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The Student Association of Binghamton University, Inc is governed by its Corporate Bylaws, Constitution, Management Policies, and Management Procedures. Compliance with these documents is required of all members when participating, personnel, and subsidiary organizations.

Policy I: Congress

This policy supplements the rules already promulgated in the Constitution which govern Congress and its committees.

1. **The Speaker.** In addition to the responsibilities designated elsewhere throughout the rules the Speaker has the following responsibilities:
 - a. Is a nonvoting ex-officio member of every committee.
 - b. Coordinates and oversees the committee chairs.
 - c. Organizes an orientation session for new Congress members early in the fall semester.
 - d. Ensures the proper training of all personnel who perform services for Congress and its Committees, and gives constructive feedback.
2. **The Vice Speaker.** The Vice Speaker must be eligible to serve as a representative and is a nonvoting Congress member who is appointed by and serves at the discretion of the Speaker. Congress must sustain the appointment by a two-thirds vote at its next meeting or postpone the vote until its following meeting for final consideration. If the vote fails the appointment is rescinded and the process repeats until Congress sustains an appointment. Rejected appointees cannot be reappointed for the same vacancy. In addition to the responsibilities designated elsewhere throughout the rules the Vice Speaker has the following responsibilities:
 - a. Emails all actions by Congress to the Executive Board, the Judicial Board, and the Attorney General within two semester class days of every Congress meeting. Ensures all actions by Congress are posted on the Student Association website within five semester class days.
 - b. Delivers a written report to all Congress members, community councils, the Attorney General, and all others interested no later than 5pm the day after each Congress meeting summarizing major actions taken.
 - c. Ensures that a calendar of all public meetings of Congress and its committees is available on the Student Association website. Chairs must provide meeting information to the Vice Speaker.
 - d. Records attendance at the beginning and end of every Congress meeting.
3. **Speakership Succession.** If the Speaker temporarily or permanently vacates the speakership the first willing person in the order of succession assumes the speakership: the Vice Speaker, the Internal Affairs Committee Chair, the Student Life and Academics Committee Chair, and the Finance Committee Chair.
4. **Absences.** If any Congress representative accumulates three unexcused absences during the same academic year they are automatically removed from office. Tardiness or early departure both count as half an absence. Only the Internal Affairs Committee can excuse absences. Such excusals require a three-fourths vote and must be because the absence fits one of the following categories:
 - a. Medical reasons as prescribed by a medical professional.
 - b. Classes, examinations, or official study sessions which occur at the same time as the meeting in question.
 - c. Examinations that occur within three hours after the scheduled conclusion of the meeting in question.
 - d. Urgent family, close friend, or work related serious emergencies which require attention and could not be avoided by prior planning.
 - e. An unavoidable obligation to be at two places at once for the position which requires attendance at Congress.

- f. A failure by all viable means of transportation to the event outside the control of the individual requesting the absence which was not foreseeable enough to warrant planning an alternative means of transportation.
 - g. Observance of a religious holiday or ceremony which makes attendance impossible.
 - h. An interview which makes attendance impossible.
- 5. **Parliamentary Procedure.** Congress is governed by the current edition of Robert's Rules of Order except when superseded by the Management Policies and Procedures or superior rules.
- 6. **Calling Meetings** (Not Suspendable). Special meetings must be announced via email to all members of Congress or the particular committee at least 24 hours in advance. Members can waive their right to such notice in writing at any time or by attending the meeting without objecting at its call to order.
- 7. **Congress Meetings.** Regular Congress meetings must be part of a schedule initially approved by the end of the previous semester by a majority vote of Congress. Special Congress meetings can be called by the Speaker, the President, or any ten Congress members.
- 8. **Committee Meetings.** Regular committee meetings are held in accordance with a schedule maintained by the chair unless overruled by a two-thirds vote of the committee at the time the chair presents it. Special meetings can be called by the chair, the Speaker, the President, or any three committee members. Additionally, the Executive Vice President can call special Internal Affairs Committee meetings and the Vice President for Finance can call special Finance Committee meetings. The chair determines meeting locations, structures, and rules as necessary to supplement this policy except when overruled by their committee.
- 9. **Electronic Meetings.** Members of Congress and its committees can participate electronically provided that they can hear, orally speak, and access all materials available to those physically at the meeting. Committee meetings can be held entirely electronically provided that all those entitled to participate can, with reasonable effort, hear, orally speak, and access all materials that would be available to those physically at a meeting.
- 10. **Previous Notice** (Not Suspendable). When previous notice is required it must be given either during a previous meeting or to the Speaker before the Speaker's deadline to be included on the agenda.
- 11. **Quorum** (Not Suspendable). Congress quorum is a majority of its currently in office membership or twelve members, whichever is larger. Committee quorum is a majority of its currently in office membership or three members, whichever is larger. If a committee fails to meet quorum for two consecutive regular meetings its authority temporarily defaults to Congress until it next successfully meets quorum.
 - a. For meetings of the Finance Committee, the presence of three on-campus members and two off-campus members may also suffice for quorum.
- 12. **Speaking Rights.** Only Congress members can speak before Congress except during public comment. Others can speak when yielded to by someone with speaking rights or given a place on the agenda, but cannot make main or subsidiary motions. Nonvoting Congress members can still make motions but must have those motions seconded by two voting Congress members when a second is typically required and must have a second for all other motions even though they do not typically require a second.
- 13. **Decorum.** After giving at least one warning the Speaker or the chair of the committee in question may remove individuals who obdurately violate the rules from the remainder of a meeting.
- 14. **Suspendability** (Not Suspendable). Except as otherwise provided all management policies other than Congress, Executive Board, Budget, Communications Department, Advocates Program, Programming Board, and the Intercultural Awareness Committee are not suspendable.
- 15. **Information Requests.** Personnel must provide information to Congress or its committees upon request. They are not obligated to reveal confidential information.

16. **Agenda.** Congress must adopt the Speaker's proposed agenda at the beginning of its meetings but can amend it first.
17. **Reports.** Every senior Executive Board officer must submit a written report to Congress for every regular meeting which details what they are working on and any other information they believe would be relevant to Congress. Committee chairs must also submit a report on behalf of their committee. The Binghamton University Council Student Representative and the Judicial Board Chair may also submit a report. Others can submit a report with the permission of the Speaker. Reports must be submitted no later than a time designated by the Speaker. Any entity entitled to submit a report at a regular meeting may also opt to submit a report at a special meeting subject to an objection to the consideration of the question. Others may also submit a report at a special meeting with the permission of the Speaker. When a report is reached on the agenda the person responsible for the report must be present unless excused and may speak and take questions.
18. **Main Motions.** Main motions must be on the agenda to be introduced. Motions relating to approving the agenda, approving the minutes, adjournment, debate, orders of the day, questions of privilege, or recess do not have to be on the agenda.
19. **Automatic Postponement.** Motions that require previous notice and all nonbinding statements are automatically postponed until old business at the next regular meeting once their initial question and answer period is complete. A two-thirds vote upon the conclusion of the initial question and answer period can immediately advance the motion into debate for consideration at the initial meeting.
20. **Resolution Format.** The following is the proper to format a motion in resolution form:

Resolution Title

Date: Month Day, Year.

Author: Author Position Author Name, Additional authors and their positions if applicable.

Sponsors: Sponsor Position Sponsor Name, Additional sponsors and their positions as appropriate. At least two voting Congress members must sponsor every resolution as they are the maker and the second.

Whereas, whereas clauses are optional; and

Whereas, something else optional; now, therefore, be it

Resolved, at least one resolved clause is required as they contain all of the actions or positions taken by the resolution and must cite its authority such as (Congress Policy: 21); and

Resolved, optional.

Impact Statement

A concise summary of the resolution which must be approved as accurate by the Speaker.

21. **Binding Authority.** All motions with binding force on the Student Association must cite the management policy or superior rule from where such authority is derived. If a motion passes without such a clause it becomes a nonbinding statement.
22. **Debate.** Except for elections and confirmations, after a debatable motion is made an informal question and answer period is started. Once the Speaker ends the question and answer period if the motion is not postponed and a voting member opposes the motion a debate is initiated. If the motion is postponed the question and answer period starts the process again at the meeting the motion is revisited. Speeches are limited to three minutes per recognition with unlimited recognitions. When someone wishes to speak but cannot yet obtain the floor they are added to the speakers list by the Speaker in the order their raise their hands. Both recognitions and the length of debate are unlimited by default.
23. **Elections and Confirmations by Congress and its Committees.** Election nominations are taken from the floor at the beginning of the election and must be accepted by the nominee. All nominees get

three minutes to introduce themselves once nominations are complete. The body then asks questions for as long as it chooses. Each nominee gets an amount of time set by the chair to respond to each question unless the body votes to allow a different amount of time. Once questions are complete the nominees leave the room and the body deliberates. A vote by secret ballot is then conducted. If no election nominee gets a majority on the first ballot a runoff ballot exclusively between the top two candidates is then taken to decide the winner.

24. **Plenary Committees.** Every Congress representative must be on exactly one plenary committee and every constituency must have at least one representative on each plenary committee. Off-campus fills five seats on the Finance committee and must have at least three representatives on each of the other plenary committees. All other constituencies have one representative on the Finance Committee. Only representatives can be on plenary committees. The following are the plenary committees:
- a. Finance.
 - b. Internal Affairs.
 - c. Student Life and Academics.
25. **Standing Committees.** Only Congress representatives can join standing committees unless that standing committee has different rules governing its composition. The following are the standing committees:
- a. Elections & Judiciary. Must have at least seven members including its chair. Additional members cannot be added after 10 semester class days before the letter of intent deadline for Executive Board elections. Any member of the committee who submits a letter of intent shall be considered to have vacated their seat on the committee, in which case the Speaker must appoint a replacement within three semester class days.
 - i. Binghamton University Council Elections Sub-Committee.
 - b. Community Discretionary.
 - c. SA Gives.
 - d. Space Allocation.
26. **Special Committees.** The Speaker or a majority vote of Congress can form a special committee. Their membership is determined by the Speaker unless otherwise specified in the motion creating them.
27. **Committee Placement.** Before the second regular Congress meeting of the academic year the representatives from each community must meet to decide their committee placements to fulfil the stipulations of committee membership throughout the rules. If an agreement cannot be reached representatives pick in the order of who received the most votes in their election. Representatives elected later fill the committee membership of the representative they are replacing. If multiple representatives are elected at the same time the typical process is followed for the available seats. Representatives can trade committee placements at any time by mutual consent.
28. **Committee Chairs (Not Suspendable).** Committee chairs are nonvoting Congress members appointed by the Speaker and serve until the end of that academic year unless they cease to meet the eligibility requirements to be a Congress representative. The committee must sustain the appointment by a two-thirds vote at its next meeting or postpone the vote until its following meeting for final consideration. If the vote fails the appointment is rescinded and the process repeats until committee sustains an appointment. Rejected appointees cannot be reappointed for the same vacancy. Except when they become ineligible committee chairs can only be removed as committee chairs by a three-fourths vote with previous notice of their committee. The removal is then effective pending a majority vote of Congress.

Policy II: Executive Board

This policy supplements the rules already promulgated in the Constitution which govern the Executive Board.

1. **Orientation.** The Executive Board must coordinate the Student Association's representation in activities by New Student Programs including summer orientation.
2. **Additional Commitments.** No Executive Board officer can undertake a commitment that would prevent them from having sufficient time to devote to their office. Each senior officer is expected to spend on average at least 25 hours per week on their job while classes are in session and additional reduced time while classes are out of session.
3. **Quorum.** At least four senior officers must be present for an Executive Board vote. Executive Board votes require at least 24 hours notice unless all officers waive their right to such notice in writing at any time or by attending the meeting including the vote without objecting when the vote is taken. Votes are only binding when explicitly called for by the rules.
4. **Continuity.** Each Executive Board officer must maintain a detailed handbook for their successor and must meet at least twice weekly with their successor upon their election unless their successor declines. No later 10 semester class days after their election outgoing officers must provide access to their replacements to their email, office, and written documentation.
5. **Assistants.** Each senior Executive Board officer can hire Student Association members as assistants to help them fulfill their responsibilities.
6. **Professional Staff.** Professional staff are collectively supervised by the Executive Board and must be evaluated by the Executive Board at least once every fiscal year. The President must maintain a record of those evaluations for as long as the employment relationship continues. Salary changes or changes in employment for professional staff members must be approved by a two-thirds vote of the entire Executive Board with previous notice.
7. **Responsibilities.** While working all Executive Board officers must lawfully conduct themselves in accordance with University policy and Student Association rules. They must also pass the treasurer's exam. In addition to the responsibilities assigned in the Constitution and elsewhere throughout the rules each senior officer has the following responsibilities:
 - a. President
 - i. Delegates or undertakes all necessary tasks not otherwise assigned to someone and ensures their punctual completion.
 - ii. Ensures the proper training of all personnel and gives constructive feedback.
 - iii. Ensures effective organizational wide communication and documentation.
 - iv. Regularly meets with University administrators to advise and assist them and to coordinate the Student Association's operations as necessary.
 - v. Maintains relations with the Binghamton University Council Student Representative, the Graduate Student Organization President, and student governments at other higher education institutions for mutual advice, assistance, and collaboration when possible.
 - vi. Appoints all representatives of the Student Association to outside committees and other bodies unless a different selection process is specified elsewhere in the Student Association's rules.
 - vii. Signs on behalf of the Student Association when the Vice President for Finance cannot.
 - viii. Shares fiduciary responsibility with the Vice President for Finance for all major legal, contractual, and financial decisions outside the specific directives of Congress and the Judicial Board. Such decisions must be mutually agreed upon.
 - ix. Serves as the Chief Executive Officer of Off Campus College Transport.

- x. Serves on the Board of Directors of Harpur's Ferry.
- b. Executive Vice President
 - i. Facilitates the Student Association's personnel recruitment, onboarding, training, and retention.
 - ii. Maintains a roster of all personnel.
 - iii. Ensures Student Association practices are documented for historical and organizational consistency purposes.
 - iv. Manages B-Engaged or its successor in coordination with the University.
 - v. Manages the Student Association office and hires all receptionists.
 - vi. Serves on the University Student Organization Recognition and Events Coordinating Committees.
 - vii. Ensures subsidiary organizations comply with all rules.
 - viii. Recognizes and rewards high performing personnel.
 - ix. Facilitates subsidiary organization succession planning and management.
 - x. Runs trainings for subsidiary organization leaders when necessary.
- c. Vice President for Finance
 - i. Signs on behalf of the Student Association.
 - ii. Shares fiduciary responsibility with the President for all major legal, contractual, and financial decisions outside the specific directives of Congress and the Judicial Board. Such decisions must be mutually agreed upon.
 - iii. Creates and implements necessary financial practices not otherwise specified by the rules or delegates their implementation.
 - iv. Can waive financial deadlines specified in the rules.
 - v. Conducts audits of the Student Association's finances.
 - vi. Manages accounts that are not otherwise managed by someone else.
 - vii. Keeps detailed financial records and turns them into useful, usable data.
 - viii. Manages the treasurer's exam.
 - ix. Supervises the Financial Director and provides assistance as needed.
 - x. Is the Chief Financial Officer of Off Campus College Transport.
- d. Vice President for Academic Affairs
 - i. Serves as a voting member of the Faculty Senate.
 - ii. Appoints the Student Association's delegations to college and department committees.
 - iii. Organizes the creation of detailed, well-researched proposals for the University regarding academic matters.
 - iv. Regularly meets with University administrators from the Academic Affairs Division and faculty leaders to advise and assist them and to coordinate the Student Association's operations as necessary.
 - v. Facilitates and promotes academic programming open to all Student Association members.
- e. Vice President for Multicultural Affairs
 - i. Regularly meets with University administrators from the Diversity, Equity, and Inclusion Division, Services for Student With Disabilities, International Students and Scholars Services, and administrators working on mental health or other initiatives relating to the Vice President for Multicultural Affairs role to advise and assist them and to coordinate the Student Association's operations as necessary.
 - ii. Serves on the Faculty Senate Diversity and Educational Opportunity Program Advisory Committees.

- iii. Facilitates and promotes programming aimed at celebrating multiculturalism within the University community.
 - iv. Appoints a representative for students with disabilities to the Off Campus College Transport Board of Directors in accordance with its bylaws.
- f. Vice President for Programming
 - i. Refer to the Programming Board Policy.

Policy III: Judicial Board

This policy supplements the rules already promulgated in the Constitution which govern the Judicial Board.

1. **Chief Justice.** The Chief Justice shall be elected from among the members of the Judicial Board. In addition to the responsibilities designated elsewhere throughout the rules the Chief Justice has the following responsibilities:
 - a. Chairs all meetings of the Judicial Board.
 - b. Schedules the dates, times, and locations of all Judicial Board meetings.
 - c. Ensures the proper training of all newly appointed Justices and all personnel who perform services for the Judicial Board.
 - d. Calls elections for Judicial Board officers.
2. **Vice Chief Justice.** The Vice Chief Justice shall be elected from among the members of the Judicial Board. In addition to the responsibilities designated elsewhere throughout the rules the Vice Chief Justice has the following responsibilities:
 - a. Assumes the duties of the Chief Justice in their absence.
 - b. Notifies the appropriate parties of any upcoming meetings and any rulings handed down by the Judicial Board
 - c. Manages the records of the Judicial Board.
3. **Legal Authority.** All written Judicial Board rulings shall be treated as governing law of the Student Association and may be used by the Judicial Board as justification and reference for subsequent rulings. Previous written opinions may be invalidated by the Judicial Board for noncompliance with the rules or for obsolescence.
4. **Meetings.** All meetings of the Judicial Board must be publicized at least twenty-four (24) hours prior to the meeting and shall be open to the public. Quorum at all meetings shall be six Justices, including one Judicial Board officer. Others can speak when yielded to by someone with speaking rights or if given a place on the agenda.
 - a. **Decorum.** After giving at least one warning, the Chief Justice may remove individuals who obdurately violate the rules from the remainder of a meeting.
 - b. **Records.** The Judicial Board is responsible for maintaining detailed records of its proceedings. The Chief Justice shall be responsible for ensuring that a minute taker is present at all meetings. If no minute taker is present, the Chief Justice shall designate one Justice to serve as temporary secretary.
 - c. **Calling Meetings.** Meetings may be called by the Chief Justice or any three Justices.
5. **Legislative Review.** All final actions taken by Congress must be reviewed by the Judicial Board within ten semester class days of its passing. The Judicial Board may invalidate all or part of any final action. The Vice Chief Justice must notify the Speaker of Congress that the final action was confirmed or invalidated within 48 hours of the Judicial Board's vote. If the Judicial Board voted to invalidate an action, a written decision must be published and sent to Congress no less than ten semester class days after the vote.
6. **Filing of Grievances.** The Judicial Board shall respond to all grievances within five (5) semester class days. The Judicial Board may only decline to hear the grievance if the petitioner cannot prove that they have standing against the defendant, that a rule may have been broken, that the Judicial Board has jurisdiction over the matter, and that they have sufficient evidence to meet their burden of production. Denied grievances may be resubmitted with new evidence or new reasoning. If the Judicial Board agrees to hear a grievance, they must notify the defendant within twenty-four (24) hours of the charges against them.

- a. **Confidentiality.** The contents of any filed grievance shall be considered confidential until the grievance is either granted or denied. The existence of the grievance and the parties involved shall be public information, unless both the defendant and the petitioner agree otherwise. The Judicial Board has the right to maintain and make confidential, parts or the entirety of a grievance, even once granted, for any reason, at any time
 - b. **Withdrawal.** The petitioner may withdraw the grievance at any time.
7. **Grievance Hearings.** The petitioner and defendant must be notified of the time and location of the hearing at least forty-eight (48) hours prior to its commencement and must be present for the hearing. If either party is not present, the Judicial Board may choose to dismiss the party, the case, or to proceed without the missing party. The Judicial Board may ask questions to either party during the presentation of their case.
 - a. **Records and Minutes** A paid minute taker must serve as a Court Record Taker for Grievance Hearings. The Court Record taker may not be a Justice, or a member of any of the other parties involved with the hearing.
8. **Evidence.** If a grievance is granted, evidence not already submitted must be submitted to the Judicial Board no less than twenty-four (24) hours prior to its relevant hearing unless the Judicial Board grants a request to extend the deadline. If the deadline is extended, the Judicial Board must notify the opposing party and grant them the same extension. Only evidence submitted prior to its relevant or hearing may be used in that hearing.
9. **Rulings.** The Judicial Board must publish a written opinion on all final rulings within fourteen days of the vote. Upon completion, it must be sent to the petitioner, defendant, all other affected parties, and the Speaker of Congress. The Chief Justice or their designee shall also present the ruling at the next Congress meeting. The written decision must include the vote of each Justice, the author of the ruling opinion, the justification for the ruling, and the actions to be taken by each party. The written decision should also include any concurring or dissenting opinions from other Justices.
10. **Rights of Parties.** All parties shall have the right to representation in all Judicial Board meetings and functions. All parties have the right to an interpreter, if requested within a reasonable amount of time.
11. **Officer Elections.** Elections for Judicial Board officers for the following year shall be held prior to May 1st of the current year. All officer positions shall be up for election. The Speaker of Congress and the President, or their designees, shall be present during the election and shall count the ballots.
12. **Officer Vacancies.** In the event that the office of the Chief Justice is vacant, the Vice Chief Justice shall act as Chief Justice until a new one is elected. In the event that both the offices of Chief Justice and Vice Chief Justice are vacant, the longest serving Justice shall act as Chief Justice until a new one is elected. If there is more than one most senior Justice, the President shall designate one to act as Chief Justice. Special elections must take place within five semester class days of the vacancy.
13. **Attendance.** No Justice may accumulate three unexcused absences during the same academic year. Tardiness or early departure both count as half an absence. Absences must be reported to the Elections & Judiciary Committee, who shall have the power to excuse Judicial Board absences according to the same rubric used for Congress Representatives.
14. **Mandatory Recusals.** Members of the Judicial Board must recuse themselves from the consideration of any case in which they possess a conflict of interest. Failure to recuse oneself shall be grounds for removal from office. If a Justice fails to recuse themselves from a ruling, grievances filed to appeal that ruling shall be automatically granted.
15. **Additional Policies and Procedures.** The Judicial Board shall present any changes to their written Grievance Procedures, Legislative Review Procedures, Removal Hearing Procedures, Sanctioning Guidelines, and other written procedures to the Elections & Judiciary Committee. The Judicial Board must also make these procedures publicly accessible.

Policy IV: Executive Board Elections

This policy governs the election of Student Association Executive Board senior officers. The Elections Committee is responsible for implementing this policy.

1. **Election Calendar.** Before the end of the fall semester the Elections & Judiciary Committee must approve a calendar for Executive Board elections including specific times of day and durations. The calendar must include:
 - a. **Letter of Intent Deadline.** Must be at least 10 semester class days after the Elections & Judiciary Committee begins to advertise the election.
 - b. **Candidates Meeting.** After the letter of intent deadline but before campaigning.
 - c. **Campaign Beginning.** 12-23 semester class days before the election is scheduled.
 - d. **Sweeps.** Sometime during the campaigning period.
 - e. **Election.** At least 30 semester class days before the newly elected Executive Board is scheduled take office.
 - f. **Election Certification.** The Congress meeting after the election.
2. **Publicity.** Letters of intent, sweeps, the election, this policy, and the constitution's eligibility requirements must be announced in an email to the entire Student Association membership before the letter of intent deadline.
3. **Lack of Interest.** In the event no candidate makes it onto the ballot by the advertised deadline the Elections Committee must extend the deadline regardless of the calendar. The initial deadline is the deadline for the Constitution's experience requirements.
4. **Ballot Access.** Positions on the ballot are randomized. The ballot consists only of all individuals who meet both of the following requirements:
 - a. The Constitution's eligibility requirements.
 - b. Submit a form known as a letter of intent by the deadline that includes all of the following:
 - i. The candidate's full name as it will appear on the ballot.
 - ii. The candidate's @binghamton.edu email.
 - iii. The position the candidate is seeking.
 - iv. The election cycle the candidate is running in.
 - v. The printed names, signatures, and @binghamton.edu email usernames of 250 Student Association members supporting the candidate's candidacy who have not signed for another candidate in the same race. If someone signs for multiple candidates in the same race all their signatures in that race are invalidated.
 - vi. An affiliation disclosure form.
5. **Candidate Withdrawal.** Any candidate can remove themselves from the ballot by emailing a request for such action to the Elections & Judiciary Committee no later than 2pm on the last business day before the election.
6. **Candidates Meeting.** All ballot candidates must meet with the Elections & Judiciary Committee for it to explain the rules, take questions, and encourage respectful discourse. Additionally, candidates must be provided the opportunity to meet the current occupant of the office they are seeking to hear the occupant's perspective and ask questions.
7. **Early Campaigning.** Before the designated campaign beginning no candidate can campaign. Campaigning is defined as a candidate or a candidate's supporters speaking or displaying text about the candidacy to eight or more people at once through any medium.
8. **Sweeps.** Every ballot candidate can participate in sweeps which is a widely advertised opportunity for them to speak to potential voters and take questions. It follows a format adopted by the Elections &

Judiciary Committee in advance. Community councils must require all those they require attend their regular meetings attend sweeps. Candidates cannot otherwise campaign at meetings of community councils or their subsidiary entities.

9. **Campaign Announcement Email.** Sometime during the campaign an email must be sent to the entire undergraduate student body including the platforms of all the candidates. Every candidate must be given the same word limit. Graphics can be changed, grammatical corrections can be made, and obscene or verifiably inaccurate comments can be removed but the platform must otherwise remain unchanged.
10. **Voting method.** The ballot is a web form emailed to every Student Association member. The form or an alternative to it must be accessible to all Student Association members and open for at least twelve hours. Voters rank all candidates including those on the ballot and any other candidates the voter decides to write in. Recognizably misspelled names must be counted for the candidate the voter attempted to vote for upon the request of that candidate.
11. **Vote Counting.** If no candidate receives a majority of first choices after the initial counting the candidate with the least votes is eliminated and the next choice for those voters is counted instead. If no candidate still receives a majority additional candidates are eliminated in the same way until a candidate receives a majority. If the candidate with the most votes is not eligible to take office the highest eligible candidate becomes the winner.
12. **Election Winners Announcement.** Within 48 hours of Congress' election result certification an email must be sent to the entire Student Association membership announcing the winners. Unless the Elections & Judiciary Committee decides otherwise because of an ongoing investigation or dispute it must announce the winner within two hours of the conclusion of the election via the following methods:
 - a. Email to the candidates.
 - b. Email to the Congress listserve.
 - c. Posting on Student Association social media.
13. **Prohibited Endorsements.** As bodies themselves the Student Association, the Executive Board, Congress, its committees, and the Judicial Board cannot support a particular candidate. Members of the Elections & Judiciary Committee and the Judicial Board cannot be a candidate or support a particular candidate. Candidates and their supporters cannot imply the endorsement of those entities.
14. **Organizational Endorsements.** No subsidiary organization can support a candidate unless a determination by its governing body in accordance with any of its rules that apply authorizes such support.
15. **Intimidation.** No voter can be compelled to complete their ballot in the presence of another individual. Candidates cannot be within sight or 15 feet, whichever shorter, of any individual voting if they are aware or should be aware the individual is voting. No voter in particular can be given anything of monetary value in return for their vote.
16. **Use of Activity Fee Resources.** Candidates cannot use resources paid for with Activity Fee funds except for resources specifically provided to them as a candidate. Resources available to typical Student Association members or which typical Student Association members could obtain an equivalent alternative to at no additional cost are exempt from this prohibition. Exempt resources must still be disclosed in the campaign finance disclosure.
17. **Mass Campaign Emails.** Candidates cannot send significantly similar emails to eight or more addresses for campaigning purposes unless those emails are publicly available, the address owners consented to receive such emails, or the governing body of the organization controlling the email list authorized its use to promote the candidate in question in accordance with its rules. When the owner of an email requests to not be contacted again by a campaign the campaign must respect their wishes unless they later change their decision.

18. **Provided Campaign Supplies.** Every ballot candidate gets \$54 in credit at SA Ink to use during the campaign for campaign materials.
19. **Finance.** No candidate may spend more than \$80 on their campaign in addition to their provided campaign supplies. Any resource used by the campaign, including resources already possessed but not otherwise available to other candidates, counts toward the spending limit. Resources used other than labor but not acquired by a financial transaction have their fair market value counted against the spending limit. Receipts for all expenditures must be provided to the Elections & Judiciary Committee within three days of the election.
20. **Legal Compliance.** Candidates and their supporters must comply with all applicable laws, University policies, and Student Association rules while furthering their candidacy. Candidates are responsible for the conduct of their supporters except when they have made good faith efforts to prevent and stop prohibited behavior by their supporters.
21. **Candidate Consultation With the Elections & Judiciary Committee.** Any candidate can confidentially ask the Elections & Judiciary Committee a question about the rules and the Elections Committee's interpretation of them. The Elections Committee cannot share its answer with others unless it informs the candidate that an idea they disclosed is prohibited in which case it must inform all candidates of the prohibition.
22. **Elections & Judiciary Committee Enforcement Actions.** If after holding a hearing to give the accused candidate a chance to defend themselves the Elections & Judiciary Committee determines with clear and convincing evidence that the candidate has violated a rule it may apply a proportionate penalty of its choosing. Penalties are determined by comparing the violation to the following rubric and determining how closely the violation matches it. The closer the violation matches it the more severe the penalty can be. Penalties must be the same among all similar violations during the same election cycle except as can be justified by differences measured on the rubric. The candidate:
 - a. Intentionally committed the violation.
 - b. Significantly benefited from the violation.
 - c. Did not successfully attempt to correct the violation.
 - d. Previously committed severe violations.
 - e. Was not taking any reasonable precautions to avoid violations.
 - f. Inconvenienced many people by committing the violation.
 - g. Severely undermined the election's legitimacy by committing the violation.

Policy V: Binghamton University Council Student Representative

This policy relates to the Binghamton University Council Student Representative. The BU Council Representative is a full voting member of the Council in accordance with *Article 8 §356 of the NY Education Law* and is accountable to both the Student Association (SA) and the Graduate Student Organization (GSO).

1. **Election.** The BU Council election is conducted the same way as SA Executive Board Elections with the following exceptions:
 - a. **Electorate.** The electorate consists of all registered Binghamton University students.
 - b. **BU Council Committee.** The election is administered by the BU Council Committee. The Committee is composed of three members elected by the SA Elections Committee and two members elected by the GSO Elections Committee. For the purposes of the SA rules it is considered a sub committee of the Elections Committee. The SA Speaker and the GSO Chief Elections Officer are ex-officio members of the committee. The Committee elects a chair and vice-chair at its first meeting.
 - c. **Election Calendar.** Special election timelines are faster than this section typically allows.
 - d. **Ballot Access.** Any member of the electorate is eligible to be placed on the ballot and sign petitions. Petitions only require 50 signatures.
 - e. **Sweeps.** The BU Council Committee can suspend or modify sweeps.
 - f. **Election Certification.** The election does not need to be certified.
 - g. **Release of Election Results.** The BU Council Elections Committee must email the GSO Senate listserv the election results in addition to the other required notices.
 - h. **Prohibited Endorsements.** In addition to the other prohibited endorsements the following applies: As bodies, the GSO, the GSO Executive Board, the GSO Senate, and GSO Senate committees cannot support a particular candidate. Members of the BU Council Election Committee cannot be a candidate or support a particular candidate.
 - i. **Organizational Endorsements.** GSO chartered organizations must comply with the clause.
 - j. **Use of Activity Fee Resources.** Resources available to typical members must instead be available to typical graduate and undergraduate students.
 - k. **Provided Campaign Supplies.** This clause does not apply.
 - l. **Legal Compliance.** Candidates must also comply with GSO rules.
 - m. **Grievances.** Grievances are handled by the BU Council Grievance Board which includes six members elected by the SA Judicial Board, the GSO Chief Judicial Officer, and two members elected by the GSO Grievance Committee. The Grievance Board follows the SA Judicial Board rules and is considered a subcommittee of the SA Judicial Board for the purposes of the SA's rules. Those rules are extended to use members of the electorate instead of Student Association members.
2. **Removal.** The BU Council Student Representative can only be removed for severe or pervasive malfeasance by a two-thirds vote with previous notice of both the SA Congress and the GSO Senate. Vacancies must be filled by a special election held within 15 semester class days. The BU Council Student Representative office is only vacated if the Representative:
 - a. Ceases to be a Binghamton University student.
 - b. Resigns.
 - c. Is removed.

Policy VI: Budget

This policy governs the allocation of Student Association funds. The Financial Policies and Procedures are additional management policies and procedures that govern spending Student Association funds. In case of conflict the policies contained in this document take precedence. The Student Association is the recognized undergraduate student government at Binghamton University and is bound to uphold all University policies, including SUNY Policy. In particular, its finances are governed by *SUNY Policy 3901: Mandatory Student Activity Fees* and *SUNY Procedure 3900: Mandatory, Fiscal and Accounting Procedures for Student Activity Fee Programs*.

1. **Funding Allocation** (Not Suspendable). The Student Association's budget is prepared every spring semester for the following fiscal year which begins on June 1st. For money to be spent it must first be allocated to a specific account through the budgeting process established by this policy. Money cannot be spent for purposes outside the purview of its account at the time the money was allocated. Funds generated by a particular account are deposited into that account. At no point can an account have a negative balance. If a chartered organization or community council account has a negative balance at the end of the fiscal year its officers become personally liable for it.
2. **Fund Balance** (Not Suspendable). All money not authorized to be spent is part of the fund balance. While the fund balance cannot be spent without authorization in the budget it can be invested provided the investment guarantees the preservation of principal and a sum of at least 5% of the Student Association's total budget remains liquid throughout the foreseeable future. Investments are managed by the Vice President for Finance as authorized and overseen by the Finance Committee.
3. **Mandatory Spending** (Not Suspendable). Contractual obligations duly approved before the budget is finalized, compensation for existing professional staff no higher than previously allocated, and constitutional minimums are automatically included in the budget and do not need to be allocated unless they are to be increased. Commitments to University entities, deficit coverage, rollover adjustment, legal services, auditing services, and insurance for the Student Association and Harpur's Ferry are also mandatory spending and are automatically approved to remain at their previous year levels unless the Finance Committee or Congress decide otherwise in the form of an amendment.
4. **Activity Fee** (Not Suspendable). In accordance with *SUNY Policy 3901: Student Activity Fees - Mandatory* every undergraduate student except those excused by the University for financial need owe the Binghamton University Undergraduate Activity Fee. It is \$99 per semester for full-time students, \$7.50 per credit for part-time students, and \$3 per summer credit. There are no other undergraduate activity fees and the fee is exclusively used to fund the Student Association. Failure to pay the fee without a valid exemption for financial need precludes that student from participating in the Student Association or using its resources.
5. **Budget Development Timeline**. The Finance Committee Chair must propose a budget development timeline consisting of all deadlines during the formation of the annual budget. It must be approved by a majority vote of Congress no later than its second regular meeting of the spring semester. It must then be distributed to all subsidiary organizations by the Finance Committee Chair within 72 hours after Congress's second regular meeting of the spring semester. The final budget approval must initially be scheduled to occur before May 1st.
6. **Funding Eligibility**. Only internal Student Association functions, subsidiary organizations, and University affiliated entities are eligible for funding directly from the Student Association. Funding can also be granted if an entity anticipates achieving one of the aforementioned statuses during the time the funding will be effective. Funding granted in such circumstances only becomes available to that entity once it acquires that status.

7. **Funding Rubric** (Not Suspendable). Funds are allocated by majority vote the body in question through the process detailed in this policy. Funding is given to the accounts that the body determines score highest in the following rubric. Failure to meet all of the measures does not necessarily preclude an account from receiving funds but weighs against its application. Similarly, accounts which do exceptionally well on particular measures will be given preference over accounts that merely meet the standard set by the measure. The burden is on the account to prove that it meets as many measures as possible as best as possible in its application. The committee may do additional investigation as it finds necessary. Funds are given based on the specific needs the account proves it has in the eyes of the committee, not the merit of the cause the funds will be put toward. Every element of a funding request is evaluated individually so just because part of the request meets the measure does not mean the full request meets the measure. Accounts with a previous financial history are judged not only by their intended future use of funds but also how their previous use meets the rubric. If an account's financial history is deficient it must explain what it will do to correct the deficiencies.
- Sufficient funding is available to fulfill the request.
 - The account has complied with all reasonable requests by the committee.
 - The account does not have a history of violating Student Association policy, University policy, or the law and the proposed use of the requested funds would not do so. If it does have such a history it promptly corrected the issue.
 - The account has a clearly documented, detailed, and viable plan to use all the requested funds that aligns with its purpose as stated in its constitution.
 - The account will efficiently use all the funds to provide the greatest impact for the least amount of money.
 - The amount of funding requested is proportionate to what is being bought.
 - Other available sources of funding are insufficient, and cannot be made sufficient, for the account to undertake the initiatives the requested funds would be put toward.
 - The organization has a large membership and that membership is not declining (only for chartered organization and community councils).
 - The account has a documented history of making prudent use of all its assets.
 - The account has a reliable history of consistent operation and good governance.
 - The requested funds will save or generate money that could not be saved or generated otherwise.
8. **Equal or Lower Funding Reviews.** Before holding budget hearings the Finance Committee reviews all requests for equal or lower funding compared to their current budget. The Finance Committee can then by a two-thirds vote offer funding no more than the current budget of those accounts that submit documentation with their funding request sufficient to meet the funding rubric. All accounts can accept that funding if it is offered or continue in the budget process.
9. **Budget Hearings.** All accounts which are not granted equal or lower funding must schedule a budget hearing to be further considered. The Finance Committee must hear all properly scheduled budget hearings. No more than four people can present on behalf of the account and they must include the president and treasurer or equivalent of that account. Only documentation submitted by the deadline announced by the Finance Committee in advance is considered. Presentations must be concise and cannot include talent demonstrations.
10. **Budget Appeals.** Once notified of their allocation accounts have three semester class days to file an appeal by scheduling an appeal hearing. Appeal hearings are held in the same manner as initial budget hearings. No later than eight semester class days before the Congress budget meeting all accounts must be informed of their appeal decisions.
11. **Congress Budget Appeals.** Accounts may submit a final appeal to the Speaker at least four semester class days before the Congress budget meeting. The Speaker compiles all appeals and provides them

verbatim as they were submitted to all Congress members at least three semester class days before Congress budget meeting.

12. **Congress Budget Amendments.** Any Congress member may submit amendments to individual budget items to the Speaker at least 48 hours before the budget meeting. No more than one increase amendment per account and one decrease amendment per account are allowed. If multiples are submitted the amendment that varies most from the Finance Committee proposal is the one that is introduced. At least 24 hours before the budget meeting the Speaker must provide all amendments to all Congress members and all accounts which would be affected by the amendments.
13. **Congress Budget Meeting Amendments.** Congress budget amendments are considered in the order of the account numbers they affect. Amendments require a two-thirds vote to pass. If an initial amendment fails up to three additional amendments are entertained. Those amendments are voted on in order of largest to smallest variation from the Finance Committee proposal. An increase amendment cannot be followed by an additional decrease amendment or vice-versa. Once an amendment passes the process stops for that account.
14. **Final Budget Approval.** The final approval vote can only be taken once all amendments have been decided. If it passes by a majority vote of Congress the budget is finalized. If not the floor is opened for additional amendments. Once those amendments are completed the approval vote process repeats until a budget passes. In the event a new budget is not approved before the new fiscal year begins mandatory spending remains in effect while all other spending is halted until a budget is approved.
15. **Budget Corrections.** Once approved by Congress the budget cannot be amended without a majority vote of Congress with previous notice and money already allocated cannot be reduced. The amendment must be possible without putting the Student Association in a deficit or it must pay for itself over time. If an amendment does not originate from the Finance Committee it must be referred to it and the committee has five semester class days to produce a recommendation to Congress on the amendment. Once Congress receives the Finance Committee's recommendation it can proceed to the vote.
16. **Budget Certification** (Not Suspendable). Once the final budget or any mid-year budget amendments are approved by Congress they must be certified by the University in accordance with SUNY Policy before they take effect. In the event the University requires changes those changes are sent through a typical but expedited budget process as new requests.
17. **Discretionary.** Provided the following accounts have money in them they are used to fund projects on a rolling basis throughout the fiscal year:
 - a. **General Discretionary** is administered by the Finance Committee and can be released by majority vote. All allocations from the account must be confirmed by an unamendable majority vote of Congress. In addition to evaluating requests by the typical funding rubric in the form of a budget hearing the following is also added to the rubric: The request is for a new initiative that was not envisioned or reasonably expectable during the annual budget allocation process.
 - b. **Community Discretionary** funds initiatives that connect Student Association members with and gives back to the local community. It is administered by the Community Discretionary Committee which is chaired by the Finance Committee Chair and is composed of two representatives from every community council, except the apartments which each send one representative and off-campus which has six representatives. Requests are considered in the same manner as for general discretionary, however, they must pertain to the committee's purpose. All allocations from the account must be confirmed by an unamendable majority vote of Congress. Once a request for a particular initiative is granted from either the general discretionary fund or the community discretionary fund that particular initiative cannot receive additional funding from the other fund.

- c. **Fundraising Supplements** are matching funds of the following amounts for chartered organizations that acquire and document money that is fundraised per the rollover process:
 - i. \$.50 per dollar to a maximum of \$500.
 - ii. \$.10 per dollar for the next \$1000 for a total maximum of \$1500 per organization per fiscal year.
 - d. **Advertising Subsidy.** Every account automatically gets \$325 every fiscal year to spend on advertising in Pipe Dream.
 - e. **SA-GIVES** provides additional money to chartered organizations through a partnership with the University Center for Civic Engagement. Chartered organizations that engage in any philanthropy or volunteering initiatives outside of their mission are eligible to apply for an SA-GIVES grant. Each organization can receive up to \$350 each year.
 - f. **Capital Replacement** is administered by the Finance Committee the same way as general discretionary. However, it is only for internal Student Association expenses, and those of services and separately incorporated subsidiary organizations. All allocations from the account must be confirmed by an unamendable majority vote of Congress.
18. **Payments to Personnel.** All payments for services to an account's own personnel other than those of separately incorporated subsidiary organizations and previously approved payments for existing professional staff must be authorized by a majority vote of the Finance Committee regardless of their funding source. Such authorizations must be granted provided they do not endanger the long term financial viability of the account and have already been internally approved by a fair, neutral process. The Finance Committee can delegate this authority for particular areas by majority vote provided a purview and maximum allowance is specified. If a payment becomes necessary after the deadline to apply for a budget hearing the account can schedule a hearing at a later time which is approved separately from the budget provided a funding source is available. All authorizations must be confirmed by an unamendable majority vote of Congress. Payments to an individual totaling less than \$100 over the course of the entire fiscal year can be authorized by the Vice President for Finance provided a funding source is available.

Policy VII: Subsidiary Organizations

This policy governs subsidiary organizations.

1. **Categories.** The following are the categories of subsidiary organizations:
 - a. **Chartered Organizations** are formed by and for Student Association members to promote and facilitate diverse activities for its members that cultivate different and sometimes opposing ideas, cultures, skills, and pastimes (indirectly operated).
 - b. **Community Councils** individually represent each on-campus residential community and off-campus students collectively to provide localized programming, advocate on community-specific issues, and coordinate with its Congress representatives (indirectly operated).
 - c. **Services** provide goods and services to Student Association members and entities that are more useful or less expensive than would otherwise be available. They are run as determined by the Executive Vice President except as otherwise specified by the rules (directly operated).
 - d. **Separately Incorporated Organizations** are funded in part by the Student Association and thus must abide by its rules but are otherwise independent in their operations (directly operated).
2. **Chartering.** To charter a new organization an intent to charter form must be submitted to the Executive Vice President complete with all of the information mandated by the Executive Vice President no later than the deadline during the academic year set by the Executive Vice President. The Executive Vice President must then determine whether the organization meets the following criteria necessary to charter it. If so the Executive Vice President must assist the organization in improving its constitution if necessary and then must recommend the organization to the Internal Affairs Committee for a provisional charter. If the committee determines the organization meets the following criteria it must grant the provisional charter by majority vote.
 - a. The organization will further the purpose of the Student Association as stated in the Student Association Constitution.
 - b. The organization does not duplicate existing entities both inside and outside the Student Association unless it can show that such duplication will be beneficial.
 - c. The organization has a viable plan to acquire all of the resources it needs to operate successfully.
 - d. The organization has a viable plan to survive long term.
 - e. The organization does not exist solely for personal financial gain.
 - f. The organization will operate lawfully in compliance with Student Association rules and can be covered by the Student Association's insurance.
 - g. The organization's initial constitution meets all requirements stated in this policy for organizational constitutions.
3. **Chartering Appeals.** Organizations can appeal any decision by the Executive Vice President during the chartering process to the Internal Affairs Committee which can overrule the Executive Vice President by a two-thirds vote if it comes to a different conclusion by evaluating the same rubric.
4. **Provisional Charters.** Provisional charters expire at the end of their third semester but can be renewed for a specified amount of time by a majority vote of the Internal Affairs Committee if the committee finds it still has potential to meet the chartering rubric but has not satisfactorily demonstrated so yet. Provisionally chartered organizations are not eligible to apply for allocated space or a budget, but otherwise enjoy the same rights as fully chartered organizations.

5. **Full Charters.** Once an organization has had a provisional charter during two semesters, one of which it must have had it for the entire semester, it can apply for a full charter from the Internal Affairs Committee. Upon receiving the application the committee must hold a hearing and give the organization's representatives an opportunity to speak and ask questions so it can evaluate whether the organization is still meeting the chartering rubric. If so it must grant the organization a full charter by a two-thirds vote.
6. **Charter Suspension.** Only organizations which violate Student Association rules can be suspended, which means their charter is temporarily frozen. Only the Executive Vice President or a majority vote of the Internal Affairs Committee can institute a suspension. If the organization makes a viable plan to avoid future Student Association rule violations the suspension can be lifted by a majority vote of the Internal Affairs Committee or the Executive Vice President if the Executive Vice President instituted the suspension. If a suspension is not lifted after 90 semester class days in effect the organization's charter is revoked and it can only be recreated by receiving a new charter. The same process is used to apply lesser penalties.
7. **Voluntary Dissolution.** Organizations that no longer wish to be part of the Student Association shall reserve the right to dissolve their charter themselves. In order for a group to do so, they must submit a request to the Executive Vice President.
8. **Constitutions.** Chartered organizations and community councils must each create and maintain a constitution that governs its operations. At a minimum, constitutions must include the date it was last modified, the name of the organization, and the purpose of the organization narrowly defined only to include what the organization intends to do. They cannot be suspendable and can contain additional rules provided that they abide by the following provisions. If they do not abide by one of the following provisions the default automatically applies and any conflicting clauses in them are void.
 - a. **Order of Precedence.** If there are multiple governing documents the constitution must specify an order of precedence with the constitution being the highest. Default if bylaws exist:
 - i. In case of conflict the constitution supersedes the bylaws.
 - b. **Voting Membership.** The constitution must stipulate who may vote. Default:
 - i. Any Student Association member who signs into three activities by the organization during a single semester becomes a voting member of it until a semester passes when they do not meet this requirement.
 - c. **Officers.** The constitution must stipulate that there is a president, a vice president, and a treasurer or other officers explicitly designated to fulfill those duties. They cannot permanently be the same person and they cannot be split between multiple individuals, except in the cases of Community Council Hall Government positions, excluding those who hold the office of Vice President for Finance or its equivalent, in which case no more than two persons may be elected to a position if their Community Council Constitution allows it. Default:
 - i. The organization is managed by four officers collectively forming the Executive Board. No individual can hold two offices at once.
 1. President:
 - a. Coordinates, oversees, and chairs the Executive Board.
 - b. Is the primary representative of the organization.
 - c. Chairs all meetings unless a different individual is otherwise designated.
 - d. Signs for the organization if the treasurer cannot, or refuses to do so after a vote by the Executive Board to the contrary.
 - e. Delegates to others in the organization as appropriate.
 2. Vice President:
 - a. Fulfills all responsibilities delegated by the president or the membership.

- b. Runs elections unless they are a candidate in which case the Executive Board elects a different officer to run them.
 - 3. Treasurer:
 - a. Signs for the organization.
 - b. Keeps track of the organization's finances and corrects inaccuracies.
 - c. Ensures that financial deadlines are met.
 - d. Prepares a detailed budget for the following year early in the spring semester.
 - e. Represents the organization in the Student Association budget allocation process if the organization needs Student Association funding.
 - 4. Secretary:
 - a. Keeps attendance records for all meetings.
 - b. Markets the organization.
 - c. Keeps minutes of all business meetings.
- d. **Officer Review.** The constitution must specify basic procedures for the body responsible for selecting and removing officers. Default:
 - i. Officers are evaluated by the membership the same way for elections, confirmations, and removals. Each reviewed individual first gives a speech no longer than five minutes introducing themselves unless a two-thirds vote to give more time to all individuals in that race or process. They all then take questions together until there are no more questions or the membership ends questioning by a two-thirds vote. Once questioning ends for each race the reviewed individuals must leave the room and the membership deliberates until no one has anything else to say or a two-thirds membership vote ends deliberation. Secret ballot is then held to determine the outcome of the review. Any member can inspect the ballots.
- e. **Officer Selection.** The constitution must stipulate that officers are selected by a body consisting of at least five individuals and that their terms of office have a defined expiration. The process for electing officers is stated in detail and must take place at least fifteen semester class days before they take office, or a specific date no later than April 20 for officers that serve terms beginning at the conclusion of the spring semester. Default:
 - i. Each officer is separately elected by the voting membership for a one year term starting at the end of commencement until the following commencement. The election must occur no later than April 20. Any member can nominate themselves until the deadline set by the Vice President in advance.
- f. **Officer Removal.** The constitution must stipulate a process to punctually remove individuals from all positions established by the constitution after giving them due process. Default:
 - i. To remove an officer three members must first propose doing so in writing citing specific grounds to the president, or the vice president if the president is the officer they wish to remove. Upon receiving such notice the officer receiving it must schedule a time to hear the charges that must take place within 15 semester class days of receiving the charges but at least 48 hours after email the charges to the entire voting membership. A two-thirds vote after the officer's hearing is required to remove the officer.
- g. **Officer Vacancies.** The constitution must stipulate how officer vacancies are filled mid-term. There must always be someone serving as the president. Default:
 - i. If the presidency becomes permanently or temporarily vacant the vice president assumes the presidency and vacates the vice presidency. All other permanent and temporary vacancies, including the newly vacated vice presidency, are filled by presidential appointment. If the president's appointment is not carried by a two-thirds

vote by the end of the next membership meeting the appointment is rescinded. Rejected appointees cannot be reappointed for the same opening.

- h. **Grievances.** The constitution must specify how alleged violations of organization or Student Association rules are handled by the organization and corrected if true. Default:
 - i. All members are obliged when participating in the organization to behave lawfully and in compliance with University policy, Student Association rules, and their own governing documents. Conflicts between those rules are resolved in that order. Any member can submit a grievance alleging a violation of a rule by a particular action that adversely affected them to the Executive Board. If the Executive Board finds that such a violation did occur it can by majority vote take any action it deems necessary to reestablish compliance with the rules. The decision by the Executive Board can be appealed to the Student Association Judicial Board.
 - i. **Amendments.** The constitution must specify the amendment process for itself and any immediately subsidiary documents. Default:
 - i. Any three voting members can propose an amendment to the constitution by providing the proposal in writing to the president. Upon being notified of the proposal the president must hold a vote on the proposal within the next four meetings open to the entire voting membership but at least 48 hours after emailing that notice to all members. A majority membership vote may force the vote earlier provided that all members are notified of the vote at least twelve hours before the commencement of the meeting the vote is to take place. Before the approval vote can take place every member must be given an opportunity to speak for or against the amendment unless a two-thirds vote of those present calls for an immediate vote. A two-thirds vote passes the amendment pending approval by the Student Association. The author(s) of the amendments appoint who represents the organization when presenting to the Student Association.
9. **Constitutional Amendments.** Amendments to organization constitutions must be confirmed by a majority vote of the Internal Affairs Committee after being adopted by the organization before they go into effect. The organization must ratify any amendments by the Internal Affairs Committee. The Executive Vice President must assist the organization with necessary amendments upon request. Before voting on the constitution the organization must have an opportunity to present the amendments to the committee. The committee evaluates constitutions based on the following:
- a. **Compliance.** The constitution must comply with Student Association rules.
 - b. **Clarity.** The constitution must be clearly worded so that its meaning is not ambiguous. Proper spelling and grammar must be utilized.
 - c. **Flexibility.** The constitution cannot needlessly limit the ingenuity of future organizational leaders.
 - d. **Intentionality.** The organization must demonstrate an understanding of the implications of the constitution and what is being changed.
10. **Resources for Subsidiary Organizations.** The following resources are available from the Student Association for its subsidiary organizations which are intended to supplement the resources that are already provided by the University and other parties:
- a. **Organization Email.** Every organization gets their own Student Association email address which must be accessible to every officer.
 - b. **Physical Mailbox.** Every organization can receive mail from the Student Association office.
 - c. **B-Engaged.** Every organization gets a page on B-Engaged.
 - d. **Use of the Student Association Brand.** All subsidiary organizations can use the Student Association's brand to market their organization.

- e. **Posting Access.** The Student Association recommends that the University extend posting privileges to all subsidiary organizations.
 - f. **Marketing Resources.** The Student Association assists subsidiary organizations marketing through B-Engaged Calendar, social media features, and other initiatives when possible.
 - g. **Knowledge Base.** The Student Association provides informational assistance on its website tailored to the specific needs of its subsidiary organizations.
 - h. **Training and Leadership Assistance.** Subsidiary Organization leaders get to attend leadership trainings by the Student Association and can request individualized assistance from the Student Association when necessary.
 - i. **Organizational Stability.** The Student Association assists in the creation and ensures the enforcement of organizational governing documents so that the organization remains focused on its core values and long-term mission.
 - j. **Legal Representation.** The Student Association provides any necessary legal assistance for subsidiary organizations.
 - k. **Insurance.** The Student Association insures activities by subsidiary organizations.
 - l. **Money Management.** The Student Association provides accounting and banking services for its subsidiary organizations.
 - m. **Financial Assistance** (When Appropriate). When necessary and possible the Student Association provides financial assistance to some subsidiary organizations as delineated in the Finance Policy.
 - n. **Assigned Space** (When Appropriate). When necessary and possible the Student Association provides assigned space to some subsidiary organizations as delineated in the Allocated Space Policy.
 - o. **Room Reservation Access.** The Student Association recommends that the University extend room reservation privileges to all subsidiary organizations. Organizations cannot reserve space for other organizations with their reservation privileges.
11. **Responsibilities.** All subsidiary organizations have the following responsibilities in addition to those assigned elsewhere throughout the rules:
- a. Conduct itself in compliance with the law, the stipulations the Student Association's insurance provider, University policy, and Student Association rules, including the nondiscrimination and open events sections of the Student Association Constitution.
 - b. Conduct significant activities during every academic year it is active.
 - c. Recruit new participants every academic year it is active.
 - d. Include the Student Association logo or the words "SA Chartered" in all advertisements.
 - e. Submit all open events to B-Engaged Calendar.
 - f. Check its Student Association email at least every day as all official notices are served to it.
 - g. Register to remain a subsidiary organization for the following academic year no later than a time in the spring semester set by the Executive Vice President.
 - h. Attend leadership trainings by the Student Association where attendance is required from all organizations.
 - i. Send all mail to the Student Association office.
 - j. Only use outside vendors when a Student Association service does not provide the service it is seeking.

Policy VIII: Allocated Space

All space at Binghamton University is owned and controlled by the University. Certain spaces are conditionally granted to the Student Association which in turn conditionally allocates some of those spaces to its organizations. Usage of Student Association space is contingent upon compliance with Student Association policy, University policy, and applicable law. This policy is the primary Student Association rule governing Student Association allocated space.

1. **Space Allocation Committee.** Student Association space is overseen by the Space Allocation Committee, and coordinated by the Executive Vice President. The committee is composed of five individuals nominated by the Internal Affairs Committee chair and confirmed by the Internal Affairs Committee no later than its second regular fall meeting to serve until Congress dissolves in the spring and three designees of the Executive Vice President, one of whom may be the Executive Vice President. The chair must be a member of the committee and is designated by the Executive Vice President.
2. **Types of Allocated Space.** The Student Association allocates two types of space: Office space and storage space. Organizations may be required to share space depending on the amount of space necessary to accomplish its purpose, the availability of suitable space, and the demand for that space. Organizations do not need to possess allocated space to book other sources of space such as classrooms, conference rooms, general purpose rooms, and outdoor space.
3. **Obtaining Space** (Suspendable). Student Association space is only allocated to Student Association organizations. Space is allocated on an academic year basis. Organizations wishing to possess space during the following academic year may apply through a form provided as part of the re-registration process. Once re-registration ends the committee meets and allocates all Student Association space for the upcoming academic year. At its discretion the committee may invite some applicants to a hearing for questioning. The committee must announce its decision to all applicants 15 business days before the end of the semester and vacated space must be vacated by the end of the semester. Allocations are competitive and there is no guarantee that the current occupants of space will keep it for the following academic year.
4. **Allocation Rubric.** Space is allocated to the organizations that the committee determines score highest in the following rubric. Failure to meet all of the measures does not necessarily preclude an organization from receiving space but weighs against its application. Similarly, organizations which do exceptionally well on particular measures will be given preference over organizations that merely meet the standard set by the measure. The burden is on the organization to prove that it meets as many measures as possible as best as possible in its application. The committee may do additional investigation as it finds necessary. When there is no discernable difference between two organizations on the rubric but one currently possesses space while the other does not, preference is given to the organization that already possesses space. Organizations with a history of possessing space are judged not only by their intended future use of space but also how their previous use meets the rubric. If an organization's previous usage of space was deficient it must explain what it will do to correct the deficiencies.
 - a. The organization has complied with all reasonable requests by the committee.
 - b. The organization does not have a history of violating Student Association policy, University policy, or the law and its intended uses of the space would not do so. If it does have such a history it promptly corrected the issue.
 - c. The organization makes prudent use of its assets.

- d. The organization does not have a history of damage charges at any venue. If it does it paid them promptly.
 - e. Other spaces are insufficient, and cannot be made sufficient, for the organization to conduct essential elements of its mission.
 - f. The reason the organization needs office space cannot be resolved by receiving only storage space. (For office space only)
 - g. The organization would frequently use the space.
 - h. The organization has a large membership and that membership is not declining.
 - i. The organization has a reliable history of consistent operation and good governance.
 - j. The organization's possession of the space will save or generate money that could not be saved or generated otherwise.
 - k. The organization is run directly by the Student Association Executive Board.
5. **Early Removal.** All Student Association entities and personnel are obligated to report to the Executive Vice President or designee any evidence of violations in Student Association space of Student Association policy, University policy, or law. If the Executive Vice President or designee deems an allegation credible they must designate Space Allocation Committee members to conduct an investigation and report their findings to the committee. After receiving the investigation if the committee finds that there is probable cause to believe a violation occurred it may, by majority vote, recommend a sanction for each alleged violation, possibly including early removal, be imposed on the organization by the Judicial Board. The Judicial Board must then hold a hearing to determine whether or not clear and convincing evidence supports the allegation. If the Judicial Board finds such evidence exists it may institute all, some, or none of the sanctions proposed by the Space Allocation Committee.
 6. **Temporary Removal** (Suspendable). The Executive Vice President or the Space Allocation Committee may temporarily remove an organization from space or restrict its access to space while a proceeding is pending against it or to accommodate maintenance.
 7. **Voluntary Forfeiture.** Any organization can voluntarily forfeit space it possesses. If it does, any removal proceedings are immediately ended.
 8. **Midyear Storage Space Allocation or Revocation** (Suspendable). In the event of a midyear change in circumstances or information the Executive Vice President can reallocate or revoke storage space.

Policy IX: Ethics

This policy stipulates the ethical obligations of directly operated Student Association entities.

1. **Covered Personnel.** This policy applies to all individuals, paid or volunteer, acting in an official capacity on or for the Executive Board, Congress, or the Judicial Board, including in directly operated subsidiary organizations. Acceptance of such a position constitutes acceptance of this policy. All covered personnel must be made aware of this policy upon assuming their role by their supervisor or chair and must sign an acknowledgment of receipt of it.
2. **Whistleblowing.** If at any time personnel believe Student Association policy, University policy, or law is being violated they must report said violations to their supervisor or chair in addition to the President and the Speaker. If requested by the reporter such reports must be presented to the Internal Affairs Committee. Personnel who in good faith report such violations, or suspected violations, will be protected from intimidation, harassment, discrimination, or other retaliation or, in the case of employees, adverse employment consequence specifically because of their report.
3. **Definition of Conflicts of Interest.** A conflict of interest means that within the previous twelve months a particular covered individual has taken any of the following actions regarding a certain organization regarding which they have to make a decision:
 - a. Received money, goods, or services from the organization.
 - b. Worked or volunteered for the organization.
 - c. Was a member of the organization.
 - d. Attended at least five activities or at least eight hours of activities associated with the organization during any 15 semester class weeks period outside of their covered capacity.
 - e. Had any other relationship the particular covered individual declares constitutes a conflict of interest.
4. **Recusal from Conflicts of Interest.** Personnel cannot participate, or be present, in their covered decisionmaking capacity in decisions relating in particular to any organization with which they possess a conflict of interest when such decisions could likely lead to any of the following:
 - a. Financial loss, such as by transferring funds to the interest, for the Student Association, or the organization with which they possess a conflict of interest if that organization part of the Student Association.
 - b. Loss of goods or services, such as by giving goods or services to the interest, for the Student Association, or the organization with which they possess a conflict of interest if that organization is part of the Student Association.
 - c. A determination under Student Association rules affecting in particular the organization with which they possess a conflict of interest.
5. **Disclosure of Conflicts of Interest.** Within fifteen semester class days after assuming their position all decision-making personnel are required to disclose to the Financial Director in writing all organizations that are part of the Student Association or which they are likely to interact with which they possess a conflict of interest. Such entities include all greek life organizations, University entities and contractors, and Student Association offices and subsidiary organizations. All conflicts of interest must be reported again within the first fifteen class days of each following fall semester and before participating in the annual budget, space allocation process, or elections process. Disclosures must be maintained for at least 36 months and be available to any Student Association member upon request. When requesting something for their organization from a committee, applicants must identify any committee members participating in the determination who may possess a conflict of interest as defined by this policy after either visually seeing such members or being given their names. Failure by

an applicant to undertake a good faith effort to disclose all such conflicts of interest weighs against their application.

6. **Definition of Confidential Information.** Confidential information does not include any information that is publically available or legally required to be public. It is defined as meeting any of the following definitions:
 - a. Information which is legally prohibited from disclosure or which the Student Association's attorney has instructed be kept confidential.
 - b. Information which could unreasonably impinge personal privacy for no legitimate reason if disclosed.
 - c. Examination answers not publically available and marked as the answers.
 - d. Business information which could undermine the competitive position of the Student Association or its associated entities if disclosed.
 - e. Information temporarily designated as confidential to prevent the premature release of proposed or upcoming actions which could be undermined by such disclosure.
 - f. Whistleblower reports in accordance with this policy.
 - g. Information about specific election policy consultations in accordance with the Executive Board Elections policy.
 - h. Personally identifiable votes from elections conducted by secret ballot.
 - i. Personally identifiable information about Advocates Program clients.
 - j. Information from executive sessions or Judicial Board deliberations.
 - k. Information mutually agreed to as confidential at the time it was shared.
7. **Disclosure of Confidential Information.** Information which may be confidential cannot be disclosed without first consulting one's supervisor or chair who determines if it is confidential unless overruled by a superior. Confidential information must be disclosed upon request to one's supervisors, chairs, and others who work for the Student Association with a legitimate need to know it but cannot be disclosed to others. Those in possession of it must undertake due diligence to avoid its release. Upon discovering the unauthorized release of confidential information all those who know about it must immediately report it to the President. After concluding one's relationship with the Student Association confidential information still cannot be disclosed outside of this process for an additional five years.
8. **Requesting Nonpublic Information.** Any Student Association member may request specific nonpublic information they do not have access to from the President or designee. They may also request that information wrongly designated as confidential be redesignated by the President or designee. Within five semester class days the President or designee must provide or redesignate the information, deny the request, or provide a good faith reason for taking more time to the requester. All personnel are required to provide information to the President or designee upon the President or designee's request. If the request is denied or takes more than ten semester class days the requester may appeal to the Judicial Board which may order the information be released by majority vote if it finds the public benefit in releasing the information to outweigh the Student Association's reasons for withholding the information. Under no circumstances can the Judicial Board release confidential information.
9. **Public Information.** The following must be available online for all Student Association members:
 - a. All rules.
 - b. A list of all scheduled Congress meetings, including their time and location, with the exception of Congress meetings that were scheduled within the past 48 hours.
 - c. The names and emails of all members of Congress, the Executive Board, and the Judicial Board who have held their position for at least 10 semester class days.

- d. Minutes of Congress and its committees from all meetings from at least the past three years once approved. Minutes must be posted by the third regular meeting after the meeting they are from. At a minimum they must include:
 - i. A beginning and ending roll call.
 - ii. Complete copies of the final versions of all actions taken except those taken in executive session.
 - iii. Any documentation that was submitted to Congress for its proceedings with the exception of confidential information.

Policy X: Child Protection (Updated 2/25/2019)

As an entity that functions on Binghamton University's campus, the Student Association of Binghamton University, Inc. is dedicated to working with and adhering to Binghamton University's Child Protection Policies, including but not limited to, all applicable SUNY system policies, guidance, and the requirements set forth for University campuses.

Specifically, this policy ensures the Student Association's compliance with *State University of New York Policy 6504: Mandatory Reporting and Prevention of Child Sexual Abuse*, *State University of New York Policy 6505: SUNY Child Protection Policy*, *Binghamton University MP 852: Mandatory Child Sexual Abuse Reporting & Prevention Policy*, and *Binghamton University MP 853: Child Protection Policy*. Any Student Association entity which comes into contact with children on or off campus must adhere to the above named, and any other relevant policies that come into existence following the publishing of this policy.

Of all events, covered or not, student groups are expected to know and follow these general expectations:

1. **Required Conduct.** All individuals participating in Student Association activities must:
 - a. Take all reasonable measures to prevent physical and sexual abuse of children, including immediately removing children from prohibited conduct as defined by this policy.
 - b. Immediately report any suspected physical or sexual child abuse to the police and provide them with a written report of the prohibited conduct.
 - c. Complete required training before participating in events involving children.
 - d. Carry government issued photo identification or Binghamton University identification.
 - e. Comply with all applicable laws, University policies, and Student Association rules.
2. **Prohibited Conduct.** Student Association members participating in Student Association activities must not:
 - a. Be alone with a child unless they are a relative or guardian of the child, or one-on-one contact was approved as part of the event approval process.
 - b. Engage in physical or sexual abuse.
 - c. Engage in the use of, or be under the influence of, alcohol or illegal drugs.
 - d. Enable, facilitate, or fail to address a child's use of alcohol or illegal drugs.
 - e. Contact a child for the purpose of engaging in prohibited conduct.
 - f. Offer or make a gift to a child for the purpose of engaging in prohibited conduct.
 - g. Prematurely release a child from an activity without written authorization from the child's parent or guardian.

In addition to the general expectations listed above, any organization seeking to host an event wherein the student organization or its members will take on temporary guardianship (custody, control, and supervision) of under-17 children must complete additional steps to gain full approval PRIOR to the event taking place.

Due to the need for this policy to quickly adjust to changing federal, state, local, and university laws and policies surrounding this topic, the specific procedures for determining whether events are covered under the Child Protection Policy and then gaining approval to host said covered event are housed on the following section of the Student Association's website:

- <http://www.binghamtonsa.org>
 - Navigate to "Group Resources"
 - Select "Child Protection"

Policy XI: Communications Department

This policy outlines the purpose, responsibilities, and structure of the Communications Department.

1. **Purpose.** The Communications Department exists to professionalize and facilitate communication between Student Association governance, chartered organizations, Student Association members, University faculty and staff, and the general public. Specifically, it:
 - a. Manages the Student Association's usage of technology for marketing purposes including but not limited to:
 - i. The Student Association website.
 - ii. Email marketing.
 - iii. Social media controlled by Student Association governance.
 - b. Undertakes all other necessary tasks to maintain and improve the Student Association's brand.
 - c. Markets specific events and initiatives as necessary.
 - d. Documents the Student Association's activities for historical and marketing purposes.
 - e. Assists and collaborates with other Student Association entities when realistic and appropriate.
2. **Staff.** Communications Department staff serve at the discretion of the Executive Vice President. The Department is led by a Director who coordinates and oversees the Department and is in turn supervised by the Executive Vice President.

Policy XII: Advocates Program

This policy outlines the purpose, responsibilities, and structure of the Advocates Program.

1. **Purpose.** The Advocates Program protects due process by providing resources and support for any student accused of violating University policy who requests such, proactively promotes increased due process protections in University policy, and educates the student body about its rights.
2. **Oversight.** The Vice President for Academic Affairs coordinates and oversees the Advocates Program.
3. **Director.** The the Advocates Program Director serves at the discretion of the Vice President for Academic Affairs and has the following responsibilities:
 - a. Conduct all operations when not otherwise delegated.
 - b. Manage, recruit, hire, and fire all others who work for the program.
 - c. Assign cases to advocates and ensure all cases are handled.
 - d. Keep required records.
 - e. Continually train all advocates and ensure that all advocates have received appropriate training before taking cases.
 - f. Train his or her successor before taking office.
4. **Confidentiality.** Before receiving assistance clients must be informed that advocates are not attorneys and consequently no attorney-client relationship exists. While advocates are subject to the Ethics Policy they can be compelled by a court of law to break their confidentiality. As a result clients who anticipate possible criminal charges are strongly urged to seek assistance from an attorney before proceeding in the student conduct system or the Advocates Program.
5. **Record Keeping.** Historical records must be kept of every case including its type, the accusations, and the amount and type of assistance provided. Personally identifiable information must be removed from all records.

Policy XIII: Programming Board

This policy stipulates the purpose, responsibilities, and structures of the Programming Board.

1. **Mission.** The Programming Board exists to provide social, recreational, insightful, educational, and unique co-curricular experiences to Student Association members.
2. **Oversight.** The Vice President for Programming coordinates, oversees, and chairs the Programming Board.
3. **Executive Board.** The Programming Board Executive Board is advisory to the Vice President for Programming and consists of the committee chairs and administrative officers. Its members are selected by the Vice President for Programming and serve at the Vice President's discretion.
4. **Administrative Officers** operate outside the committee structure and work directly with the committee chairs to provide support for their events. The administrative officers and their responsibilities are as follows:
 - a. **Hospitality Director.** Fulfills rider requirements specified by performers and any other hospitality needs.
 - b. **Fundraising Director.** Facilitates sponsorship opportunities for local businesses and encourages them to get involved with Programming Board events.
 - c. **Treasurer.** Manages financial matters for the Programming Board, documents its operations, and archives appropriate records.
5. **Committee Chairs** coordinate and oversee their committees to accomplish their established goals.
6. **Committees.** The committees are as follows:
 - a. **Concerts** manages concerts including, but not limited to, the concert aspect of Spring Fling, which must occur every spring.
 - b. **Festivals** manages campus-wide events including, but not limited to, the festival aspect of Spring Fling in conjunction with other committees as appropriate.
 - c. **Variety** manages stand-alone novelty acts and comedy shows.
 - d. **Insights** manages campus speaker programs.
7. **Record Keeping.** To improve leadership transitions and negotiation expertise all invoices to the Programming Board must be stored for two years and all contracts to which the Programming Board is a party must be stored for five years.

Policy XIV: Intercultural Awareness Committee

This policy stipulates the purpose, responsibilities, and structure of the Intercultural Awareness Committee.

1. **Purpose.** The Intercultural Awareness Committee is a coalition of chartered organizations that exists to support and facilitate a diverse, equitable, inclusive, and multicultural University community, coordinate common initiatives, and serve as a forum for the exchange of ideas and best practices among the member organizations.
2. **Chair.** The Vice President for Multicultural Affairs designates the chair of the committee.
3. **Membership.** The chair maintains a roster of the member organizations. Each organization is primarily represented by a particular executive board officer, however, in that officer's absence any executive board officer can represent the organization. A majority vote of the committee can grant any chartered organization committee membership and a two-thirds vote of the committee can revoke the membership of any member organization.
4. **Attendance.** All member organizations are obligated to have a representative present at all committee meetings. If a member organization misses two meetings during a single academic year that organization can no longer receive grants for the remainder of that semester. If it misses three meetings it can no longer receive grants for the remainder of the academic year. Meetings that are not announced at least 24 hours in advance or are objected to by a majority of the member organizations are exempt from this section.
5. **Quorum.** A majority of the member organizations constitutes a quorum.
6. **Grants.** The committee allocates all funds from its account by majority vote.
7. **Open Meetings.** All committee meetings must be open to and advertised as open to the public. Committee meetings can only be closed by entering executive sessions. Entering executive sessions requires a two-thirds vote and excludes all individuals except representatives, the chair, and enumerated guests. No final vote to allocate funds can be made in executive session.

Policy XV: Attorney General

This policy establishes and governs the position of the Attorney General. The Attorney General shall be the counsel of first resort for all grievances and for ensuring that Student Association members comply with all rules.

1. **Purpose.** The Attorney General is the chief policy enforcement officer of the Student Association. They investigate violations of the rules on behalf of the members of the Student Association.
2. **Responsibilities.** In addition to the responsibilities designated elsewhere throughout the rules the Attorney General has the following responsibilities:
 - a. Investigates alleged violations of the rules.
 - b. Serves as counsel for parties to cases before the Judicial Board, at their own discretion and with the consent of the relevant party.
 - c. Issues advisory opinions upon the request of any Student Association member.
3. **Investigations.** The Attorney General may independently conduct investigations on behalf of the members of the Student Association. Individual members of the Student Association shall also have the right to request that the Attorney General conduct investigations on their behalf. The Attorney General may request documents, testimony, or any other kind of evidence from any Student Association member, excluding confidential evidence, in order to aid an investigation
4. **Attorney General Reports.** The Attorney General shall create a report following the conclusion of an investigation. These reports are considered non-public information, however the attorney general may request with reasonable justification that the Judicial Board make confidential all or part of a report.
5. **Enforcement of Job Duties.** The Attorney General may investigate members of the Student Association for failing to fulfill the duties and obligations of any position they hold.
6. **Ethics and Independence.** The Attorney General operates independently from Congress, the Executive Board, and the Judicial Board. The Attorney General and any other member of their office must maintain their independence and impartiality. No member of the Student Association may attempt to interfere with an investigation.
7. **Appointment and Term.** The Attorney General shall be nominated by the President and approved by a majority vote of Congress. Terms of office begin immediately upon confirmation and conclude at the end of the second semester in office.
8. **Removal.** The Attorney General may be impeached for severe and pervasive malfeasance by a three-fourths vote of Congress or a three-fourths vote of the Executive Board with previous notice. Upon impeachment of the Attorney General the Judicial Board must hold a removal hearing within ten semester class days. If the Judicial Board finds with clear and convincing evidence that the Attorney General has committed severe and pervasive malfeasance, it may remove the Attorney General from office with a two-thirds vote.
9. **Vacancies.** The office of Attorney General is permanently vacated only if they:
 - a. Cease to be a Student Association member.
 - b. Did not have a 2.0 overall grade point average during the previous semester.
 - c. Obtain a seat in Congress.
 - d. Become a Justice.
 - e. Resign.
 - f. Are removed from office.
10. **Recusal.** The Attorney General may not act in their official capacity in any grievances to which they are a party for reasons other than their official capacity. In the event that the Attorney General has

recused themselves from a case, the President shall appoint someone to act as Attorney General in the interim.