

**A Bill to amend the Code of Student Governance  
B. #40**

32<sup>nd</sup> STUDENT SENATE  
2<sup>nd</sup> Session  
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A Bill to amend the Code of Student Governance

**IN THE STUDENT GOVERNMENT OF  
GEORGE MASON UNIVERSITY**

**February 29, 2012**

Submitted By Chairman Short

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**Bill #40**

A Bill to amend the Code of Student Governance

*Be it enacted by the Student Senate of George Mason University,*

1) That Title II: Subtitle I: Chapter 1: § 108: Subsection 3 and 4 be stricken as follows:

**§ 108 Appointment of New Senators**

- (3) ~~*Upon approval by a majority roll call vote of the Senate, prospective Senators may: attend meetings, participate in debate, voice opinion, and exercise any other non-voting Senate privileges. However, prospective Senators must attend two Senate meetings, appropriate committee meetings and any Senate education classes as set by the speaker, before allowed voting privileges. After two meetings, including the meeting at which said Senator was given the oath of office; prospective Senators are granted full privileges as a Senator. The Speaker may exercise his discretion to excuse appointed candidates who are returning senators if there are extenuating circumstances. The Speaker also may exercise his discretion to excuse appointed candidates in case of extenuating time conflicts or constraints.*~~
- (4) ~~*Prospective senators attending meetings shall be counted for attendance purposes. Only voting members of the Senate body shall constitute quorum. After attending two Senate meetings, prospective Senators shall be granted the same rights as a Senator.*~~

2) That Title II: Subtitle I: Chapter 1: § 108: Subsection 3 be added to read as follows:

- (3) *Upon approval by a majority roll call vote of Senators Present, which shall occur as the last item of the docket, prospective Senators shall be given the oath of office, and shall be granted all the privileges and duties that pertain to the office of Senator.*

3) That the following be added to Title II: Subtitle III:

### ***Chapter 17: Administration of Committees***

#### ***§ 1701 Committee Membership***

*Student Senators are required to serve as standing members of two Committees. Senators will officially declare their membership through a registration process administered by the Speaker of the Senate. Only standing members of committees may vote in their respective committees.*

#### ***§ 1702 Vice-Chairmen of Committees***

*Committee Chairmen shall ~~appoint~~ **nominate at least one person for the position of Vice-Chairman(s) to assist with the administration of the respective committees and to serve as the acting-chair when the Chairman is absent or until a replacement is elected for any vacant chairmanship. The position of Vice-Chairman shall be chosen by the members of the Committee present by a majority vote.** ~~Vice-chairmen must be approved by a majority of their respective committee. The chairman of a committee holds the right to change their appointment at any time.~~*

#### ***§ 1703 Committee Meetings***

*Chairmen of Committees are to hold weekly meetings and conduct business on a weekly basis during Sessions of the Student Senate, with the exceptions of University closings. The Vice-Chairman of the committee will administer committee meetings in which the chairman is unable to attend. ~~A chairman must obtain permission from the Speaker of the Senate before canceling a committee meeting.~~ **A chairman must notify standing members of their committee and the Speaker before canceling a meeting.***

#### ***§ 1704 Senate Leadership Committee***

*The Speaker of the Senate, The Speaker Pro-Tempore, the Clerk, and all Committee Chairmen shall form the Leadership Committee of the Student Senate. The Leadership committee shall meet on a weekly basis or at the discretion of the Speaker.*

4) That Title II: Subtitle III Chapter 17 be renamed and reorganized as the following:

### ***Chapter 18: Succession***

#### ***§ 1801 Senate Succession***

- (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no Speaker of the Student Senate, the Speaker Pro-Tempore of the Senate upon immediate resignation of his office will discharge the powers of the Speaker of the Student Senate;
- (2) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no Speaker Pro-Tempore of the Student Senate, the Speaker of the Student Senate will appoint a new Speaker Pro-Tempore of the Student Senate with the advice and consent of the Student Senate;

- (3) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as Speaker of the Student Senate or Speaker Pro Tempore of the Student Senate under this subsection;
- (4) If, by reason of death, resignation, removal from office, inability, or failure to qualify, both the Speaker of the Student Senate and the Speaker Pro Tempore of the Student Senate are unable to discharge the duties of their offices, the order of succession shall be as follows: The Clerk of the Student Senate, the Chair of the Government and Academic Affairs Committee, the Chair of the University Services Committee, the Chair of University Relations Committee, the Chair of the Finance Committee, the Chair of the Diversity and Multicultural Affairs, the Chair of the University Life Committee, and the Chair of the M.A.S.O.N. Committee.
- (5) Subsections 1 and 3 of this section shall apply only to such officers as are eligible to the office of Speaker of the Student Senate under the Student Body Constitution. Subsection 3 of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the Speaker, and only to officers not under impeachment by the Student Election and Dispute Commission at the time the powers and duties of the office of Student Body President devolve upon them.

5) That Title IV: Subtitle II: Chapter 4: § 403—§ 405 be amended to read as follows:

#### **§ 403 Second Appeal**

- (1) After the Elections and Disputes Commission has ruled on a dispute or grievance, the losing party may appeal the decision to a Faculty Review Board consisting of the Assistant Director of Student Governance, the Director of the Office of Student Involvement, and another Faculty member of the Office of Student Involvement or Office of University life. *The Faculty Review Board must have all three members present in order to reach a ruling. This ruling must be solely based in fact and the Constitution of Student Government, and not the wisdom behind the rule.*
- (2) *The Faculty Review Board must issue a written ruling within 48 hours.*
- (3) *The filing of a second appeal must include at least one of the grounds listed in § 404 as the bases for the losing party's filing.*
- (4) *During the Second Appeal Hearing, the Election and Disputes Commission along with the all involved parties shall both be allowed to present their arguments regarding the ruling on the dispute or grievance at issue. The Election and Disputes Commission shall be represented by the Chairman of the Election and Disputes Commission, or the most senior Commissioner by tenure who sided with the majority.*

#### **§ 404 Grounds for a Second Appeal**

The losing party may only appeal a second time if-

- (1) Evidence that was not available at a previous hearing which, had it been available, would in all reasonable likelihood have produced a different finding;
  - a. *This evidence must have been completely unavailable at the initial hearing. It cannot simply be evidence that previously existed, but was not presented at the initial hearing. The duty of thoroughly and*

*comprehensively presenting information during the initial hearing falls upon the parties, not the Election and Disputes Commission or the Faculty Review Board.*

- (2) There is a substantial procedural irregularity in one of the hearings of the Elections and Disputes Commission or one of its agencies; or
- (3) There was bias, ***which can be proven***, with the Elections and Disputes Commission or one of its agencies resulting in a violation of the standards of fairness used in hearings.

**§ 405 Results of Second Appeal**

*The Faculty Review Board may either sustain or overrule the ruling. ~~If the Board chooses to overrule the ruling, it may either reverse the ruling or send the grievance or dispute back to the Elections and Disputes Commission for a re-trial under fairer conditions.~~ The Faculty Review Board must author an opinion which will then be sent to the Elections and Disputes Commission for reconsideration or a re-trial under fair conditions.*

Passed the Student Senate: \_\_\_\_\_

Attest:

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Speaker: Tommy Lee

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Clerk: Elizabeth Baires

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President: Allyson Bowers