

Title I

The Undergraduate Legislative Branch

USB-99-009

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Chapter 1

Composition

Article I. Members

Section 100. Members of the Undergraduate Senate

Each member of the Undergraduate Senate shall be:

1. A member of the district or body that they are representing during the semester following the regular election;
2. Elected in full compliance with the General Election Laws;
3. Free from sanctions from the UNC Honor Court for violations of the Honor Code
4. Free from sanctions from the UNC Supreme Court for violations of the Student Code; and,
5. Recorded in the Undergraduate Senate book after their credentials have been verified.



Section 101. Nature of Districts

The district of residence for an undergraduate student shall be a set of residence units containing the place of actual physical residence as distinguished from one of temporary sojourn.

Section 102. Allocation of Seats

- A. Each seat in the Senate shall represent, as nearly as possible, the same number of students.
- B. Each fall semester, the Rules and Judiciary Chair shall update a list containing, as exactly as can be determined, the number of enrolled students in each district.
- C. The Rules and Judiciary Committee shall conduct an annual review of the districting and apportionment of seats. The findings of this review and any corresponding recommendations

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shall be reported to the full Senate.

Section 103. Districts

The following shall be the districts of the Undergraduate Senate:

1. District 1. The district shall be called North Campus and shall represent undergraduate students living on campus in the Alderman, Alexander, Aycock, Cobb, Connor, Everett, Graham, Grimes, Joyner, Kenan, Lewis, Mangum, Manly, McIver, Old East, Old West, Ruffin, Spencer, Stacy, and Winston residence halls. The district shall be entitled to four (4) seats.
2. District 2. The district shall be called Middle Campus and shall represent undergraduate students living on campus in the Avery, Carmichael, Parker, and Teague residence halls. The district shall be entitled to one (1) seat.
3. District 3. The district shall be called South Campus-West and shall represent undergraduate students living on campus in the Craige, Craige North, Hardin, Hinton, and Morrison residence halls. The district shall be entitled to three (3) seats.
4. District 4. This district shall be called South Campus-East and shall represent undergraduate students living on campus in the Ehringhaus, Hinton James, Horton, and Koury residence halls. This district shall be entitled to three (3) seats.
5. District 5. The district shall be called Granville and shall represent undergraduate students living in Granville Towers. The district shall be entitled to two (2) seats.
6. District 6. The district shall be called Greek Housing and shall represent undergraduate students living in Greek housing. The district shall be entitled to one (1) seat.
7. District 7. The district shall be called Off Campus and shall represent undergraduate students living off campus and not in Greek housing. The district shall be entitled to eleven (11) seats.
8. District 8. The district shall be called Apartment Housing and shall represent undergraduate students living on campus in the Ram Village community. The district shall be entitled to one (1) seat.

Section 104. Arbitration

The Undergraduate Senate shall be the arbiter of the elections, returns, and qualifications of

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its own members, subject to appeal of the student Supreme Court.

Article II. Officers

Section 110. Elected Officers

The elected officers of the full Senate shall be:

1. The Speaker;
2. The Speaker Pro Tempore; and
3. Committee Chairpersons.
4. An elected member of the Joint Governance Council

Section 111. Laws Governing Elected Officers

- A. All elected officers must be members of the Senate.
- B. No two elected officers shall be held by the same member of the Senate.
- C. No two members of the Senate shall hold any single elected office.
- D. No officer of the Senate shall be eligible to serve as Principal Clerk, Technical Clerk, Parliamentarian, or Sergeant at Arms.

Section 112. Powers of the Speaker

The Speaker of the Undergraduate Senate shall:

1. Call to order the Senate meetings and serve as the presiding officer of the Senate;
2. Call special meetings of the Senate;
3. Serve as a non-voting ex officio member of all Congressional committees;
4. Serve as voting member of the Joint Governance Council;
5. Sign all acts and resolutions of the Senate and ensure their transmission to the USG President within three (3) business days of passage;
6. Sign resolutions of the Senate and ensure their promulgation to the appropriate parties;
7. Make all appointments and nominations reserved to the Undergraduate Senate, subject to confirmation by a two-thirds vote of the Senate;
8. Appoint all members of the Legislative Staff with expediency, except the Sergeant-at-Arms, subject to confirmation by a two-thirds vote of the Senate.
9. Prepare the Senate's annual budget request in conjunction with the Organizational Treasurer and the standing committee chairs;

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10. Serve as the Senate's chief administrator and spokesperson on non-legislative matters;
11. Ensure that all duties of the Senate and its officers are properly executed;
12. Administer the oath of office to Undergraduate Senators who are sworn in after the initial inauguration ceremony;
13. Produce an updated table showing the final action on all bills and resolutions introduced within the session; and,
14. Provide regulations for the operation of the representatives of the news media on the floor of the Senate.

Section 113. Powers of the Speaker Pro Tempore The

Speaker Pro Tempore shall:

1. Perform such duties as the Speaker may assign;
2. Call to order the Senate meetings and preside over the Senate in the absence or incapacity of the Speaker;
3. Orient all new members of the Senate and maintain communication with the University community, including, but not limited to orientation of the First-Year class and the entire Student Body to the Undergraduate Senate;
4. Serve as a non-voting ex officio member of all Congressional committees;
5. Serve as voting member of the Joint Governance Council;
6. Coordinate any actions regarding the prompt delivery of written reports from appointees;
7. Execute other such responsibilities as may be lawfully assigned to them;
8. Organize the Undergraduate Senate Public Forum; and,
9. Assign area and equipment on the floor of the Senate for the use of the representatives of news media.

Section 114. Powers of Committee Chairs

All standing committee chairpersons shall:

1. Call and preside over committee meetings;
2. Report to the Senate the general activities and proceedings of the committee, including the title and nature of bills introduced and not yet reported;

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3. Designate any bills eligible to be placed upon the Consent Calendar;
4. Ensure that the minutes and roll are taken for committee meetings; and,
5. Execute such other responsibilities as may be lawfully assigned them.

Article III. The Legislative Staff

Section 120. Composition

The Legislative Staff shall consist of:

1. The Parliamentarian(s);
2. The Clerk(s);
3. The Webmaster(s);
4. The Sergeant-at-Arms; and,
5. The Legislative Assistants.

Section 121. Duties

- A. Parliamentarian. The Parliamentarian(s) shall advise the Senate on matters of Congressional Procedure and the procedures and rules set forth by the Student Code.
- B. Clerk. The Clerk(s) shall:
 1. Maintain an accurate record of all legislation and amendments thereto;
 2. Make such corrections to legislation as are necessary to maintain proper spelling, grammar, and the format as verified by the Speaker.
- C. Webmaster. The Webmaster(s) shall be responsible for the maintenance of the Undergraduate Senate website.
- D. Sergeant-at-Arms. The Undergraduate Senate may elect from its membership a Sergeant-at-Arms, who shall assist the Speaker in preserving order in the chamber during meetings and explain expectations of order to visitors and members.
 1. In the event that the Sergeant-at-Arms is absent, the duties of the Sergeant-at-Arms will fall to the Ethics Chair.
- E. Legislative Assistants. The Legislative Assistant(s) shall be responsible for assisting their appointer with completing legislative tasks, constituent services, and legislative duties as requested.

Section 122. Removal

Any member of the legislative staff shall be removed, without using the impeachment process:

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1. By a two-thirds (2/3) vote of the Undergraduate Senate; or,
2. At the discretion of the Speaker.
3. Legislative assistants may be removed at the discretion of the appointer.

Section 123. Appeal

- A. Any appointed officer, dismissed at the discretion of the Speaker, may appeal the Speaker's decision by having a member of the Senate introduce a special order to overturn the Speaker's decision and reinstate the appointed officer.
- B. If the order is adopted by a two-thirds (2/3) vote in the affirmative of the full Senate to overturn the Speaker's decision, then the appointed officer shall be reinstated to their position.
- C. Legislative assistants are not eligible for dismissal appeal.

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Chapter 2

Finalizing Legislation

Article I. The Role of the Undergraduate Student Government President, Student Body President, and Joint Governance Council

Section 200. Conveyance to the USG President & Student Body President

Following the passage of legislation in the Undergraduate Senate:

1. Within three (3) business days of passage, four (4) copies of all acts and resolutions passed by the Full Senate shall be signed by the Speaker as they were passed. Two (2) copies shall be delivered to the USG President. One (1) copy shall be delivered to the Student Body President.
2. The remaining signed copy shall be filed by the Clerk, who shall place a copy of it in the labeled files of the Student Government offices. This will ensure immediate and public access to the acts and resolutions of the Undergraduate Senate during each of its sessions. The Speaker and the Clerk of the Undergraduate Senate shall be responsible for the maintenance of this file.

Section 201. Conveyance to the Joint Governance Council

Following the determination of joint legislation in the Undergraduate Senate:

1. One (1) copy of all acts and resolutions passed by the Full Senate, affecting both Graduate and Undergraduate Students, shall be delivered to the Joint Governance Council by the Speaker of the Undergraduate Senate at the succeeding meeting of the Joint Governance Council.

Section 202. Transmission of Vetoed Bills

The USG President shall return a signed copy of acts of the Undergraduate Senate to the Clerk of the Senate within ten (10) business days of receiving it, unless they shall have elected to veto the act or to decline to sign it. They shall keep the other copy signed by both parties, and it shall be included among the permanent records of the Office of the USG President.

Section 203. Signed Acts Immediately Become Law

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Acts of the Undergraduate Senate signed by the Speaker and the USG President immediately become law, unless otherwise specified. Acts not returned within ten (10) business days of passage shall become law, without the USG President's signature, at 5:00 pm with a notation by the Speaker stating that the President declined to sign the act.

Section 204. Vetoed Legislation by the USG President

- A. The USG President shall notify the Speaker within ten (10) business days of receiving any legislation for which a veto message will be issued.
1. The Speaker shall place on the agenda of the next full Senate meeting a special order for Consideration of the USG President veto. During consideration of vetoes, the Senate may debate the underlying bill and veto for no longer than twenty (20) minutes.
 2. At the conclusion of debate, the Senate shall vote on whether to uphold the underlying bill. A yes vote signifies support of the bill and overturns the veto; a no vote signifies opposition to the bill and supports the veto.
 3. If a two-thirds majority of the Senate votes to uphold the bill, the act shall become law with annotation by the Speaker stating that the President's veto was override.
- B. Veto Message. In the event of a veto, the USG President shall send the Undergraduate Senate via the Speaker a message containing their reasoning for vetoing the piece of legislation.
- C. Overridden Veto. In the event that a Presidential veto is overridden, the signature page of promulgated legislation shall include the following items:
1. A statement "Done by the Undergraduate Senate on the (1) day of (2) in (3)" in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out to be followed by the Speakers signature;
 2. A statement "And made vetoed on the (1) day of (2) in (3)" in which (1), (2), and (3) are as above;
 3. A statement "And veto overridden by the Undergraduate Senate on the (1) day of (2) in (3)" in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out to be followed by the Speaker's signature.

Section 205. Rejected Legislation by the Joint Governance Council

Following the rejection of joint legislation by the Joint Governance Council:

1. The Speaker of the Undergraduate Senate shall return legislation to the succeeding Full

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Senate meeting and it shall be placed on the Special Orders Calendar for reconsideration.

Section 206. Signature Page

The signature page of promulgated legislation shall include the following items:

1. A statement "Done by the Undergraduate Senate on the (1) day of (2) in (3)"—in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker 's signature; and
2. A statement "And made law on the (1) day of (2) in (3)"—in which (1), (2), and (3) are as above—to be followed by the USG President's signature, should they decide to affix it.

Section 207. Law without Signature

In the event that the President declines to sign and return an act by the required deadline, the signature page of promulgated legislation shall include the following items:

1. A statement "Done by the Undergraduate Senate on the (1) day of (2) in (3)"—in which (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker 's signature;
2. A statement "And made law without signature after ten days on the (1) day of (2) in (3)"— in which (1), (2), and (3) are as above.

Section 208. Transmitting of Legislation

- A. All legislation introduced (passed, failed, signed, unsigned, vetoed, overridden or postponed indefinitely) in the Undergraduate Senate and the standing and select committees shall be transmitted to the University Archives.
- B. All promulgation to the USG President and the University Archives shall include legislative history, signature page, veto message, and any other notations of the Speaker, President, or the Secretary of the Undergraduate Student Government as to the fate of the legislation. All promulgation to other parties shall omit these items and shall include only the text of the law or resolution unless these other items are specifically requested.
- C. All passed resolutions of the Undergraduate Senate shall be transmitted to the mandates and the President in addition to the parties above.
- D. All laws of the Undergraduate Student Body shall be transmitted to the Office of the USG

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President, the Student Supreme Court, the Office of the USG Attorney General, the Student Activities Fund Office, the USG Treasurer, and the USG Secretary.

- E. All amendments to the General Elections Law and all matters concerning elections shall be transmitted to the Elections Board.
- F. All laws and resolutions passed by the Undergraduate Senate relating to officers of the Undergraduate Student Government or Undergraduate Student Government-recognized organizations shall be transmitted to the officer or organization affected.
- G. All laws and resolutions passed by the Undergraduate Senate shall be transmitted to the chair of the standing or select committee from which they reported.
- H. Copies of resolutions passed by the Undergraduate Senate and signed by the Speaker and copies of all laws shall be transmitted to all appropriate or interested parties within five business days of passage.

Section 209. Public Record

All laws and resolutions passed by the Undergraduate Senate shall be public record and shall be transmitted in a timely manner to all parties requesting them. No documents of the Undergraduate Senate may be withheld except under order of the Ethics Committee or the Chancellor of the University.

Section 210. Rights of the Student Body President & USG President before Committee

The President of the Student Body and USG President may appear before any committee of the Undergraduate Senate and request to speak upon any measure. They may also designate individuals to testify on their behalf for such time as the committee may designate.

Article III. Electronic Mailing List

Section 320. The Undergraduate Senate Electronic Mailing List

A. Electronic Mailing List Management

1. The Speaker Pro Tempore shall manage the Undergraduate Senate Electronic Mailing List (referred to hereafter as "Listserv").
2. Management responsibilities may be deferred at any time to the Speaker of the Undergraduate Senate.
3. The Speaker of the Undergraduate Senate maintains the right to monitor all processes of Listserv management.

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B. Parameters

1. The manager shall distribute all appropriate messages posted to the Listserv.
2. No endorsements of elected officials of any kind, representing on- or off-campus constituencies, shall be considered appropriate.
3. No messages advocating for or against legislation beyond the authority of the Undergraduate Senate shall be considered appropriate.

C. Appeals. The originator of a message that is withheld from the Listserv by the manager may appeal that decision to the Speaker. The Speaker has final discretion regarding appeals

D. Notice. Upon admittance to the Listserv each new subscriber shall receive via their subscribed electronic mailing address the rules for Listserv conduct as delineated in this section.

Article IV. Presumed Constitutional

Section 330. Presumed Constitutional; Severable

- A. The provisions of any act shall be considered severable and presumed Constitutional.
- B. Any decision by the Student Supreme Court regarding the Constitutionality of any chapter, article, section, or subsection shall apply only to that chapter, article, section, or subsection.

Article V. Standing Rules of the Undergraduate Senate

Section 340. Adoption of Standing Rules

- A. At the beginning of each session, the Undergraduate Senate shall adopt standing rules. If no new rules are proposed, it shall be assumed that previous standing rules by the previous session of the Senate shall be adopted by a two-thirds (2/3) vote of the entire membership of the Senate.
- B. Any resolutions to change the standing rules require a two-thirds (2/3) vote of the entire membership of the Senate. These resolutions shall not be concurrent resolutions.
- C. Section 340 may only be amended by 2/3 (two-thirds) present voting members.

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Chapter 3 Undergraduate Senate Records

Article I. Undergraduate Senate Records

Section 300. Current Session

Each Senate shall maintain a complete set of records including:

1. The agendas and minutes of each meeting of the Senate;
2. The agendas, minutes, and/or reports of all standing or select committees of the Senate to the extent that they exist
3. The complete financial records of the Senate;
4. All items obtained by the Senate concerning Senatorial ethics;
5. Records of the annual budget process;
6. The most recent roster of the Senate;
7. The most recently published copy of the Student Government Code;

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8. The complete set of documents on each measure introduced or studied in Senate;
9. Any other documents of importance.

Section 301. Previous Sessions

The complete legislative records of the three immediately prior sessions of the Senate and the records of the current session shall be maintained in the office of the Senate at all times. At the close of the session the records of the oldest session on file in the office should be transferred to the University Archives.

Article II. The Student Government Code

Section 310. Maintenance of the Student Government Code

Each year a Code of the Permanent Laws of the Student Government of the University shall be produced. No less than monthly, a revision of the Student Government Code shall be produced incorporating all laws passed since the previous edition of the Code, unless no revisions are necessary.

1. Promulgation of the Code. These annual editions shall be promulgated electronically to those parties entitled by law to receive them, and shall be made publically available.
 - a. The Clerk shall be charged with annually producing The Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill.
 - b. The Speaker of the Undergraduate Senate shall send one (1) properly signed and certified copies of all acts and resolutions to the USG Secretary within one week of passage by the Senate, for the Executive Branch's record- keeping purposes. The USG President shall send to the Clerk one (1) properly signed and certified copies of all laws signed, vetoed or made law without signature within one week of their final action, for the Executive Branch's record-keeping purposes.
 - c. The Chair of the Board of Elections shall provide to the USG Secretary one copy of all certified election results of all referenda.
 - d. The Clerk may delegate the physical production of the Code to any other legislative assistant.

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- e. The annual edition of the Code shall be transmitted by the Principal Clerk to the Outgoing Secretary before the end of his or her term.
2. Organization. The Code shall be organized by Title, Chapter, Article, Section, and subsection(s).
3. Section Numbers. Within the Student Government Code no section number shall be duplicated within the same title.
4. Citation. Particular provisions within the Student Government Code shall be made by Title and Section. The form for citing Section 113 of Title II in the 1996 Student Government Code would be II SGC.113 (1996)
5. Section Titles. Each section within The Code shall be given a title which shall appear in the index and the text of The Code itself. Section titles shall not be considered part of the text of The Code, for the purposes of judicial interpretation. The title of each section shall be included within the enacting legislation.

Section 311. Laws Remain in Effect

All laws and resolutions shall be assumed to be in effect until they are repealed either explicitly or indirectly by other laws and resolutions of the Undergraduate Senate, unless they are of such nature as to be of obviously instantaneous effect or they provide explicitly for their own expiration.

Section 312. Accordance with the Constitution

Laws and resolutions shall be in accordance with the Student Government Constitution and shall be enacted in accordance with the procedures of this title and such other procedures as the Undergraduate Senate shall enact.

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Chapter 4

Senatorial Committees

Article I. Committees, General

Section 401. Chair; Vice-chair

Each Senatorial committee shall be chaired by one member of the Senate. Each committee shall elect from within its own membership one vice-chair to assist the Chair in the operation of the committee.

Section 402. Powers of Committees, General The standing and select committees shall

1. Conduct hearings, prepare reports, and initiate such legislation as they deem necessary on matters which fall within their respective areas of competence;
2. Subpoena students to testify by majority vote such witnesses as are necessary to accomplish the purposes of subsection 1;
3. Consider all bills referred to the committee at the meeting following their referral;

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4. Report such bills as are appropriate, with or without amendments, with written report, either favorably, unfavorably, or without prejudice; and
5. Receive and consider reports on behalf of the Senate.

Article II. Powers of Committees

Section 410. Finance Committee

The Finance Committee shall:

1. Consider all legislation pertaining to the generation and allocation of funds and establishment of budgets;
2. Consider all bills appropriating Undergraduate Student Government funds from the Student Activities Fee;
3. Maintain an inventory of all items purchased and owned by the Undergraduate Student Government, which shall be the responsibility of the Finance Committee Vice-Chair; and,
4. Confirm all student referenda pertaining to the Student Activities Fee.

Section 411. Rules and Judiciary Committee

1. Consider all legislation pertaining to the content of The Student Code;
2. Consider relevant appointments, nominations, and recommendations of the USG President as described in Title I;
3. Confirm all Senatorial external appointments and members of the Legislative Staff;
4. Confirm all student referenda pertaining to constitutional amendments;
5. Create standing rules;
6. Create regulations necessary for the smooth functioning of the Undergraduate Senate;
7. Handle all legislation which amends the Student Code;
8. The chair shall defend the Senate should any complaint be filed against them, and;
9. Open complaints on behalf of the Senate when necessary.



Section 412. Oversight and Advocacy Committee

The Oversight and Advocacy Committee shall:

1. Receive and address and grievances, injustices, complaints, and ideas of the Student Body;
2. Maintain a petition webpage in which student may submit any and all suggestions for

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
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the Oversight and Advocacy Committee to address;

3. Meet periodically with Senatorial external appointments to provide Senatorial oversight and communication with various Undergraduate Student Government boards. Failure for appointees to appear before the Student Advocacy Committee without good reason is grounds for their removal from their respective boards. The following appointees will be required to meet with the Student Advocacy Committee, except when the Oversight and Advocacy Committee Chair provides exemption:
 - a. At least once every month during the Fall and Spring semesters, the Speaker's appointees to the Student Fee Audit Committee should update the committee.
 - b. At least every month during the Fall and Spring semesters, the Speaker's appointees to the Student Safety and Security Committee should update the committee.
 - c. At least once every two months during the Fall and Spring semesters, the Speaker's appointees to the Union Board of Directors should update the committee.
 - d. At least once a semester, the Speaker's appointee to the Student Legal Board of Directors should update the committee.
 - e. At least once every two months during the Fall and Spring semesters, the Speaker's appointees to the WXYC board of directors should update the committee.
 - f. At least once every two months during the Fall and Spring semesters, the Speaker's appointee to the Student Television Board of Directors should update the committee.
 - g. At least once every month during the Fall and Spring semesters, the Speaker's appointees to the Renewable Energy Special Project Committee should update the committee.
 - h. At least once a semester, the Finance Committee Chair's appointee to the Yackety Yack Board of Directors should update the committee.
 - i. At least once a semester, the Speaker's appointee to the Student Library Advisory Board should update the committee.

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- j. At least once a semester, the USG Honor Court Treasurer and USG Attorney General should update the committee.
 4. Have the authority to review Undergraduate Student Fees as needed,
 - a. Upon the review of said fees, the Oversight and Advocacy Committee may recommend to the Undergraduate Senate the adjustment of any said fee. All adjustments are subject to the approval of the Board of Trustees and/or Board of Governors.
 - a. All adjustments recommended by the Senate shall be sent to the Student Fee Audit Committee (SFAC).
 - b. Upon approval by SFAC, all adjustments shall continue to the Student Fee Advisory Subcommittee (SFAS).
 - c. Upon approval by SFAS, all adjustments shall continue to the Tuition and Fee Advisory Taskforce (TFAT).
 - d. All adjustments must be passed via a Student Body referendum.
 - e. Should SFAS and/or TFAT make any changes to the recommended adjustments, the Undergraduate Senate shall need to approve said adjustments before being considered for referenda.
 - f. If SFAS and/or TFAT accept the proposed changes from the Undergraduate Senate without making additional changes, said adjustment shall immediately proceed to a referendum vote without requiring an additional vote in the Undergraduate Senate.
 - g. Any adjustment to the Student Activities Fee is subject to the approval of the Undergraduate Senate Finance Committee.
 - h. The USG Treasurer shall be notified by the Oversight and Advocacy Committee Chair before each fee is reviewed.
 - i. Each fee may be reviewed no more than once per session of the Undergraduate Senate except by a majority vote of the Oversight and Advocacy Committee.
 - j. The review of Student Fees shall not take precedence over any of the above duties of the Oversight and Advocacy Committee.
5. Confirm all student referenda pertaining to issues neither under the purview of the Finance Committee or the Rules and Judiciary Committee;

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6. Meet periodically with senior members and committee (co-) chairs and vice- chairs of the Executive Branch and external appointments made by the USG President to increase dialogue and collaboration across Student Government; and,
7. Send the Oversight and Advocacy Committee Chair as a representative of UNC- CH to any statewide student advocacy organization on behalf of the UNC-CH Student Government, including UNC-ASG.

Section 413. Ethics Committee

- A. The Ethics Committee shall be considered a special standing committee, consisting of five members, including the chair, one of which must be a returning Senator to the Undergraduate Senate excluding the chair.
- B. No member of the Ethics Committee shall be an officer or Committee, with the exception of temporary select chairs or the Ethics Chair, who shall serve only as the Ethics chair.
- C. The Ethics Committee shall investigate and report to the Undergraduate Senate any matter brought to its attention by a member of the Student Body or senator concerning improper action of a senator or officer of the Undergraduate Senate. The individual who brings the complaint must submit a formal written or electronic complaint with supporting documentation to the Ethics Chair prior to investigation. The information shall be signed and include the legal name of the complainant. The committee chairs and clerk of the Senate will submit to the ethics chair attendance records upon request when charges are related to absenteeism.
- D. The Ethics committee shall investigate and report all complaints filed with the Ethics Chair if deemed appropriate by the Chair and supported by relevant documentation. If the Chair finds sufficient cause to investigate, they shall first discuss informally with the senator or officer in question of the nature of the complaint. If this discussion does not resolve the problem, an Ethics Committee meeting shall be called at which the Committee shall be obligated to make a recommendation to the Senate based on investigation of facts surrounding the complaint. A total of three (3) complaints made from separate senators or members of the Student Body, regardless if a complaint is deemed appropriate by the Ethics Chair, will constitute an investigative meeting of the Ethics Committee.
- E. The Power of the Ethics Committee shall include, but not be limited to, the power to

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investigate any alleged violation of the Ethics Laws, any alleged violation of the Student Code or the Honor Code by a senator or officer in the Undergraduate Senate, any alleged unprofessional or improper conduct by a Senator, and any alleged violation by senators of the Senate of the Opening Meetings Law.

- F. The Ethics Committee should it decide that some punitive action is warranted, shall recommend a single course of action in its report to Full Senate. After the report is read, the Ethics Chair will make a debatable motion in the form of a resolution listing the report and recommending such Final Action, requiring the indicated number of votes in Article III of Chapter 5, in accordance with Senatorial standing rules and procedure.
- G. The Ethics Committee Chair shall make available the Full Senate attendance records for public record by use of the Undergraduate Senate website.
- H. The Ethics Chair may grant a leave of absence of up to 15 days to any senator of the Undergraduate Senate. Should the Ethics Chair determine that the leave of absence is not justifiable, they must consult with the Ethics Committee. A leave of absence of 15 days or less, not approved by the Ethics Chair, or a leave of absence of greater than 15 days must be approved by a simple majority of the members of the Ethics committee. The justification for a leave of absence shall be considered by the Ethics Chair or committee on a case-by- case basis.
- I. Prior to the second Full Senate meeting following the beginning of the Fall semester, the Ethics Committee shall meet for the purpose of reporting to the Board of Elections chair any vacancies resulting from the failure of senators to appear at a meeting for the purpose of being sworn in or failure to submit required ethics documentation.

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Chapter 5



Ethics Laws

Article I. Requirements of Senators of the Undergraduate Senate

Section 500. Organization Membership.

- A. Prior to the second full Senate meeting after the beginning of a new session of the Undergraduate Senate, senators shall submit to the Ethics Committee Chair:
1. A list of all recognized campus organizations in which they are active or have been active in the past academic year;
 2. A list of all offices held in such organizations;
- B. These lists shall:
1. Be updated to reflect any recognized campus organization in which the senator becomes active during the term in office;
 2. Be open to public inspection upon request by any UNC fee paying student.
 3. It is each senator's duty to notify the Ethics Chair if any changes in organizational membership occur, but this information can be requested at any time by the Ethics

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Chair or Ethics Committee for the purpose of investigations and maintenance of Senatorial records.

Section 501. Reporting to Constituency.

- A. Each senator shall submit to the Ethics Committee Chair a plan for informing their constituency of the activities of the Undergraduate Senate. This plan shall be submitted to the Ethics Committee Chair prior to the second full Senate meeting after the beginning of a new session of the Senate.
- B. Each senator shall submit to the Ethics Committee Chair at least one means of communication (phone number, email address, etc.) for publication on the Undergraduate Senate website. This means of communication shall be submitted to the Ethics Committee Chair prior to the second full Senate meeting after the beginning of a new session of the Senate.
- C. The Ethics Committee will request biannual reports that document actual use and specific examples as to how each senator is informing their constituency of the activities of the Undergraduate Senate. This report will be collected by the Ethics Chair and presented to the Ethics Committee by the fourth legislative cycle each semester. Failure to produce this report to the satisfaction of the Ethics Committee will result in investigation of nonfeasance by a senator.



Section 502. Full Senate Public Forum.

Undergraduate Senators will be required to attend the Full Senate Public Forum, organized by the Speaker Pro Tempore, that will take place no later than two full legislative cycles after the first day of classes of the fall and spring semesters.

Section 503. Proof of District.

- A. Undergraduate Senators elected in a Regular Spring Election shall provide the Ethics Chair with proof that they are constituents of the district they represent by the first full Senate meeting of the Fall semester.
- B. Undergraduate Senators elected in a special election shall provide the Ethics Chair with proof that they are constituents of the district they represent within seventy-two (72) hours of their inauguration.
- C. For Undergraduates living on-campus, sufficient proof shall consist of a University document

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or screenshot from an official UNC Website stating the senator's current place of residence.

D. For Undergraduates living off-campus, sufficient proof shall consist of:

1. A photocopy of the senator's housing contract, lease, rental agreement, or deed; or
2. A screenshot from an official UNC Website or University document showing that the senator does not live on campus.

Section 504. Change of Status.

- E. Undergraduate Senators shall notify the Speaker and the Ethics Chair of any change of campus residence or enrollment that affects their his/her status as a senator within one (1) week of the date such a change occurs. Failure to provide the Speaker and the Ethics Chair with such notification within one week of such change shall result in a referral to the Ethics Committee.
- F. If the change of status occurs during the subsequent fall or spring semesters after the Regular Spring Election for that particular session of the Senate, then the senator shall be ineligible to serve in his or her district after such notification.
- G. If the change of status occurs over the summer, then the senator shall be ineligible to serve in his or her district starting the first day of classes in the subsequent fall semester.
- H. Members who elect to study abroad shall resign from their seat in the Senate prior to the first day of classes in the semester in which their study abroad commences.
- I. Exemption. This provision does not apply to summer semesters.

Section 505. Attendance Requirements.

- A. Undergraduate Senators shall accumulate no more than two (2) unexcused absences per semester (unexcused is defined by an absence that does not meet the requirements in Section 505(B)). The Ethics Chair may excuse absences due to extenuating circumstances upon a written notice at least 3 hours before the meeting. In addition, after receiving written notice, the Ethics chair shall excuse the senator for absences, tardiness, and exits related to
 1. Family emergencies;
 2. Illness;
 3. Unexpected meetings or class schedule changes;
 4. Unexpected changes to a mandatory work schedule; and/or
 5. Religious obligations and observances.
- B. More than two (2) unexcused and/or three (3) excused absences shall constitute grounds for

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investigation by the Ethics Committee. Senators who intend to miss more than one consecutive meeting should request a leave of absence. Undergraduate Senators must request a leave of absence in writing to the Ethics chair at least 24 hours prior to the intended start date of the leave of absence.

D. Actions Pertaining to Absenteeism

1. Upon accumulating two (2) unexcused or three (3) excused absences, the Ethics Chair will email a warning to the senator and report the warning during the report of the Ethics Chair at the Full Senate following the missed meeting.
2. Should the senator miss another meeting following the warning, their voting privileges will be suspended until they submit a written plan to the Ethics Chair explaining how they plan to make the remainder of the session's meetings.
3. Once the Ethics Chair approves the plan, the senator will be allowed to vote again following a 2/3 vote of Full Senate.
4. Subsequent violations of the attendance laws (further unexcused absences or more than three (3) excused absences) will be deemed a failure to comply with the student laws and considered grounds for action by the Ethics Committee.

Section 506. Punctuality Requirements.

- A. Pertaining to the Full Senate meetings and Senate committee meetings, two unexcused tardies or exits are equal to one unexcused absence. A tardy is an arrival at least 15 (fifteen) minutes after the scheduled time of the meeting. An exit is a departure before the Adjournment of the meeting.
- B. Upon late arrival or early departure at a meeting, a senator shall check in with the clerk.
- C. The clerk shall make note in the minutes the time of the arrival or departure.
- D. Any tardies shall be reported by the clerk to the Ethics Chair.

Section 507. Compensation Prohibited.

- A. No senator shall be a paid staff member of any organization funded by the Undergraduate Senate.
- B. No member of the Undergraduate Senate shall be entitled to nor shall they accept a stipend, salary, or any other form of compensation for the purpose of serving in the Undergraduate Senate from any student organization.

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Section 508. Prohibition.

A senator must abstain from voting when the business at hand is an appropriations request and the motion is to adjust the amount requested up or down, to vote on the passage of a bill or the previous question has been moved on such an appropriations bill concerning any recognized student organization which they have been a member in the past academic year. Membership in the Undergraduate Senate, CAA, CUAB or RHA does not require one to abstain from voting; however, in such a circumstance, officers of CAA, CUAB and RHA must abstain.

Section 509. Failure to Comply.

Failure to comply with student laws and Senatorial rules and procedures by law or resolution shall constitute malfeasance, misfeasance, and/or nonfeasance as appropriate.



Section 510. Special Events

- A. Should the Undergraduate Senate host or co-host an event, attendance may be deemed mandatory for specific districts or all senators at the consensus of the Speaker and the Ethics Chair to ensure participation by Undergraduate Senators provided that relevant senators are notified at least two weeks in advance.
- B. Members of the Undergraduate Senate shall notify the Ethics Chair if they cannot attend the event.
- C. The Ethics Chair will excuse the absence according to the attendance requirements outlined in the Ethics Laws.
- D. Failure to attend the event, or provide written notice to the Ethics Chair at least 3 hours before the event, will result in one (1) unexcused absence.

Section 511. Select Committees

- A. The Chair of a Select Committee shall notify the committee members of the time and place of any meeting of the committee at least one week in advance.
- B. Any guests invited to attend a select committee meeting shall be notified of the meeting at least seventy-two (72) hours in advance.
- C. At the time of scheduling, the Chair may deem attendance mandatory for all of the senators in the committee. The Chair shall notify the committee members and the Ethics Chair that the meeting is mandatory at least one week in advance.
- D. If a meeting is mandatory, the Ethics Chair will excuse an absence according to the

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attendance requirements outlined in Section 505.

- E. Failure to attend the mandatory meeting, or provide written notice to the Ethics Chair at least 3 hours before the mandatory meeting, will result in one (1) unexcused absence.
- F. Minutes of all Select Committee meetings shall be taken and reported to the Speaker and the Ethics Chair.

Section 512. Safety Training

- A. Each member of the Undergraduate Senate, who has not previously completed Sexual and Interpersonal Violence Prevention and Response training, will be encouraged to complete one training session during the first semester of his or her election to office.
- B. The following are acceptable trainings to attend:
 - 1. One Act
 - 2. Haven
 - 3. Safe Zone
 - 4. Other trainings with prior approval from the Ethics Chair
- C. Each term, Senate leaders will communicate with program administrators to organize one group session for the members of the Undergraduate Senate, the date, time, and location of which shall be sent out to the Senate listserv as close to the start of the term as is reasonably possible. Attendance will be taken at this session for the purpose of giving members of the Undergraduate Senate credit for attendance.
- D. Members of the Undergraduate Senate who complete this training and provide proof of said completion to the Ethics Chair shall be entitled to a maximum of one (1) extra unexcused absence per academic year.
 - 1. This absence can be applied to the semester of the member's choosing.
- E. If a member of the Undergraduate Senate is unable to attend the designated group training session, this individual will be encouraged to attend one of the training sessions available to all UNC students. Senate leaders and the USG President should also send an email to their respective listservs with dates, times, and locations of these trainings as close to the start of the term as is reasonably possible.
- F. The Chair of the Ethics Committee shall be responsible for ensuring compliance with the requirement for the absence herein stated. Each member of the Undergraduate Senate shall

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be responsible for providing the Ethics Chair with proof that they have complied with the requirements to receive the extra absence, either prior to his or her term in office, or at some point during the first semester of said term. Contact information for the Ethics Chair will also be included in the listserv emails regarding trainings.

Article II. Actions of the Ethics Committee

Section 520. Grounds for Action.



Chronic absenteeism, malfeasance, misfeasance, and/or nonfeasance of any kind by a senator or officer of the Undergraduate Senate, shall constitute grounds for action.

1. Chronic absenteeism shall be defined as continued absences following a suspension of voting privileges due to absenteeism as issued by the Ethics Chair.
2. Malfeasance shall be defined as wrongdoing or misconduct.
3. Misfeasance shall be defined as performing a lawful action in an unethical, illegal, or improper manner. This shall include deliberately misusing the office of a senator or officer of the Undergraduate Senate for personal gain.
4. Nonfeasance shall be defined as failure to act or fulfill one's duty. This shall include the duties of both officers and senators to constituents and fulfillment of the duties of the offices of the Undergraduate Senate.

Section 521. Procedure for Ethics Investigation.

- A. If a complaint is pursued by the Ethics Chair and is not resolved by informal meeting, or three (3) complaints from separate individuals are received, an Ethics Committee meeting for the purpose of investigation will be called. Meetings can be conducted at any time throughout legislative cycles, but the report of the Ethics Committee can only be delivered and enforced upon passage at a Full Senate meeting.
- B. The decision to dismiss a complaint by the Ethics Chair can be appealed by filing an appeal with the Ethics Chair that is signed by two (2) other separate individuals, senators, or officers of the Undergraduate Senate. Once the appeal is received, it is the duty of the Ethics Chair to call an Ethics investigative meeting.
- C. For the purpose of investigation, both the complainant and the accused individual should be present. On a case-by-case basis determined by the Ethics Chair, the complainant or accused individual can be absent, but must present a statement to be read to the committee outlining

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facts and chronological order of violations in question.

D. The order of the Ethics Committee Investigative Meeting shall be as follows:

1. Call to Order
2. Roll Call
3. Reading of the Formal Complaint
4. Statement of the Complainant
5. Statement of the Accused
6. Presentation of Evidence and Witness of the Complainant
7. Presentation of Evidence and Witness of the Accused
8. Cross examination of the Evidence and Witnesses of the Accused
9. Cross examination of the Evidence and Witnesses of the Complainant
10. Final Statement of the Complainant
11. Final Statement of the Accused
12. Recess for deliberation of the Ethics Committee
13. Call to Order
14. Motion of Dismissal or specific Final Action of the Complaint to be reported to Full Senate
15. Adjournment

E. The Complainant and the Accused individual have the right to counsel at any time after the notice of being called to the Ethics Committee Investigative Meeting is received.

F. The Ethics Committee Investigative Meeting will take place no earlier than 72 hours after a complaint is received to allow for proper scheduling and notice to all parties.



G. The Ethics Chair will serve as presiding officer and is allowed a vote after a motion of Dismissal or Final Action. A motion of dismissal is final and will not be re-addressed unless new supporting documentation is found relevant by the Ethics Chair.

H. A Clerk will be present to document the meeting which will be made available as public record on the Undergraduate Senate website.

Section 522. Final Actions of the Ethics Committee.

A. Censure. Censure shall consist of a formal reprimand delivered to a standing senator by the Speaker or their designee at the next regular meeting of the Undergraduate Senate following

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the Ethics Committee report recommending such an action. It shall be warranted following an Ethics Committee recommendation, unless two-thirds of the Undergraduate Senate votes to overturn the Committee report in a debatable motion immediately following the presentation of the report.


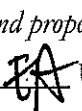
- B. Suspension of Voting Privileges. Suspension of voting privileges of any senator for a definite period of time shall require a two-thirds vote following debate of the motion of the Ethics Committee.
- C. Suspension of Voting and Debate Privileges. Suspension of voting and debate privileges of any senator for a definite period of time shall require a two-thirds vote following debate of the motion of the Ethics Committee.
- D. Expulsion for Absenteeism. Expulsion for absenteeism, limited to the failure to fully attend the required number of the Undergraduate Senate or committee meetings, shall require a majority vote following debate of the motion of the Ethics Committee.
- E. Expulsion. Expulsion for any other cause shall require two-thirds vote following debate of the motion of the Ethics Committee.
- F. Removal of an Officer. The Ethics Committee can recommend removal of an officer of the Undergraduate Senate. This motion is debatable and requires a two-thirds vote for adoption.
- G. Special Provisions. If the Speaker is subject of the motion, they shall relinquish the chair to the Speaker Pro Tempore during the period of debate. If the Ethics Committee Chair is the subject of the complaint, it should be filed with the senior-most member of the Ethics Committee, who shall direct an investigation after informing the Speaker of the charges made against the Chair.
- H. Final Action Time of Effect. Final Actions will take effect immediately upon passage by Full Senate.

Article III. Request for Government Information

Section 530. Information

- A. All officers, committees, or individuals appointed by the Undergraduate Senate or the USG President, or organizations receiving funding from any power of the Undergraduate Senate from student fees are required to give to any committee of the Undergraduate Senate, upon request, all relevant information and all relevant data within their possession, pertaining to

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student government property, fiscal data, information needed for the advocacy of constituents, or the overall function of Student Government.

- B. This requirement is mandatory and shall include requests made by any member of the Undergraduate Senate.
- C. This provision shall not apply to sealed records of the Honor Court or any other records protected by state or federal law

Chapter 6

Impeachment

Article I. Powers of Impeachment

Section 600. Any Elected or Appointed Official

- A. The Undergraduate Senate shall have the power to impeach and remove from office Undergraduate Student Government Officials, elected by the Students or whose appointment the Undergraduate Senate approved.
- B. The Speaker of the Undergraduate Senate must ask the individual to resign from their position before introducing an impeachment bill.
- C. Before introducing a bill of impeachment, the USG official being impeach must be give 24 hours' notice.
- D. Charges may be entered against any Undergraduate Student Government Official for misfeasance, malfeasance, or nonfeasance of duty. A majority vote of those present and voting shall be necessary to bring the official to trial. The Undergraduate Senate member entering the charges shall prosecute, or may designate any University student to act a counsel for the prosecution, and the accused official may designate any University student to act as counsel for the defense. A two-thirds (2/3) vote of the Undergraduate Senate members present and voting shall be necessary to convict the accused, or remove the accused from office. This act shall not be construed to prohibit other means by which an official may be removed from office, as provided by law.

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Article II. Forms of Bills of Impeachment

Section 620. Articles

A Bill of Impeachment shall be divided into several Articles of which:



1. The first shall designate the name of the USG Official to be impeached, the date of their commission or election, and the place where they reside;
2. The second shall designate a manager for the prosecution of the accusation and impeachment, who shall be a student in good standing at the University of North Carolina at Chapel Hill;
3. The third shall enumerate at least five Senators in the Undergraduate Senate who shall aver the truth of the Articles of the Bill of Impeachment; and,
4. The fourth and succeeding paragraphs shall enumerate allegations as shall be required by this Act to constitute a Bill of Impeachment against the specific Student Government Official to be impeached.

Section 621. Impeachment of Student Government Officials

The following Student Government officials and positions shall be eligible for impeachment under this chapter:

1. Student Body President
2. USG President
3. USG Vice President
4. USG Treasurer
5. USG Secretary
6. USG Director of State and External Affairs
7. Residence Hall Association President
8. Undergraduate Student Attorney General
9. Members of the Undergraduate Honor Courts
10. Undergraduate Justices of the Student Supreme Court
11. Undergraduate Student Solicitor General
12. Undergraduate Students of the Board of Elections
5. Undergraduate Student Government Officials of the Undergraduate Senate, as defined by Title II Chapter 1 Article II

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Section 622. Presentation of the Bill of Impeachment

A Bill of Impeachment of the defined Student Government Officials shall allege specifically by what acts, upon what dates, and in what manner the official(s) shall have failed to perform the duties of their office as prescribed by the Constitution of the Student Body, Code of Permanent Laws and the laws enacted thereunder, to the truth of which allegations five Senators in the Undergraduate Senate shall be enumerated to aver.

Section 623. Specific Allegations

A Bill of Impeachment of a Student Government Official subject to impeachment by a Bill of Impeachment not heretofore authorized shall allege specifically by what acts, upon what dates, and in what manner, the Student Government Official shall have failed to perform the duties of their office as prescribed by the Constitution of the Student Body and the laws enacted hereunder, to the truth of which five Senators in the Undergraduate Senate shall be enumerated to aver.

Section 624. Aver to Truth of Allegations

No Senator in the Undergraduate Senate shall aver to the truth of any allegation unless having probable cause to believe such allegation to be true.

Section 625. One Specific Act per Article

No Article of Impeachment shall allege more than one specific act by which the Student Government Official to be impeached shall have failed to perform the duties of their office.

Article III. Preliminary Proceedings

Section 630. Introduction

A Bill of Impeachment may be introduced as new business at any Regular Session of the Undergraduate Senate.

Section 631. Requirement after Introduction

- A. Upon the introduction of a Bill of Impeachment, the Speaker shall require each Senator, who shall be enumerated by the Articles to aver to the truth of said Articles, to acknowledge such averment and to subscribe their signature to the Bill of Impeachment.

Section 632. Referral to Rules and Judiciary Committee

Immediately following such acknowledgment, the Speaker shall refer such Bill of

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Impeachment to the Rules and Judiciary Committee, and shall require the Chairperson of such Committee to call a meeting of the Rules and Judiciary Committee within seventy-two (72) hours following and to give notice within twenty-four (24) hours following to the Student Government Official to be impeached and the managers for the prosecution.

Article IV. Duties of the Rules and Judiciary Committee

Section 640. Requirements of the Rules and Judiciary Committee

The Rules and Judiciary Committee shall, within seventy-two (72) hours following the introduction, acknowledgment, and subscription of a Bill of Impeachment, convene and require that:

1. Receipt of notice given to the Student Government Official to be impeached be presented by the Chairperson of the Committee;
2. Receipt of notice given to the manager for the prosecution be presented by the Chairperson of the Committee;
3. The managers for the prosecution submit the names and campus addresses of all persons whom such managers shall desire to present as witnesses to acts alleged by the Articles;
4. The managers for the prosecution present all documents and real evidence which such managers shall desire to introduce into evidence to acts alleged by the Articles; and
5. The Senators in the Undergraduate Senate who shall have been enumerated by the Articles to the truth thereof to appear before the Rules and Judiciary Committee and, upon oath or affirmation, testify as to the specific acts by which it be alleged that the accused did fail to perform the duties of their office.



Section 641. Examination of the Rules and Judiciary Committee

The Rules and Judiciary Committee, except any member thereof who shall have been enumerated by the Articles to aver the truth thereof shall:

1. Examine each Senator who shall have been enumerated by the Articles to aver the truth thereof;
2. Examine each document and item of real evidence presented by the managers for the prosecution.

Section 642. Report of the Rules and Judiciary Committee

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The Rules and Judiciary Committee, except any member thereof who shall be enumerated by the Articles to aver to the truth thereof, shall report at the Regular Session of the Undergraduate Senate next following the introduction, acknowledgment and subscription of a Bill of Impeachment:

1. Whether such Bill of Impeachment shall contain allegations of fact supported by averment or other evidence; and
2. Whether such Bill of Impeachment shall contain allegations of fact which supported by averment or other evidence which shall constitute the failure of the Student Government Official to perform the duties of their office.

Article V. Consideration of Bills of Impeachment

Section 650. Convene into Committee of the Whole

Immediately following the Report of the Rules and Judiciary Committee upon the Bill of Impeachment, the Undergraduate Senate shall convene in Committee of the Whole.

Section 651. Order of Business

The order of business of the Committee of the Whole shall be:

1. The reading of the Bill of Impeachment;
2. The opening argument by the managers for the prosecution;
3. The examination of witnesses and real evidence submitted by the managers for the prosecution;
4. Debate upon the question and Rising of the Committee of the Whole.

Section 652. Examination



The Committee of the Whole shall examine the witnesses introduced before it in the following manner:

1. The direct examination of the witness by the managers for the prosecution;
2. The cross-examination of the witness upon matters introduced in direct testimony, by any Senator in the Undergraduate Senate;
3. The redirect examination of the witness by the managers for the prosecution; and the re-cross examination of the witness by any Senator in the Undergraduate Senate.

Section 653. Adoption of Bill of Impeachment

The question shall be whether the Committee of the Whole shall recommend that the Bill of

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Impeachment be adopted, which question shall be subject to amendment and indefinite postponement only.

Section 654. Limitation on Debate

No Senator shall speak more than once to the question or to any amendment, nor for more than five minutes, unless another Senator shall yield such Senator their own time.

Section 655. Voting

Upon completion of debate upon the question, the Committee of the Whole shall rise without final recommendation, and the Speaker shall put the question to the call of the roll of the Undergraduate Senate.

Section 656. Prima Facia Case for Adoption

The Undergraduate Senate of the Student Body shall adopt the Bill of Impeachment should the evidence submitted by the managers for the prosecution create a prima facie case and, therefore, be sufficient to prove that the accused Student Government Official did fail to perform the duties of their office, unless, upon the trial of the Bill of Impeachment, such evidence be explained, rebutted or contradicted.

Section 657. Impeachment of the Student Body President

Following adoption of a Bill of Impeachment by the Undergraduate Senate, a Bill to impeach the Student Body President must be delivered by the Speaker of the Undergraduate Senate to the Joint Governance Council within twenty-four (24) hours.

- a. A Bill of Impeachment regarding the Student Body President shall require a two-thirds (2/3) vote of the Full Senate in order to be referred to the Joint Governance Council.

Article VI. Proceedings Preliminary to Trial

Section 660. Transcription of Bill of Impeachment

Should the Undergraduate Senate adopt a Bill of Impeachment, the Speaker shall direct that the Clerk of the Undergraduate Senate shall within twenty-four (24) hours, prepare and certify a true and accurate transcription of the Bill of Impeachment as amended and the poll of the Undergraduate Senate upon the question of its adoption.

Section 661. Extraordinary Session

Upon the adoption of a Bill of Impeachment, the Undergraduate Senate shall order that it shall convene in Extraordinary Session not more than fifteen (15) nor less than seven (7) days

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thereafter, and that it shall be in order only at that Extraordinary Session that the Undergraduate Senate resolve itself to be the Court for the trial of Impeachment.

Section 662. Discharge from Duties

Thereupon, the Undergraduate Senate shall order that the Student Government Official under Impeachment be excused from the discharge of their duties pending trial.

Section 663. Proclamation and Summons

Upon the adjournment of the Undergraduate Senate, the Speaker shall direct the Clerk of the Undergraduate Senate that they, within fifty (50) hours following, issue proclamation and summons to the Student Government Official under Impeachment, fixing the day of return upon the convening of the Undergraduate Senate in Extraordinary Session.

Section 664. Service of Proclamation and Summons

The proclamation and summons to the Student Government Official under Impeachment shall be issued and served within thirty-six (36) hours upon such Student Government Official, and shall contain:

1. A certified transcript of the Bill of Impeachment as amended and the poll of the Undergraduate Senate upon the question of its adoption;
2. A certified copy of all Rules and Procedures for Introduction, Consideration and Trial of Impeachments;
3. A certified copy of those provisions of the Constitution of the Student Body defining and guaranteeing the Rights of Students.

Section 665. Form of Proclamation and Summons



The form of the Proclamation and Summons to be issued and served upon the Student Government Official under Impeachment shall be:

The Undergraduate Senate to __,

Greetings,

Whereas the Undergraduate Senate did, on the _____ day of _____, adopt Articles of Impeachment against you, the said _____, _____, _____, should be put to

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answer the accusations as set forth in said Articles, and that such proceedings, examinations, trials, and judgments might be thereupon had as are agreeable to law and justice, You, the said _____, are therefore hereby summoned to be and appear before the Undergraduate Senate sitting in the Court for the Trial of Impeachments, at _____ o'clock __.m., at _____ on the day of _____, then and there to answer to said Articles of Impeachment. Furthermore, You, the said _____, are therefore hereby relieved and excused from the discharge of your duties under the Constitution of the Student Body and the laws enacted there under pending the trial of such Articles of Impeachment, and You, the said _____, should you fail to appear and answer to the Articles of Impeachment, shall be ordered and adjudged to have answered and pleaded Not Guilty, by and through the Clerk of the Court for the Trial of Impeachment for and upon your behalf acting.

Hereof fail not.

Witness _____, Clerk of the Undergraduate Senate, this _____ day of _____.

Article VII. Trial

Section 670. Convene in Extraordinary Session

Upon the day and hour ordered by the Undergraduate Senate, the Senate shall convene in Extraordinary Session, and the Speaker shall put the question, upon motion by any member, whether the Undergraduate Senate do hereby resolve into a Court for the Trial of Impeachments. Failure to adopt such resolution shall constitute dismissal of the Articles of Impeachment.

Section 671. Surrender of the Chair



Thereupon, if the President (or Vice-President) of the Student Body be under Impeachment, the Speaker shall then surrender the Chair to the Chief Justice of the Student Body, or, in their absence to the Senior Justice there present, who shall be the President of the Court. If the President of the Student Body be not under Impeachment, then the Speaker shall be President of the Court.

Section 672. Oath

The Chief Justice of the Student Body, or in their absence any Student Government Official empowered to administer Oaths of Office, shall administer the following Oath to each Senator

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of the Undergraduate Senate before such Senator shall act as a member of the Court for the Trial of Impeachments:

“I, _____, solemnly swear (or affirm) that in all things appertaining to the Trial of the Impeachment of (name), now proceeding, I will do impartial justice according to the Constitution and Laws of the Student Body.”

Section 673. Clerk

The Clerk of the Undergraduate Senate shall be the Clerk of the Court.

Section 674. Pleading

The Student Government Official under impeachment shall then be called to appear and answer the Article of Impeachment against him/her, which Articles shall be read before him/her by the Court, whereupon the Student Government Official shall answer Guilty or Not Guilty.

Section 675. No Appearance

Should the Student Government Official under impeachment not appear, nor instruct, nor authorize any person to appear on their his/her behalf, the President of the Court shall enter a plea of Not Guilty on behalf of the accused Student Government Official.

Section 676. Admission to the Bar of the Court

The managers for the prosecution of the Articles of Impeachment, the Student Government Official Under Impeachment, and any student who the Student Government Official Under Impeachment shall authorize and instruct to act on their behalf in the Trial of Impeachment, shall be admitted to the bar of the Court for the Trial of Impeachments immediately following the Answer.



Section 677. Motions

All motions made by the Prosecution or the Defense shall be addressed to the President of the Court and, if they require it, be reduced to writing.

Section 678. Time Limit of Debate

Motions shall be in order upon the close of evidence for the Prosecution and the Defense, which motion shall not be debated for more than one half hour by each side, unless the Court

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shall by order extend the time.

Section 679. Opening and Closing of Arguments

The arguments shall be opened and closed by the Managers for the Prosecution of the Articles of Impeachment and shall be made by one person, unless the Court shall by order direct otherwise.

Section 680. Order of Presentation

The order for the presentation and introduction of evidence shall be:

1. The Opening Argument for the Managers of the Prosecution;
2. The examination of witnesses and introduction of real and documentary evidence submitted by the Managers for the Prosecution;
3. The Opening Argument by the Defense;
4. The examination of witnesses and introduction of real and documentary evidence submitted by the Defense;
5. The Closing Argument by the Defense; and
6. The Closing Argument by the Managers for the Prosecution.

Section 681. Oath of Witnesses

Each witness called by either side shall be administered the following oath by the President of the Court:



“I, _____, do solemnly swear (or affirm) that the evidence which I shall give in the case now pending between the Student Body of the University of North Carolina at Chapel Hill and, shall be the Truth, the Whole Truth and Nothing but the Truth.”

Section 682. Examination of Witnesses

The examination of witnesses submitted by either side shall be in the following manner:

1. The direct examination of the witnesses by the side submitting him/her;
2. The cross-examination of the witnesses by the side not submitting him/her; upon any matter, and for any purpose;
3. The redirect examination of the witnesses by the side submitting him/her; and
4. The re-cross-examination of the witnesses by the side not submitting him/her.

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Section 683. Court Member Called as Witness

If a member of the Court be called as a witness, they shall be sworn and give their testimony standing in their place, but shall not be disqualified thereby from sitting in the Court.

Section 684. Polling of the Court

Upon the questions of any motion, and on the question whether the Articles of Impeachment be sustained, the Court shall be polled.

Section 685. Question of Guilt

Upon the close of the argument by the Prosecution, and the close of motions thereafter, the question shall be whether the Student Government Official under impeachment is guilty of the impeachment of having failed to perform the duties of their Office, which question shall be debatable but not subject to any subsidiary motion, and no Member of the Court shall speak more than twice, nor more than ten (10) minutes at any one time.

Section 686. Standard of Reasonable Doubt

No member of the Court for the Trial of Impeachments shall sustain the Articles of Impeachment, unless the evidence submitted, examined and considered shall prove beyond reasonable doubt that the Student Government Official under Impeachment did fail to perform the duties of their Office.

Section 687. Voting

The form of the question whether the Articles of Impeachment be sustained and the Student Government Official Under Impeachment convicted of having failed to perform the duties of their office shall be, to each Member of the Court: "Mr. (Mrs., Miss, Ms., Mx.); How say you of the Defendant, Guilty or Not Guilty;" to which each member of the Court shall respond either "Guilty" or "Not Guilty."

Section 688. Adjournment

Upon Acquittal of any Student Government Official under Impeachment, the President of the Court for the Trial of Impeachments shall put the question, whether the Court for the Trial of Impeachments adjourn, which motion shall not be subject to debate.

Section 689. Removal

Upon conviction of any Student Government Official Under Impeachment, the President of the Court shall put the question, whether the Convicted Student Government Official be removed

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from Office, which motion shall be debatable but not subject to any subsidiary motion, and no Member of the Court shall speak more than once, nor for more than ten (10) minutes.

Section 690. Disqualification

Removal from Office by the Court shall disqualify such Student Government Official Convicted from the exercise of any office of trust, profit or honor under the Student Government.

Section 691. Suspension

Any Student Government Official Convicted, but not removed from their Office, shall be suspended from the exercise of their duties and powers until such time that the Undergraduate Senate shall, by Resolution, revoke such suspension.

Article VIII. Appeal to the Supreme Court

Section 692. Appeal to Supreme Court

Any Student Government Official under impeachment may appeal conviction hereunder from the Court for the Trial of Impeachments to the Supreme Court of the Student Body, in accordance with the Constitution of the Student Body, Code of Permanent Laws and the laws enacted there-under.

Section 693. Only Error of Law

There shall be no Appeal from the Court for the Trial of Impeachments except upon error of law, and unless such appeal is commenced by notice to the Court for the Trial of Impeachments upon conviction and sentence.

Section 694. Notice of Appeal and Record of Trial

Should any Student Government Official convicted by the Court for the Trial of Impeachments give notice to that Court of Appeal to the Supreme Court of the Student Body, the President of the Court for the Trial of Impeachments shall file written notice of such appeal with the Chief Justice of the Supreme Court within twenty-four (24) hours thereafter; and shall file a transcript of the articles, motions, rulings, judgments, and sentence within five (5) days.

Article IX. General

Section 710. Familiar Disqualifications to Sit on Court

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No person, or the spouse or brother or sister of a person, designated the Student Government Official to be impeached by any Bill of Impeachment shall take part in the consideration of such Bill.

Section 720. Disqualification for Conflict of Interest

No person, or the spouse or brother or sister of a person, who shall, upon conviction or removal of a Student Government Official under impeachment, succeed to such office pursuant to the Constitution of the Student Body or any law enacted hereunder, shall vote on such bill.

Section 730. Chair of Rules and Judiciary Committee

Should the Chairperson of the Rules and Judiciary Committee be impeached, the member of the Rules and Judiciary Committee senior in consecutive service in the Undergraduate Senate shall act as Chairperson and perform the duties thereof as herein prescribed.

Section 740. Limitations on Excuse for Discharge of Duties

No Student Government Official shall be excused from the discharge of the duties of their office pending the trial of a Bill of Impeachment brought against him/her for more than fifteen days.

Section 750. No Denial of Constitutional Rights

Except as provided by the Constitution of the Student Body; no Student Government Official under impeachment may be denied any rights granted and guaranteed by the Constitution of the Student Body, the State of North Carolina, or the United States of America.

Done by the Undergraduate Senate on this 12 day of April, 2017.





Katharine Shriver
Speaker, 99th Undergraduate Senate

And made law on this 15 day of April, 2017.

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 Speaker  USGP

Elizabeth Adkins

Elizabeth Adkins
Student Body President & USG President

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