Senate.
- B. The Chair shall be The Speaker of The Senate and, when present, shall preside at meetings of The Commission. The Speaker of the Senate may designate any individual to serve as chair. This action is irrevocable.
- C. The Commission shall elect among themselves a Vice-Chair. In the absence of the Chair, the Vice-Chair shall discharge the duties and responsibilities of the Chair.
- D. The Commission shall elect among themselves a Secretary. The Secretary shall act as a secretary and take the minutes of all meetings. The Secretary shall see that all notices of meetings of The Commission are duly given and that agendas and other relevant documents are distributed.

Section 102: Rules and Procedures

- A. Robert's Rules of Order may guide the conduct of The Commission except where in conflict with the law or the rules, regulations, and policies of The Commission. No action of The Commission is invalid or ineffective by reason of non-compliance with Robert's Rules of Order.
- B. The Commission may adopt such rules, regulations, and policies not inconsistent with law or

the Constitution for the conduct of its meetings.

Section 103: Meetings

- A. Regular meetings of The Commission may be held at such times and at such places as The Chair shall from time to time determine.
- B. Special meetings of The Commission may be held at such times and at such places whenever called by the Secretary upon the written direction of any four (4) members.
- C. A majority of The Commission shall constitute a quorum for the transaction of business at any meeting of The Commission, and the vote of a majority of the members present at any meeting at which a quorum is present shall be required for any official act. Voting by proxy shall not be allowed.
- D. The Chair, in cooperation with the Secretary, shall establish the order of business for meetings and identify agenda items. At the direction of the Chair, the Secretary shall distribute agendas in advance of regular meetings.
- E. Agendas will include any anticipated discussions and actions. Agendas that include any action items must be distributed to the members of The Commission at least twenty-four (24) hours in advance.
- F. Any Commissioner member may request that the Chair include a topic on an agenda before the agenda is published. Commissioners who would like to offer action must notify the Chair and Secretary in advance, except in extenuating circumstances.

Section 104: Meetings outside of Operating Years

- A. As provided by the Constitution, The Commission may meet at any time to revise a four (4) year plan with the unanimous consent of the Undergraduate Executive Council and a two-thirds ($\frac{2}{3}$) vote of The Senate.
- B. If such an event occurs, any members of The Commission which took part in drafting the Four Year Plan currently in effect shall be granted their original position on The Commission with any vacant seats filled according to the provisions of this chapter.

Chapter 2: Four Year Plan

Article I: Drafting and Adoption

Section 200: Definitions

- A. For purposes of this chapter the following definitions shall apply:
- a. “performance goal” means a target level of performance expressed as a tangible, measurable objective, against which actual achievement shall be compared, including a goal expressed as a quantitative standard, value, or rate; and
 - b. “program evaluation” means an assessment, through objective measurement and systematic analysis, of the manner and extent to which Undergraduate Student Government programs achieve intended objectives.

Section 201: Timeframe for Adoption of the Four Year Plan

- A. As provided by the Constitution, The Commission shall meet every four (4) years beginning in 2024. The Commission shall adopt a Four Year Plan prior to the conclusion of the calendar year in which The Commission is meeting.

Section 202: Failure to Adopt

- A. As provided by the Constitution, if The Commission fails to adopt a plan within the year it is supposed to meet, The Senate shall be empowered and required to adopt a plan prior to end of the year after which The Commission was to adopt a four-year plan.

Section 203: Required Contents

- A. The Four Year Plan must contain at a minimum the following:
- a. A comprehensive mission statement covering the major functions and operations of the Undergraduate Student Government;
 - b. General goals and objectives, including outcome-related goals and objectives, for the major functions and operations of the Undergraduate Student Government;
 - c. A description of how the goals and objectives are to be achieved, including a description of the operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;
 - d. An identification of those key factors external to the Undergraduate Student Government and beyond its control that could significantly affect the achievement of the general goals and objectives; and
 - e. A description of the program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations.

Section 204: Solicitation of Input

- A. The Commission shall solicit and consider the views and suggestions of those entities

potentially affected by or interested in such a plan.

Section 205: Public Comment

- A. The Commission shall provide a pathway for members of the public to submit their views and suggestions.

Title VIII: Transparency and Accountability

Chapter 1: General Provisions

Article I: Foundations

Section 100: Definitions

- A. Within this title, in determining the meaning of any provisions, unless the context indicates otherwise:
 - a. "Records management" means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance, and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Undergraduate Student Government and effective and economical management of agency operations.
 - b. "Consent agenda" means a grouping of procedural or routine agenda items that can be approved with a single action.

Section 101: Legislative Intent

- A. It is the intent of the legislature that it is essential to the maintenance of a democratic society that public business be performed in an open, public, and ethical manner and that the Undergraduate Student Body be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy. Toward this end, the provisions of this title shall be construed liberally.
- B. The legislature recognizes that it is essential to the maintenance of a democratic society that public business be performed in an open and public manner, and that the citizens be advised of and be aware of the performance of public officials and the deliberations and decisions that go into making public policy. Toward this end, the provisions of this title, shall be construed liberally so as to facilitate, rather than hinder, access to public records.
- C. It is the intent of the legislature that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this title.
- D. It is the intent of the legislature that the Undergraduate Student Government commit to acting honestly and with integrity, in accordance with applicable laws and with the highest ethical standards, treating each other, and the community, with honor. Further, the Undergraduate Student Government is an equal opportunity organization committed to providing an environment that's based on professionalism and respect, and is free from discrimination, retaliation and

harassment.

Chapter 2: Open Meetings

Article I: Meetings of Public Bodies to be Open to the Public

Section 200: General Requirements for Open Meetings

- A. Every meeting of any public body shall be open to the public unless closed pursuant to this chapter.
- B. All public bodies shall be prohibited from utilizing any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent of this chapter.
- C. All votes made by members of a public body shall be viva voce and shall be recorded in the minutes, journal, or other official, written proceedings of the body, which shall be a public document.
 - a. Except as provided by a resolution of The Senate, a public body may not vote by secret or written ballot. If a public body is granted permission to vote by written ballot, each member of the body so voting shall sign their ballot; and the minutes of the public body shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the clerk or secretary of the public body immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.
- D. The members of a public body shall not deliberate, vote, or otherwise take action upon any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the public body to understand what is being deliberated, voted, or acted upon. However, this does not prohibit a public body from deliberating, voting, or otherwise taking action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted upon, are available for public inspection at the meeting.
- E. Each public body conducting a meeting shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. The public body may adopt reasonable rules and restrictions regarding such comment period.

Section 201: Notice of Meetings

- A. All public bodies, except The Senate and its committees, shall give written public notice of their regular meetings, if established by law, resolution, or ordinance, at the beginning of each calendar year. Such notice shall include the dates, times, and places of such meetings.
- B. All public bodies, except The Senate and its committees shall give written public notice of any regular, special, or rescheduled meeting no later than two (2) days prior to the scheduled time

of the meeting.

- C. Such notice shall include the agenda, date, time, and place of the meeting. The agenda shall not be changed less than one (1) calendar day prior to the scheduled time of the meeting.
- D. Each item on the agenda shall be listed separately and described with reasonable specificity.
- E. Before the public body may take any action on an item, the presiding officer or their designee shall read aloud the description of the item. Upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda. Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion. The public body shall not use its authority to take up a matter not on the agenda as a subterfuge to defeat the purposes of this chapter.
- F. Written public notice given by all public bodies, except The Senate and its committees, shall include, but need not be limited to:
 - a. Posting a copy of the notice at the principal office of the public body holding the meeting, or if no such office exists, at the building in which the meeting is to be held; or by publication of the notice in an official journal of the public body no less than one (1) calendar day, before the scheduled time of the meeting.
 - b. If the public body has a website, additionally by providing notice via the Internet on the website of the public body for no less than one (1) calendar immediately preceding the meeting. The failure to timely post notice via the Internet or the inability of the public to access the public body's website due to any type of technological failure shall not be a violation of the provisions of this chapter.
 - c. Providing a copy of the notice to any member of the news media who requests notice of such meetings; any such member of the news media shall be given notice of all meetings in the same manner as is given to members of the public body.
- G. Reasonable public notice of day to day sessions of The Senate and its committees, and of all matters pertaining to such meetings, including but not necessarily restricted to the content of notices, quorums for the transaction of business, viva-voce votes, and recordation of votes, shall be governed by the provisions of the Constitution and the Rules of Procedure of The Senate.
- H. If a public body holds an official meeting by use of conference telephone or other electronic means, it shall provide a location and means whereby members of the public may listen to the meeting and the notice of the meeting required by this chapter shall specify that location.

Section 202: Written Minutes

- A. All public bodies shall keep written minutes of all of their meetings including any closed session. The minutes to be kept by The Senate and its committees shall be governed by the provisions of the succeeding section. The minutes of all other public bodies shall include but need not be limited to:
 - a. The date, time, and place of the meeting.
 - b. The members of the public body recorded as either present or absent.
 - c. The substance of all matters decided, and, at the request of any member, a record, by individual member, of any votes taken.
 - d. Any other information that the public body requests be included or reflected in the minutes.
- B. The minutes shall be public records and shall be available within a reasonable time after the meeting, except where such disclosures would be inconsistent with
- C. If the public body has a website, the public body shall post on its website a copy of the minutes and shall maintain the copy of those minutes on the website for at least three (3) months after the posting. The public body shall post its minutes on its website as required by this section within a reasonable time after the meeting. The inability of the public to access the public body's website due to any type of technological failure shall not be a violation of the provisions of this chapter.

Section 203: Legislative Journals

- A. The journal of the proceedings of The Senate, as required to be kept by the provisions of the Constitution, shall constitute the written minutes of sessions of The Senate.
- B. The written minutes of standing, interim, joint, and other committees of The Senate shall include such information as may be required by the Rules of Procedure of The Senate.

Section 204: Broadcasting

- A. All of the proceedings in a public meeting may be video or tape recorded, filmed, or broadcast live.
- B. A public body shall establish standards for the use of lighting, recording or broadcasting equipment to insure proper decorum in a public meeting.

Section 205: Closed Sessions

- A. A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in this section. A motion based on subdivision of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (B)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

- B. A public body may hold a closed session and exclude the public only when a closed session is required:
- a. To prevent the disclosure of information that is privileged or confidential pursuant to the laws of the state of North Carolina or of the United States, or not considered a public record within the meaning of applicable laws of the Undergraduate Student Body.
 - b. To prevent the premature disclosure of a scholarship, prize, or similar award.
 - c. To consult with counsel retained by the public body in order to preserve the counsel-client privilege between the counsel and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because a counsel retained by the public body is a participant.
 - d. To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
 - e. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

Section 206: Exceptions

- A. The provisions of this chapter shall not apply to:
- a. The Senate Permanent Select Committee on Ethics;
 - b. Meeting solely among the professional staff of a public body;
 - c. Chance gatherings of members of a public body; or
 - d. Social or programmatic events during which business is not being transacted.

Section 207: Judicial Review

- A. Any action taken in violation of this chapter shall be voidable by a court of competent jurisdiction. A suit to void any action must be commenced within fifteen (15) days of the action.

- B. In any enforcement proceeding the court has jurisdiction and authority to issue all necessary orders to require compliance with, or to prevent noncompliance with, or to declare the rights of parties under the provisions of this chapter. Any noncompliance with the orders of the court may be punished as contempt of court.
- C. Any undergraduate student shall have the ability to sue the Undergraduate Student Government in a court of competent jurisdiction for violations of this chapter.
- D. In any enforcement proceeding the plaintiff may seek and the court may grant any or all of the following forms of relief:
 - 1. Injunctive relief.
 - 2. Declaratory judgment.
 - 3. Judgment rendering the action void.

Chapter 3: Records Administration

Article I: Records Request

Section 300: General Information

- A. Public bodies shall make available to the public the information as follows:
 - 1. Descriptions of its central and subsidiary organization and the established places at which, the members from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;
 - 2. Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;
 - 3. Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; and
 - 4. Each amendment, revision, or repeal of the foregoing.
- B. Each public body shall maintain a public website or HeelLife website which shall host an up-to-date list of officers, the minutes of meetings, and all relevant governing documents, including but not limited to resolutions, legislations, and operating documents.

Section 301: Materials Available to the Public

- A. Public bodies shall make available for public inspection and copying:
 - 1. Those statements of policy and interpretations which have been adopted;
 - 2. Administrative staff manuals and instructions to staff that affect a member of the public;
 - 3. Copies of all records, regardless of form or format, which have been released to any person which, because of the nature of their subject matter, the public body determines have become or are likely to become the subject of subsequent requests for substantially the same records;
 - 4. All legislation considered by The Senate;
 - 5. Documents that have been requested three (3) or more times; and
 - 6. Any and all records which are not otherwise confidential.

Section 302: Privacy Protections

- A. To the extent required to prevent a clearly unwarranted invasion of personal privacy, public bodies may delete identifying details when it makes available or publishes an

opinion, statement of policy, interpretation, staff manual, instruction, or copies of records.

- B. However, in each case, the justification for the deletion shall be explained fully in writing, and the extent of such deletion shall be indicated on the portion of the record which is made available or published, unless including that indication would harm an interest protected by the exemption.

Section 303: Production of Materials

- A. Except with respect to the records made available, public bodies, upon any request for records which reasonably describes such records, shall make the records promptly available to any person.
1. In making any record available to a person, the public body shall provide the record in any form or format requested by the person if the record is readily reproducible by the public body in that form or format.
 2. The public body shall make reasonable efforts to maintain its records in forms or formats that are reproducible for purposes of this section.
 3. In responding to a request for records, the public body shall make reasonable efforts to search for the records in electronic form or format.
- B. The public body, upon any request for records shall:
1. Determine within five (5) calendar days after the receipt of any such request whether to comply with such request and shall immediately notify the person making such a request of such determination and the reasons thereof.
- C. The public body may make one request to the requester for information and toll the five (5) calendar day period while it is awaiting such information that it has reasonably requested from the requester.
- D. The public body shall:
1. Withhold information under this article only if:
 - i. The public body reasonably foresees that disclosure would:
 - a. Violate G.S VIII:302,
 - b. Violate University policy, or
 - c. Violate the laws of North Carolina or the United States.
 2. Consider whether partial disclosure of information is possible whenever the public body determines that a full disclosure of a requested record is not possible; and
 - i. Take reasonable steps necessary to segregate and release nonexempt information.

Section 304: Judicial Review.

- A. On complaint, a court of competent jurisdiction may enjoin the public body from withholding agency records and to order the production of any records improperly withheld from the complainant.

Article II: Student Government Archives

Section 310: General Records Management

- A. The Secretary shall provide guidance and assistance to public bodies with respect to ensuring:
 - 1. Economical and effective records management;
 - 2. Adequate and proper documentation of the policies and transactions of the Undergraduate Student Government; and
 - 3. Proper records disposition.
- B. In carrying out the responsibilities under subsection (A), The Secretary shall have the responsibility:
 - 1. To promulgate standards, procedures, and guidelines with respect to records management and the conduct of records management studies;
 - 2. To conduct inspections or surveys of the records and the records management programs and practices within and between public bodies; and

Section 311: Records Management by Public Bodies

- A. Public bodies shall make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the public body.
- B. Public bodies shall establish and maintain an active, continuing program for the economical and efficient management of the records of the public body. The program, among other things, shall provide for:
 - 1. Effective controls over the creation and over the maintenance and use of records in the conduct of current business;
 - 2. Procedures for identifying records of general interest or use to the public that are appropriate for public disclosure, and for posting such records in a publicly accessible electronic format; and
 - 3. Cooperation with The Secretary in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation and facilitate the segregation and disposal of records of temporary value.

Section 312: Permanent Archiving

- A. Two (2) weeks prior to the transfer of power date, The Secretary shall oversee the

transfer of documents and other materials to the Wilson Archives for permanent storage.

- B. The Secretary shall coordinate this transfer with all political subdivisions of the Undergraduate Student Government and ensure that all public bodies are aware of the transfer and able to submit records for archiving.

Section 313: The Undergraduate Student Government Annual Report

- A. The Undergraduate Student Government Annual Report shall consist of the following:
 - 1. The Undergraduate Executive Council Annual Report;
 - 2. The Legislative Branch Annual Report;
 - 3. The Judicial Branch Annual Report;
 - 4. Information on how to attend meetings of public bodies; and
 - 5. Information on how to request access to records.
- B. The Undergraduate Executive Council Annual Report shall contain the following:
 - 1. Letter to the Undergraduate Student Body from The President;
 - 2. Discussion of the work conducted by the Undergraduate Executive Council;
 - 3. Discussion of the work conducted by External Appointments;
 - 4. Discussion of the work conducted by undergraduate appointments to Independent Agencies of the Student Government;
 - 5. Copies of the Undergraduate Executive Council budget and financial statements; and
 - 6. Any other information which The Council deems relevant.
- C. The Legislative Branch Annual Report shall contain the following:
 - 1. Letter to the Undergraduate Student Body from The Speaker of The Senate;
 - 2. Discussion of the work conducted by the Legislative Branch;
 - 3. A copy of the most up-to-date version of the General Statutes;
 - 4. Copies of the budget and financial statements; and
 - 5. Any other information which the Branch deems relevant.
- D. The Judicial Branch Annual Report shall contain the following:
 - 1. Letter to the Undergraduate Student Body from the Undergraduate Student Attorney General;
 - 2. Letter to the Undergraduate Student Body from the Undergraduate Honor Court Chair;
 - 3. Discussion of the work conducted by the Judicial Branch which shall include the following:
 - i. The Honor System Report,

1. Which shall be compiled by the Undergraduate Student Attorney General in cooperation with the Undergraduate Honor Court Chair;
- ii. The Report of the Office of Legal Counsel; and
- iii. The Report of the Courts of the Undergraduate Student Body,
 1. Which shall be compiled by the most senior chief judge of the oldest established district court;
4. Copies of relevant financial statements; and
5. Any other information which the Branch deems relevant.

Section 314: Completion of the Undergraduate Student Government Annual Report

- A. The Secretary shall be responsible for compiling the Undergraduate Student Government Annual Report.
- B. The following individuals will be responsible for compiling the Branch Annual Reports:
 - a. The Undergraduate Executive Council Annual Report shall be compiled by The Secretary
 - b. The Legislative Branch Annual Report shall be compiled by the Speaker Pro Tempore
 - c. The Judicial Branch Annual Report shall be compiled by the Chief Legal Officer.
- C. The Undergraduate Student Government Annual Report shall be completed no later than two (2) weeks prior to the transfer of power date.
 - a. In January, The Speaker of The Senate shall request from the individuals responsible for compiling the Student Government report a written update on the work being done to complete the Annual Report.

Chapter 4: Government Ethics and Equal Opportunity

Article I: Government Ethics

Section 400: Undergraduate Executive Council Code of Ethics

- A. The Council shall issue a Code of Ethical Conduct which shall apply to all members of The Council and its political subdivisions within four (4) weeks of the transfer of power date. If no Code of Ethical Conduct is issued within four (4) weeks of the transfer of power date the previous term's Code of Ethical Conduct shall be presumed to be in effect for the duration of the current administration.
- B. The Council shall also proscribe the enforcement mechanisms for the Code of Ethical Conduct.
- C. The Code of Ethical Conduct shall be posted on the website of the Undergraduate Executive Council.

Section 401: Code of Ethics for Offices and Departments Independent of the Undergraduate Executive Council

- A. The Officer which oversees an office or department independent of the Undergraduate Executive Council shall issue a Code of Ethical Conduct which shall apply to all members of the appropriate office or department independent of the Undergraduate Executive Council within four (4) weeks of the transfer of power date. If no Code of Ethical Conduct is issued within four (4) weeks of the transfer of power date the previous term's Code of Ethical Conduct shall be presumed to be in effect for the duration of the current administration.
- B. The Council shall also proscribe the enforcement mechanisms for the Code of Ethical Conduct.
- C. The Code of Ethical Conduct shall be posted on the website of the office or department independent of the Undergraduate Executive Council.

Section 402: Code of Ethics of The Senate of the Undergraduate Student Body

- A. As provided by the Constitution, The Senate shall adopt a code of ethics prohibiting conflict between public duty and private interests of Senators.

Section 403: Code of Ethics of the Judicial Branch

- A. Courts created by The Senate shall be subject to the Code of Ethics adopted by the Supreme Court of the Student Body.
- B. The Chief Legal Officer shall issue a Code of Ethical Conduct which shall apply to all members of the Office of Legal Counsel. This Code of Ethical Conduct shall be posted on the

website of the Office of legal Counsel.

Article II: Equal Opportunity

Section 411: Anti-Discrimination

- A. The Undergraduate Student Government shall not tolerate discrimination on the basis of actual or perceived age, gender, race, color, national or social origin, religion (including religious dress and practices), creed, political or other opinion, political affiliation, immigration status, language, caste, socio-economic status, physical or mental disability, medical condition, marital status, military or veteran status, English language proficiency, sex, sexual orientation, gender identity, ancestry, gender expression, or genetic information or on any other category protected by applicable law.
- B. The Undergraduate Student Government also shall not tolerate discrimination based on perceptions that a person is associated with someone else who is in any of the protected categories.
- C. The Undergraduate Student Government recognizes and respects the right of individuals to speak languages other than English in performance of their duties.

Section 412: Reasonable Accommodations

- A. The Undergraduate Student Government will provide reasonable accommodations to individuals impacted by a disability who are seeking accommodations, unless doing so would cause an undue hardship on operations.
- B. The Undergraduate Student Government will also make reasonable accommodations for those individuals who observe religious practices.
- C. The Undergraduate Student Government will take the necessary steps to provide Limited English Proficiency persons meaningful access to such programs and activities.

Title IX: The Public Service

Chapter 1: General Provisions

Article I: Foundations

Section 100: Definitions

- A. Within this title, in determining the meaning of any provisions, unless the context indicates otherwise:
 - a. “Application” is defined as a document or a set of documents that an applicant transfers as part of the process of informing their availability and desire to be employed in a particular position;
 - b. “Professional staff” is defined as the individuals hired to serve in a specific non appointed or political role within a political subdivision of the Undergraduate Student Government;
 - c. “Competitive application process” is defined as a process where applications are made publicly available, applications are reviewed using objective criteria, and all submitted applications are reviewed.

Section 101: Legislative Intent

- A. It is the intent of the legislature that the Undergraduate Student Government follow a merit based system when hiring professional staff. Merit systems are based on the principle that an organization is best served by motivated, competent, honest and productive workers. Central to this principle is the protection of employees from discrimination, improper political influence, and personal favoritism.
- B. It is the intent of the legislature that the appointments process follows a standardized procedure that ensures a thorough vetting of all nominees.

Chapter 2: Appointments and Selection Committees

Article I: General Provisions

Section 100: Tiers of Appointments

- A. All appointed positions shall be classed according to the following tiers:
 - a. Tier I appointments shall be defined as appointments made to positions where nominees must be selected during a competitive application process, applications reviewed by a constitutionally or statutorily prescribed selection committee, and appointed by and with the advice and consent of The Senate.
 - b. Tier II appointments shall be defined as appointments made to positions where nominees must be selected during a competitive application process, applications reviewed by a selection committee, and appointed by and with the advice and consent of The Senate.
 - c. Tier III appointments shall be defined as appointments made to positions where nominees must be selected during a competitive application process and appointed by and with the advice and consent of The Senate.
 - d. Tier IV appointments shall be defined as appointments made to positions where nominees must be selected during a competitive application process.
 - e. Tier V appointments shall be defined as discretionary appointments.

Section 101: Record Keeping

- A. For all appointments, the appointer shall ensure that the following information is recorded:
 - a. Update contact information;
 - b. The position an individual was appointed to;
 - c. The date of the expiration of an appointee's term if applicable; and
 - d. The appointee's expected graduation date.
- B. The Senate shall be notified of all appointments made in a given calendar month at the beginning of each calendar month.
- C. The Vice President shall provide to The Senate an updated list of all external appointments no later than the end of January.

Section 102: Responsibilities of Nominators and Appointers

- A. Nominators and Appointers are responsible for ensuring that all nominees and appointees are familiar with the responsibilities and duties of the position which they are nominated or appointed to.

- B. Nominators and Appointers are responsible for ensuring that all nominees and appointees meet all qualifications to seek and hold the positions they are being nominated and appointed to.

Article II: Tier I Appointments

Section 110: Tier I Positions

- B. The following appointments shall be considered Tier I Appointments:
 - a. The Vice President;
 - b. The Treasurer;
 - c. The Secretary;
 - d. The Chief of the Cabinet;
 - e. Members of the Board of Elections;
 - f. Justices of the Supreme Court;
 - g. The Undergraduate Student Attorney General;
 - h. The Undergraduate Honor System Outreach Coordinator; and
 - i. The Undergraduate Honor Court Chair.

Section 111: Officers of the Undergraduate Student Body Selection Committee

- A. The Selection Committee for the Officers of the Undergraduate Student Body which are not The President shall be composed of the following members:
 - a. The Speaker of The Senate or their designee;
 - b. Two Senators selected by The Speaker of the Senate;
 - c. One designee of the President-elect; and
 - d. One individual selected by the Undergraduate Executive Council.
- B. The Speaker or their designee shall serve as chair.

Section 112: Justice Selection Committee

- A. The Selection Committee for Justices of the Supreme Court shall be composed of the following members:
 - a. The Vice President, as a non-voting member;
 - b. The senior most Undergraduate Justice of the Supreme Court or their designee;
 - c. One Senator selected by The Chair of the Senate Permanent Select Committee on Ethics;
 - d. Two Senators selected by The Speaker of the Senate; and,
 - e. One individual selected by the Undergraduate Executive Council.
- B. The Speaker shall designate a member selected by them as chair.

Section 113: Member of the Board of Elections Selection Committee

- A. The Selection Committee for Members of the Board of Elections shall be composed of the

following members:

- a. The Vice President, as a non-voting member;
 - b. The senior most Undergraduate Member of the Board of Elections;
 - c. One Senator selected by The Chair of the Senate Permanent Select Committee on Ethics;
 - d. Two Senators selected by The Speaker of the Senate; and,
 - e. One individual selected by the Undergraduate Executive Council.
- B. The Speaker shall designate a member selected by them as chair.

Section 114: Honor System Leadership Selection Committee

- A. The Selection Committee for the The Undergraduate Student Attorney General, Undergraduate Honor Court Chair, and Undergraduate Honor System Outreach Coordinator shall be composed of the following members:
- a. The outgoing official of the Undergraduate Honor System;
 - b. Two individuals selected the outgoing official of the Undergraduate Honor System;
 - c. One designee of The Speaker of the Senate; and
 - d. One designee of the President.
- B. The Speaker's designee shall serve as chair.

Section 115: Procedures for Tier I Selection Committees

- A. The selection committees established by the Constitution or by law for reviewing the applications for Tier I Appointments shall be empowered, upon an affirmative vote of the majority of the fixed membership, to determine all aspects of the application process within the limits defined by law, including but not limited to the application timeline, method of application, form of application, and contents of the application.
- B. The selection committees established by the Constitution or by law for reviewing the applications for Tier I Appointments shall abide by the following procedures:
- a. The selection committee shall have the authority to conduct business electronically, asynchronously, or otherwise; the chair of the committee shall set the mode, location, time, and date by which the committee conducts business and shall have the authority to appoint and dismiss non-voting advisory members of the committee;
 - b. The selection committee shall under no circumstances deliberate the qualifications, competence, performance, character, or fitness of any applicant within a public session; retain permanent records of any such deliberation beyond the conclusion of the appointment process; or publicly disclose the substance of such deliberations.
 - c. The selection committee must use a competitive application process to select nominees which in this case shall mean that in addition to the rules provided elsewhere by law:

- i. No member of the selection committee shall take any part in the consideration of applicants to a position which they themselves have applied for.
 - ii. The period of the application process shall be no less than ten (10) days.
 - d. The selection committee shall nominate at least one (1) individual per position.
 - C. The following characteristics shall be used to determine priority of selecting appointees to the Office of Vice President:
 - a. Previous service as The Vice President
 - b. Previous service in the Office of Vice President
 - c. Previous service as a Senator
 - D. The following characteristics shall be used to determine priority of selecting appointees to the Office of Treasurer:
 - a. Previous service as The Treasurer
 - b. Previous served as a Senator on the Senate Committee on Finance and Appropriations
 - c. Previous service in the Office of the Treasurer
 - E. The following characteristics shall be used to determine priority of selecting appointees to the Office of Secretary:
 - a. Previous service as The Secretary
 - b. Previous service in the Office of the Secretary
 - c. Previous service as The Secretary of The Senate
 - F. The following characteristics shall be used to determine priority of selecting appointees to the Office of Chief of Cabinet:
 - a. Previous service as the Chief of Cabinet
 - b. Previous service as a Cabinet Director
 - G. The following characteristics shall be used to determine priority of selecting appointees to the Board of Elections:
 - a. Previous service as a Senator
 - b. Previous service as a district judge
 - H. The following characteristics shall be used to determine priority of selecting appointees to the Supreme Court:
 - a. Previous service as a Senator
 - b. Previous service as a district judge

Section 116: Nomination of Tier I Appointments

- I. The President shall nominate all Tier I Appointments.
- J. The President must nominate an individual who has been recommended by the appropriate selection committee.

- K. If the President chooses not to nominate any of the selected recommended individuals, The President may restart the selection process for the position affected, though the selection committee may choose to recommend a different applicant to the President rather than reopen applications.

Section 117: Confirmation by The Senate

- A. When transmitting the nomination to The Senate, The President shall provide the nominee's full application.
- B. The Senate shall consider a nomination in accordance with its Rules of Procedure provided that Tier I Nominees are approved by either a majority vote or a two-thirds ($\frac{2}{3}$) majority vote of members present and voting as required by the Constitution or by law.
- C. If The Senate rejects a nominee, the selection process shall begin again, though the selection committee may recommend a different applicant to The President rather than reopen applications.

Article III: Tier II Appointments

Section 120: Tier II Positions

- C. The following appointments shall be considered Tier II Appointments:
- a. The Organizational Treasurer of the Undergraduate Executive Council;
 - b. All position designated as Cabinet by law;
 - c. The Undergraduate Solicitor General;
 - d. The Undergraduate Chief Legal Officer; and
 - e. All district judges.

Section 121: Tier II Selection Committee

- C. The Selection Committee for all Tier II positions shall be composed of not less than three (3) individuals selected by the appointer who shall designate at least one individual to be chair.

Section 122: Procedures for Tier II Selection Committees

- L. The selection committees reviewing the applications for Tier II Appointments shall be empowered, upon an affirmative vote of the majority of the entire membership, to determine all aspects of the application process within the limits defined by law, including but not limited to the application timeline, method of application, form of application, and contents of the application.
- M. The selection committees reviewing the applications for Tier II Appointments shall abide by the following procedures:
- a. The selection committee shall have the authority to conduct business electronically, asynchronously, or otherwise; the chair of the committee shall set the mode, location, time, and date by which the committee conducts business and shall have the authority to appoint and dismiss non-voting advisory members of the committee;

- b. The selection committee shall under no circumstances deliberate the qualifications, competence, performance, character, or fitness of any applicant within a public session; retain permanent records of any such deliberation beyond the conclusion of the appointment process; or publicly disclose the substance of such deliberations.
 - c. The selection committee must use a competitive application process to select nominees which in this case shall mean that in addition to the rules provided elsewhere by law:
 - i. No member of the selection committee shall take any part in the consideration of applicants to a position which they themselves have applied for.
 - ii. The period of the application process shall be no less than five (5) days.
 - d. The selection committee shall nominate at least one (1) individual per position.
- N. The following characteristics shall be used to determine priority of selecting appointees to Tier II Appointments:
- a. Previous service as a Senator
 - b. Previous service in a position designated as Cabinet

Section 123: Nomination of Tier II Appointments

- O. The Undergraduate Executive Council shall nominate the following positions:
 - a. The Organizational Treasurer of the Undergraduate Executive Council.
- P. The President shall nominate the following positions:
 - a. The Undergraduate Solicitor General;
 - b. The Undergraduate Chief Legal Officer; and
 - c. All district judges.
- Q. The Chief of the Cabinet shall nominate the following positions:
 - a. All positions designated as Cabinet by law.
- R. The nominator must nominate an individual who has been recommended by the appropriate selection committee.
- S. If the nominator chooses not to nominate any of the selected recommended individuals, the nominator may restart the selection process for the position affected, though the selection committee may choose to recommend a different applicant to the nominator rather than reopen applications.

Section 124: Confirmation by The Senate

- D. When transmitting the nomination to The Senate, the nominator shall provide the nominee's full application.
- E. The Senate shall consider a nomination in accordance with its Rules of Procedure provided that Tier II Nominees are approved by either a majority vote or a two-thirds ($\frac{2}{3}$) majority vote of members present and voting as required by the Constitution or by law.

- F. If The Senate rejects a nominee, the selection process shall begin again, though the selection committee may recommend a different applicant to the nominator rather than reopen applications.

Article IV: Tier III Appointments

Section 130: Tier III Positions

- D. The following appointments shall be considered Tier III Appointments:
- a. Members of the Campus Recreation Board;
 - b. Members of the Carolina Athletics Association;
 - c. Members of the Carolina Union Board of Directors;
 - d. Members of the Chancellor's Child Care Advisory Committee;
 - e. Members of the Committee on Student Conduct;
 - f. Members of the Hardship Parking Committee;
 - g. Members of the Renewable Energy Special Projects Committee;
 - h. Members of the Student Advisory Committee to the Chancellor;
 - i. Members of the Student Fee Audit Committee;
 - j. Members of the Student Grievance Committee;
 - k. Members of the Student Leadership Advisory Committee to the Vice Chancellor of Student Affairs;
 - l. Members of the Student Legal Services Board of Directors;
 - m. Members of the Student Library Advisory Board;
 - n. Members of the Student Safety and Security Committee;
 - o. Members of the Student Television Board of Directors;
 - p. Members of the WXYC Board of Directors;
 - q. Deputy Student Attornies General;
 - r. Vice Chairs of the Honor Court;
 - s. Honor Court Members;
 - t. Members of the Student Undergraduate Teaching and Staff Awards;
 - u. The Association of Student Governments Delegate;
 - v. Members of the Dean of Arts and Sciences Advisory Committee;
 - w. Members of the Student Academic Advisory Board;
 - x. Delegates to the Faculty Council;
 - y. Members of the University Teaching Awards Board;
 - z. Members of the Priority Registration Advisory Committee;
 - aa. Member of the Educational Policy Committee;
 - bb. Member of the University Calendar Committee;
 - cc. Member of the Academic Calendar Committee;

- dd. Members of the Ackland Museum of Art Academic Advisory Committee;
- ee. Members of the General Education Oversight Committee;
- ff. Members of the Course Committee for the College of Arts and Sciences;
- gg. Member of the University Policy Committee;
- hh. Member of the Summer Reading Book Selection Committee.
- ii. Member of the Carolina Computing Initiative Software Load Committee and Hardware Selection Committee;
- jj. Member of the Scholarships, Awards, and Student Aid Committee;
- kk. Downtown Chapel Hill Partnership representative;
- ll. Members of the Student Technology Advisory Board;
- mm. Members of the Buildings and Grounds Committee;
- nn. Members of the Student Dining Services Board of Directors;
- oo. Member of the Student Affairs Council;
- pp. Members of the MLK Jr. Celebration Planning Committee;
- qq. Members of the Provost's Committee on LGBTQ Life;
- rr. Member of the Administrative Board of the Library;
- ss. Members of the Advisory Committee for UNC Student Stores;
- tt. Members of the Campus Health Services Advisory Board;
- uu. Members of the Campus Recreation Advisory Council;
- vv. Member of the Chancellor's Advisory Committee on Transportation 5-Year Plan;
- ww. Member of the Disability Advisory Committee;
- xx. Member of the Pedestrian and Bicycle Safety Committee;
- yy. Members of the Chief of Police Advisory Committee; and
- zz. Members of the Provost Advisory Committee.

Section 131: Nomination of Tier III Appointments

- E. The President shall nominate the following positions:
 - a. The Association of Student Governments Delegate;
 - b. Delegates to the Faculty Council;
 - c. Members of the Priority Registration Advisory Committee;
 - d. Member of the Educational Policy Committee;
 - e. Member of the University Calendar Committee;
 - f. Member of the Academic Calendar Committee;
 - g. Members of the Ackland Museum of Art Academic Advisory Committee;
 - h. Members of the General Education Oversight Committee;
 - i. Members of the Course Committee for the College of Arts and Sciences;
 - j. Member of the University Policy Committee;

- k. Member of the Summer Reading Book Selection Committee.
 - l. Member of the Carolina Computing Initiative Software Load Committee and Hardware Selection Committee;
 - m. Member of the Scholarships, Awards, and Student Aid Committee;
 - n. Downtown Chapel Hill Partnership representative;
 - o. Members of the Student Technology Advisory Board;
 - p. Members of the Buildings and Grounds Committee;
 - q. Members of the Student Dining Services Board of Directors;
 - r. Member of the Student Affairs Council;
 - s. Members of the MLK Jr. Celebration Planning Committee;
 - t. Members of the Provost's Committee on LGBTQ Life;
 - u. Member of the Administrative Board of the Library;
 - v. Members of the Advisory Committee for UNC Student Stores;
 - w. Members of the Campus Health Services Advisory Board;
 - x. Members of the Campus Recreation Advisory Council;
 - y. Member of the Chancellor's Advisory Committee on Transportation 5-Year Plan;
 - z. Member of the Disability Advisory Committee; and
 - aa. Member of the Pedestrian and Bicycle Safety Committee.
- F. The Vice President shall nominate the following positions:
- a. Members of the Student Undergraduate Teaching and Staff Awards;
 - b. Members of the Dean of Arts and Sciences Advisory Committee;
 - c. Members of the Student Academic Advisory Board;
 - d. Members of the University Teaching Awards Board;
 - e. Members of the Chief of Police Advisory Committee;
 - f. Members of the Provost Advisory Committee.
- G. The Undergraduate Student Attorney General shall nominate the following positions:
- a. Deputy Student Attorneys General.
- H. The Undergraduate Honor Court Chair shall nominate the following positions:
- a. Honor Court Vice Chairs; and
 - b. Honor Court Members.
- I. The individuals responsible for nominating individuals to positions within Independent Agencies or other positions established by Chapter One (1) of the Constitution or the Code of the Permanent Laws of the Student Government shall not be prescribed within the General Statutes.
- J. The nominator must use a competitive application process to select nominees which in this case shall mean that in addition to the rules provided elsewhere by law:

- a. The period of the application process shall be no less than three (3) days.
- K. The following characteristics shall be used to determine priority of selecting appointees to Tier III Appointments excluding appointments to the Undergraduate Honor System:
 - a. Previous service as a Senator
 - b. Previous service in a political subdivision of the Undergraduate Executive Council

Section 132: Confirmation by The Senate

- G. When transmitting the nomination to The Senate, the nominator shall provide the nominee's full application.
- H. The Senate shall consider a nomination in accordance with its Rules of Procedure provided that Tier III Nominees are approved by either a majority vote or a two-thirds ($\frac{2}{3}$) majority vote of members present and voting required by the Constitution or by law.
- I. If The Senate rejects a nominee, the selection process shall begin again, though the nominator may recommend a different applicant rather than reopen applications.

Article V: Tier IV Appointments

Section 140: Tier IV Positions

- A. The following appointments shall be considered Tier IV Appointments:
 - a. Deputy Legal Officers; and
 - b. Deputy Solicitor Generals.

Section 141: Appointment of Tier IV Appointments

- L. The Solicitor General shall appoint the following positions:
 - a. Deputy Solicitor Generals.
- M. The Chief Legal Officer shall appoint the following positions:
 - a. Deputy Legal Officers.
- N. The appointer must use a competitive application process to select appointees which in this case shall mean that in addition to the rules provided elsewhere by law:
 - a. The period of the application process shall be no less than two (2) days.

Article VI: Tier V Appointments

Section 140: Tier V Positions

- B. The following appointments shall be considered Tier V Appointments:
 - a. Appointments made, by a university administrator on the advice of an Undergraduate Student Government official, of a student, to an indefinite term on a university body that exists on an ad-hoc basis;
 - b. Designees on any student government or university established body.

Section 141: Appointment of Tier V Appointments

- O. The appointer need not use a competitive application process to select appointees.

Article VII: Senate Appointments

Section 140: Senate Appointments

- C. The following appointments are delegated to The Senate and shall be filled by The Senate in accordance with the Rules of Procedure of The Senate:
- a. two (2) Members of the Dean of Arts and Sciences Advisory Committee;
 - b. one (1) Member of the Committee on Student Conduct;
 - c. two (2) Members of the Chief of Police Advisory Committee;
 - d. one (1) Member of the Student Fee Audit Committee;
 - e. two (2) Members of the Student Safety and Security Committee;
 - f. one (1) Member of the Renewable Energy Special Projects Committee;
 - g. one (1) Member of the Student Library Advisory Board;
 - h. four (4) Members of the Provost Advisory Committee;
 - i. two (2) Members of the University Teaching and Awards Board;
 - j. two (2) Members of Student Undergraduate Teaching and Staff Awards;
 - k. one (1) Member of the WXYC Board of Directors;
 - l. one (1) Member of the STV Board of Directors; and
 - m. one (1) Member of the Student Legal Services Board of Directors.

Chapter 3: Civil Service

Article I: Professional Staff

Section 300: Hiring and Promotion

- A. All professional staff shall be hired according to a competitive application process.
- B. All professional staff shall be evaluated according to a merit based system.
- C. All professional staff shall be promoted according to a merit based system.

Section 301: Professional Ethics

- A. No professional staffer is for any reason under any obligation to contribute to any political organization, or to render any political service, and that they will not be removed or otherwise prejudiced for refusing to do so.
- B. No professional staffer has any right to use their official authority or influence to coerce the political action of any person or body.
- C. The Senate, the Undergraduate Executive Council, and all other political subdivisions of the Undergraduate Student Body which employ professional staff shall adopt codes of ethics which prescribe further rules for professional conduct.
- D. The district courts shall ensure their professional staff abide by the code of conduct established by the Supreme Court of the Student Body.

Article II: Civil Service Exams

Section 310: Required Exams

- A. All Officers shall take and pass the following exams:
 - a. The Student Bar Exam;
 - b. The Treasurer's Test;
 - c. The Code Exam.
- B. All Tier I, II, and III Appointments shall take and pass the following exams:
 - a. The Treasurer's Test; and
 - b. The Code Exam.
- C. The Undergraduate Solicitor General, Chief Legal Officer, Deputy Undergraduate Solicitor Generals and Deputy Legal Officers shall take and pass the following exams:
 - a. The Student Bar Exam;
 - b. The Treasurer's Test;
 - c. The Code Exam.
- D. All professional staff shall take and pass the Code Exam.
- E. Any Officer which has not passed the required exams within six (6) weeks of assuming office shall be considered nonfeasant.

- F. No individual shall be nominated to a Tier I, II, or III Appointment which has not passed the required exams, nor shall The Senate consider their nomination.
- G. No individual shall be nominated to serve as the Undergraduate Solicitor General or Chief Legal Officer without having passed the required exams, nor shall The Senate consider their nomination.
- H. No individual shall be appointed as a Deputy Undergraduate Solicitor General or Deputy Legal Officer without having passed the required exams. Any individual which has not completed the required exams within six (6) weeks of being appointed shall be considered dismissed from their position.
- I. Any professional staffer which has not passed the Code Exam within six (6) weeks of being hired shall be considered dismissed from their position.

Section 311: Code Exam

- A. The Code Exam shall be administered by The Secretary of the Senate. To pass this test an individual must score an eighty percent (80%) or greater. The Secretary of The Senate shall see that a certificate is produced bearing the seal of The Senate as proof that an individual has passed the Code Exam.
 - a. Such records of an individual passing the Code Exam, shall have the same full faith and credit in every court and office of the Undergraduate Student Body.
- B. The Code Exam shall test an individual's knowledge of the Constitution of the Student Body, the General Statutes of the Undergraduate Student Body, Code of the Permanent Laws of the Student Government, and such other matters as the Secretary of The Senate deems necessary.

Section 312: Treasurer's Test

- A. The Treasurer's Test shall be administered by The Treasurer. To pass this test an individual must score an eighty percent (80%) or greater. The Treasurer shall see that a certificate is produced bearing the seal of the Undergraduate Student Government as proof that an individual has passed the Treasurer's Test .
 - a. Such records of an individual passing the Treasurer's Test , shall have the same full faith and credit in every court and office of the Undergraduate Student Body.
- B. The Treasurer's Test shall test an individual's knowledge of the Constitution of the Student Body, The Finance Code , and such other matters as the Treasurer deems necessary.

Chapter 4: Awards and Honors

Article I: Honors Awarded By The Undergraduate Student Government

Section 400: Undergraduate Medal of Merit

- A. The Senate shall have the authority to award to any student, faculty member, staff member, alumnus, or close associate of the University of North Carolina at Chapel Hill the Undergraduate Medal of Merit (Medal of Merit) in recognition of outstanding achievement in and contribution to the community of this university.
- B. The Medal of Merit shall be the highest honor awarded and recognized by the Undergraduate Student Government.
- C. The Senate shall award this honor by resolution.
 - a. A resolution to award the Undergraduate Medal of Merit shall require the support of two-thirds ($\frac{2}{3}$) of the members voting and present of The Senate.
 - b. The Senate may award no more than three (3) such honors in a given term of The Senate.
- D. When the Medal of Merit has been awarded, the recipient shall be invited by The Speaker of The Senate to accept the Medal of Merit during a regular meeting of The Senate.
- E. Each year, the Undergraduate Senate shall request Student Government Funds to fund the purchase of up to three (3) physical medals to present to recipients.

Section 401: Presidential Medal of Excellence

- A. The President shall have the authority to award to any student, faculty member, staff member, alumnus, or close associate of the University of North Carolina at Chapel Hill the Presidential Medal of Excellence (Medal of Excellence) in recognition of significant achievement in scholarship, athletics, or public service.
- B. The Medal of Excellence shall be the second highest honor awarded and recognized by the Undergraduate Student Government.
- C. The President shall award this honor by executive order.
- D. When the Medal of Excellence has been awarded, the recipient shall be invited by The President and The Speaker of the Senate to accept the Medal of Excellence during a regular meeting of The Senate.
- E. Each year, the Undergraduate Student Government Executive Branch shall request Student Government Funds to fund the purchase of physical medals to present to recipients, though the number of medals awarded may exceed the number of physical medals which are to be funded.

Section 402: James L. Cates Jr. Memorial Award

- A. The Senate shall have the authority to award to any student, faculty member, staff member, alumnus, or close associate of the University of North Carolina at Chapel Hill the James L. Cates Jr. Memorial Award (Cates Award) in recognition of outstanding contribution to the advancement of social justice on our campus.
- B. This award shall be named for James L. Cates Jr., a young African American man who was tragically murdered in the heart of our campus in an instance of horrific racial violence.
- C. The Senate shall award this honor by resolution.
 - a. A resolution to award the Cates Award shall require the support of two-thirds ($\frac{2}{3}$) of the members voting and present of The Senate.
- D. When the Cates Award has been awarded, the recipient shall be invited by the Speaker of the Senate to accept the Cates Award during a regular meeting of The Senate.
- E. Each year, The Senate shall request Student Government Funds to fund the purchase of a physical marker of this memorial award.

Section 403: Eli “Sonny” Evans Award for Student Self-Governance

- A. The Eli “Sonny” Evans Awards for Student Self-Governance (Sonny Evans Award) shall be awarded to any graduating member of the undergraduate senior class of the University of North Carolina at Chapel Hill in recognition of outstanding achievement and contribution as a member of the Undergraduate Student Government or other system.
- B. This award shall be named for Eli “Sonny” Evans, the first Jewish president of the student body and later an accomplished historian of Jewish history.
- C. This honor shall be awarded by a majority vote of the Sonny Evans Award Committee.
- D. The Sonny Evans Award Committee shall be comprised of the following individuals:
 - a. The Vice President or their designee;
 - b. The Speaker Pro-Tempore or their designee;
 - c. One (1) individual appointed by The Speaker;
 - d. One (1) individual appointed by The President;
 - e. The Treasurer or their designee;
 - f. The Chief of Cabinet or their designee;
 - g. The senior Undergraduate Justice of the Supreme Court of the Student Body or their designee;
 - h. The senior Undergraduate Member of the Board of Elections or their designee.
- E. The Vice President or their designee shall serve as chair.
- F. Should any member of the Sonny Evans Award Committee be eligible for the award, they shall be required to appoint a designee to serve on the committee in their place.
- G. The Sonny Evans Award Committee shall be required to accept nominations from the public for the award, but may nominate an individual for the award internally.

- H. The Sonny Evans Award Committee shall convene to first consider the matter of awarding members of the current senior class no later than one week following the first day of class of the Spring term, and shall announce winners of the award no later than three weeks prior to the transition of power date.
- I. When the Sonny Evans Award has been awarded, the recipient shall be invited by The Speaker of The Senate to accept the Award during the final regular meeting of The Senate of the current term.
- J. Each year, The Senate shall request Student Government Funds to fund the purchase of a physical marker of this award.

Title X: Continuity of Governance

Chapter 1: General Provisions

Article I: Foundations

Section 100: Definitions

- A. "Summer" is defined as the period of time between the conclusion of the Spring academic semester and the start of the Fall academic semester.
- B. "Disaster" means the result of a natural or man-made event which causes loss of life, injury, and property damage, including but not limited to natural disasters such as hurricane, tornado, storm, flood, high winds, and other weather related events, forest and marsh fires, and man-made disasters, including but not limited to nuclear power plant incidents, hazardous materials incidents, oil spills, explosion, civil disturbances, public calamity, acts of terrorism, hostile military action, and other events related thereto.
- C. "Emergency" means the actual or threatened condition which has been or may be created by a disaster.

Section 101: Legislative Intent

- A. This title shall be construed broadly to effect its intent to recognize the necessity of ensuring continuity of governance during periods of impending or actual public crisis or disaster and to provide means to maintain the operation of government.
- B. It is the policy of the Undergraduate Student Government to maintain a comprehensive and effective continuity capability ensuring the resilience and preservation of government structure under the Constitution and the continuous performance of essential functions under all conditions.

Chapter 2: Continuity of Governance

Article I: Order of Succession and Interim Appointments

Section 200: Presidential Succession

- A. If, by reason of resignation, removal from Office, self attested inability, or failure to qualify, there is no President of the Undergraduate Student Body then the individual who holds the highest ranking position on the following list, and who is not under disability to discharge the powers and duties of the Office of The President shall assume the office of The President:
 - a. The Vice President
 - b. The Speaker of The Senate
 - c. The Speaker Pro-Tempore of The Senate
 - d. The Treasurer
 - e. The Secretary
 - f. The Chief of the Cabinet
 - g. The principal deputy of The Vice President
 - h. The principal deputy of The Treasurer
 - i. The principal deputy of The Secretary
 - j. The principal deputy of The Chief of the Cabinet
 - k. The Secretary of The Senate
- B. If there be no individual holding any of the offices on the list in subsection A that qualifies to hold the Office of The President, then The Senate shall take all needful steps to ensure that an individual is installed as The President.
- C. The same provisions shall apply in the case of the resignation, removal from Office, or self attested inability of an individual who has assumed the office President under this section.
- D. The individual on the list in subsection A, upon the resignation of their position, shall serve as President.
- E. Whenever The President transmits to The Senate their written declaration that they are unable to discharge the powers and duties of their Office, and until they transmit to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President or the individual next highest on the list in subsection A of this section if the Vice President is unable to discharge the power and duties of the Office by reason of resignation, removal from Office, self attested inability, or failure to qualify.
- F. The taking of the oath of office by an individual specified in the list in Subsection A of this section shall be held to constitute their resignation from their position by virtue of the holding of which they qualify to act as President.

- G. Subsection A of this section shall apply only to such individuals as are eligible to the office of President under the Constitution and the law. Subsection A of this section shall apply only to Officers of the Undergraduate Student Body appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President, and only to individuals not under impeachment by The Senate at the time the powers and duties of the office of President devolve upon them.

Section 201: Principal Deputies

- A. As provided by the Constitution, each Officer of the Undergraduate Student Body except The President shall appoint a principal deputy, subject to confirmation by The Senate, and may dismiss them at their pleasure. A vacancy in an Office other than that of The President shall be filled by the principal deputy.
- B. Each Officer of the Undergraduate Student Body except The President shall name their principal deputy within two (2) weeks of their term beginning.
- C. A principal deputy which has been named but not confirmed by The Senate shall be able to assume an Office in an interim capacity as long as they were named as a principal deputy either:
- a. During the Summer Session of The Senate, or
 - b. Between regular meetings of The Senate.
 - c. This subsection shall not apply in the case of a principal deputy whose nomination was rejected or otherwise not approved by The Senate.

Section 202: Succession of Senate Officers

- A. The Speaker Pro Tempore of The Senate shall, upon the death or inability to serve of the Speaker of The Senate, assume the powers, duties, responsibilities, and authorities of the Speaker of The Senate until the first regular or special meeting of the legislature thereafter, at which time a new Speaker shall be elected.
- B. The Speaker Pro Tempore, in the event of the disability or absence of The Speaker of The Senate as certified by The Speaker of The Senate shall assume the powers, duties, and responsibilities of The Speaker until the termination of such disability or absence.
- C. The Senate shall provide for additional rules for the succession of its Officers in its Rules and Procedures.

Section 203: Interim Appointments

- A. If any Tier I, II, III Appointment resigns, is removed from their position or is otherwise unable to perform the functions and duties of their position, the appointer shall direct an individual to perform the functions and duties of the vacant position temporarily.
- B. The same provisions shall apply in the case of the resignation, removal from position, or inability of an individual acting as an Interim Appointment under this section.

- C. The appointer shall nominate a permanent replacement in accordance with the procedure for nominating a Tier I, II, or III Appointment as provided for by law. In which case any references to the President-elect or outgoing official shall refer to the currently serving individual.
- D. The appointer must inform all Interim Appointments that their term is interim and that continued service within that position is prohibited without senatorial confirmation.
- E. The appointer shall notify The Speaker of The Senate of an interim appointment, including the interim appointee's name, relevant interim appointment position, and the date of the appointment within twenty-four (24) hours of the interim appointment.
- F. No individual whose appointment has been postponed indefinitely, tabled, failed, or to which an objection to the consideration of the question has been sustained by The Senate or any Committee thereof to which the appointment has been referred shall be interim appointed to any organization or committee for which the nomination has been made.
- G. An appointer shall not be allowed to interim appoint themselves to any organization or committee.
- H. This Section shall not apply to the Judicial Branch, Supreme Court of the Student Body, Board of Elections, or any position which the Constitution or law provides for alternative systems of succession and filing of vacancies.

Article II: Emergency Powers

Section 210: Powers of the President

- A. The President is responsible for meeting the dangers to the Undergraduate Student Body presented by emergencies or disasters, and in order to effectuate the provisions of this chapter, The President may issue executive orders, proclamations, and regulations and amend or rescind them. Executive orders, proclamations, and regulations so issued shall have the force and effect of law.
- B. A disaster or emergency, or both, shall be declared by executive order or proclamation of The President if they find that a disaster or emergency has occurred or the threat thereof is imminent. The state of disaster or emergency shall continue until The President finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster or emergency by executive order or proclamation, but no state of disaster or emergency may continue for longer than thirty (30) days unless renewed by The President.
 - a. The legislature, by petition signed by a majority of the surviving members, may terminate a state of disaster or emergency at any time. This petition terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued. Thereupon, the President shall issue an

executive order or proclamation ending the state of disaster or emergency.

- b. All executive orders or proclamations issued under this section shall indicate the nature of the disaster or emergency, the designated emergency area which is or may be affected, and the conditions which have brought it about or which make possible the termination of the state of disaster or emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the Undergraduate Student Body and, unless the circumstances attendant upon the disaster or emergency prevent or impede it.
- C. In addition to any other powers conferred upon The President by law, they may do any or all of the following:
 - a. Suspend the provisions of any regulatory statute prescribing the procedures for conduct of governmental business, or the orders, rules, or regulations of any political subdivision of the Undergraduate Executive Council, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.
 - b. Utilize all available resources of the Undergraduate Student Government and of each political subdivision thereof as reasonably necessary to cope with the disaster or emergency.

Section 211: Powers of The Speaker of the Senate

- A. The Speaker shall have necessary power to ensure that The Senate continues to transact business during a declared state of disaster or emergency.
- B. The Speaker upon their determination that the achieving of a standard quorum is not possible during a state of disaster or emergency may convene a Committee of the Whole Senate on the Security of the Undergraduate Student Body to exercise the powers of The Senate provided that such a committee shall have at least seven (7) members and that all decisions are approved by a two-thirds ($\frac{2}{3}$) majority vote of members present and voting. Any decision by such a committee may be later overruled by The Senate.

Article III: Summer Governance

Section 220: Obligation to Continue Duties

- A. All Officers shall be required to fulfill their required duties during the Summer and shall be liable to the *Instrument of Student Judicial Governance* but shall not be required to enroll in classes during the Summer term.

Section 221: Summer Session of The Senate

- A. The Senate shall operate during a Summer Session according to such rules as they may enact and they may choose to not have a Summer Session.

Chapter 3: Transition Process

Article I: Legislative Branch Transition Process

Section 300: New Senator Orientation

- A. All Senators-elect are required to attend a New Senator Orientation. Senators-elect who do not attend a New Senator Orientation must meet with an individual authorized by The Senate to hold a New Senator Orientation or meet with the Undergraduate Student Government Advisor within two (2) weeks of the Spring Inauguration.
 - a. A Senator-elect which fails to meet the requirements of this section shall be barred from receiving the Oath of Office.

Section 301: Officer Guides

- A. Each Officer of The Senate shall maintain a handbook containing all information necessary for the completion of the duties of their respective role. Such handbooks must be turned over to their successor following their election.

Section 302: Transfer of Records

- A. Upon the election of a new Speaker, the Speaker Emeritus shall transfer to them all records, books, papers, and documents of The Senate. They also ensure that any and all account information, keys, and other items that are the property of The Senate or necessary for the completion of the Speaker's role shall be transferred.
- B. The preceding subsection shall apply in the case of all Officers of The Senate.

Article II: Undergraduate Executive Council Transition Process

Section 310: Transition Documents

- A. The Transition Plan shall be the primary tool for ensuring continuity of operations of the Undergraduate Executive Council.
- B. The Transition Plan shall contain, at a minimum, the following information:
 - a. The Undergraduate Student Government Annual Report;
 - b. Up to date financial records;
 - c. Updated Officer and Cabinet Department Director handbooks;
 - d. A review of any issues that the incoming Undergraduate Executive Council will need to address; and
 - e. Any other information that the incoming Undergraduate Executive Council will need to begin their work.

Section 311: Drafting of the Transition Plan

1. The President shall be responsible for drafting the Transition Plan.

2. All political subdivisions of the Undergraduate Executive Council must be consulted during the drafting of the Transition Plan.

Section 312: Approval of the Transition Plan

1. The President shall present the final draft of the Transition Plan to the Undergraduate Executive Council not less than two (2) weeks before the transfer of power.
2. Upon receiving the final draft of the Transition Plan, the Undergraduate Executive Council shall vote to adopt it.

Section 313: Officer and Department Guides

- B. Each Officer of The Undergraduate Student Body and Cabinet Department Director shall maintain a handbook containing all information necessary for the completion of the duties of their respective role. Such handbooks must be turned over to their successor following their inauguration.

Section 314: Transfer of Records

- C. Upon the election of a new President, the outgoing President shall transfer to them all records, books, papers, and documents of the Undergraduate Executive Council. They also ensure that any and all account information, keys, and other items that are the property of The Undergraduate Executive Council or necessary for the completion of the President's role shall be transferred.
- D. The preceding subsection shall apply in the case of all Officers of The Undergraduate Student Body and Cabinet Department Directors.

Section 315: The President-Elect

- A. The President-Elect of the Undergraduate Student Body shall be permitted to attend closed sessions of the Undergraduate Executive Council.