

THE CODE
of the
STUDENT ASSEMBLY
of the
COLLEGE OF WILLIAM AND MARY IN VIRGINIA

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TITLE 1: CONSTRUCTION OF THE CODE

Chapter 1: Generally

§1.1-1. There will be a Titles of Code pursuant to the Constitution. These titles shall be housed together in this document and be known as the Code of the Student Assembly.

§1.1-2. The titles shall be arranged numerically into the following manner:

1. Title 1 - Construction of the Titles
2. Title 2 - Legislative Branch
3. Title 3 - Executive Branch

4. Title 4 - The Judicial Branch

5. Title 5 - Joint Agencies

§1.1-3. Each Title may be divided into chapters, sections and Clauses beginning with §1.1-1.1. Clauses may be divided into clauses marked by numbers, further divided by lowercase letters and further divided by small roman numerals, repeating to numbers if necessary.

Chapter 2: Amending the Titles

§1.2-1. Resolutions of the Assembly shall, when applicable, contain provisions to amend the Code. These amendments will be integrated into the Code by the Archivist of the Assembly. They shall be open and publicly available, pursuant to the Constitution.

§1.2-2. Bodies of the SA may amend, without formal Resolution, only their respective sections of the Code through “Internal amendments,” according to the following processes:

1. The Senate and the Graduate Council will internally amend their respective sections of Title 2 only, through means which they will specify in their sections.
2. The Review Board will internally amend Title 3 only, through means which it will specify in its section.

Chapter 3: Consequence of the Titles

§1.3-1. All members of the Student Assembly must comply with the Titles. Deliberate disregard for the Titles may be considered serious and willful neglect of the duties of their office.

TITLE 2: THE LEGISLATIVE BRANCH

Chapter 1: The Bylaws of the Senate

§2.1-1. Meetings of the Senate

1. The meetings of the Senate shall be held in accordance with the timeline set forth by Article I; Section II; Clause IV of the Constitution of the Student Assembly.
2. The meetings shall open with a report of the status of each committee by its Chair. The subsequent agenda shall be specified by the Chair of the Senate.
3. At the beginning and end of each meeting, there shall be a time reserved for concerns of members of the College. This time may also be used for observers to comment on the proceedings. In addition, at the close of the meeting, before a motion to adjourn the presiding officer shall solicit the senate and others present for input into the next email to the student body.
4. The presiding officer shall give executive updates and then the senate shall be allowed to ask questions of the executive pertaining to both executive initiatives and their opinion on campus issues.
5. The meetings of the Senate shall be conducted in parliamentary style according to Robert's Rules of Order, except as otherwise specified by the Code or Constitution of the Student Assembly.
6. The Senate may allow, by a majority vote, any member of the College community to remain within the Senate during Closed Session.
7. Members of the Review Board may not speak on the Code, Constitution, or how a bill or initiative would relate to the Code or Constitution at a Student Senate meeting unless they are announcing a formal decision of the Review Board or the Chair of the Senate or President of the Student Assembly has formally requested an advisory opinion from the Review Board as a body. This includes making points of information, points of procedure, and all public comment.

§2.1-2. Membership

§2.1-2.1. Election

1. The members of the Senate shall be elected according to the guidelines created by the Elections Commission. The composition shall be in accordance with the structure indicated

by Article I; Section I; Clause II of the Constitution of the Student Assembly.

§2.1-2.2. Attendance

1. Each Senator is allowed three absences per semester. After the third absence, the Senator will come before the Senate, at the following meeting, to explain his or her reason(s) for not being present at the missed meetings. Any member of the Senate may then choose to introduce a bill of impeachment should they find the Senator in question in serious neglect of their duties of office, pursuant to the Constitution of the Student Assembly.
2. Tardiness, absences, and other anomalies are to be excused at the discretion of the Secretary of the Senate. Senators shall notify the Secretary at least 24 hours prior to a meeting at which they will be late, not be present, or need to leave before the meeting's conclusion.
3. Graduate Senators may appoint an Alternate Senator for their term. Said Alternate Senator shall perform Senate duties for their respective graduate school in the absence of the Senator, but cannot have an additional vote should the Alternate Senator and the Senator both appear at the same Senate meeting. Both the Senator and the Alternate Senator are allowed three absences per semester.

§2.1-2.3. Officers

1. Presiding Officer
 - a. The Vice President of the Student Assembly shall serve as the Presiding Officer.
 - b. The Presiding Officer is responsible for conducting the meetings of the Senate and maintaining decorum while meetings are in session.
 - c. The Presiding Officer shall have voting privileges only in the case of a tie.
2. Chair
 - a. The Chair shall be elected at the first meeting of the Senate by a plurality of Senators present. The Presiding Officer shall conduct this election.

b. The Chair shall determine the agenda for each meeting and inform his fellow Senators of the agenda 24-48 hours prior to the meeting.

c. The Chair shall receive resolutions and assign them to the appropriate committee following their introduction. Upon receiving resolutions, the Chair shall save them to his records, which shall be passed on to the new Chair of the Senate before the second meeting. Friendly amendments prior to introduction on the floor must be submitted by the resolution sponsors to the Chair of the Senate. The Chair shall make copies of any and all resolutions available upon request within 48 hours of said request.

d. The Chair shall maintain a record of all resolutions submitted and their status. The Chair shall make said record available to the Chief Technology Officer and the Historian of the Assembly.

e. The Chair shall assume the Presiding Officer's duties in his or her absence. The Chair shall assume the Secretary's duties in his or her absence. In both the Presiding Officer's and Secretary's absence, the Chair shall assume the duties of the Presiding Officer and a Senator shall assume the duties of the Secretary.

f. If the position of Chair becomes vacant, the Senate shall hold a special election at the next meeting to elect a new Chair. This election shall be conducted by the Presiding Officer.

g. The Chair shall send out the dates of the Senate meetings for the semester to the Senate and Executive by the first day of classes each term.

3. Secretary

a. The Secretary shall be elected at the first meeting of the Senate by a plurality of Senators. The Presiding Officer shall conduct this election.

b. The Secretary shall record the minutes of the meeting and the attendance. In the case of a roll call vote, the Secretary will record the votes of individual members. The minutes, vote tallies, and attendance shall be distributed to his or her fellow Senators at least forty-eight hours prior to the next meeting.

c. Should the Secretary miss a meeting, he/she shall notify the Chair of the Senate 48 hours in advance.

d. The Secretary may be chosen by the Joint Facilitation Committee to fulfill the duties and requirements of Archivist pursuant to Article IV; Section II; Clauses I & II of the Constitution of the Student Assembly. Should the Secretary not be chosen, he/she shall make the records of the Senate available to the Archivist.

e. The Secretary shall be provided with expenses for the materials used to complete his or her duties. The Secretary shall compose the necessary figures for the Budget Hearing every year to obtain these materials. The Secretary shall distribute the necessary materials to Committee Chairs and Secretaries.

f. The Secretary shall be responsible for advertising Senate meetings in concordance with the Senate Outreach committee.

4. Historian

a. The Historian shall be appointed at the second meeting of the Senate by the Chair.

b. The Historian shall keep physical records of bills and amendments and scan Senate documents and add them to the records at the Student Assembly House.

c. The Historian shall ensure Senate records are added to the Special Collections at Swem.

§2.1-3. Requirements of Senators

§2.1-3.1. Information

1. The Senate Outreach Committee, in conjunction with the Executive Outreach Department, shall compose quarterly reports detailing the activities of the Assembly. Such activities shall include passed legislation, pending legislation, including the title of the bill and the sponsor(s), the location and times of the upcoming Senate and Executive meetings, current projects, and opportunities for student involvement. Each report shall include a link to the Student Assembly website where legislation, vote tallies, meeting minutes, and attendance records may be found.

2. Quarterly reports shall be approved and finalized by the Joint Facilitation Committee, and distributed via e-mail to all students by the President of the Student Assembly during the following time periods: fall break, winter break, spring break, and summer break. Each

report must be drafted by the last Senate meeting before each break period begins, and must be finalized and distributed before each break period comes to a conclusion.

3. All Senators shall possess knowledge of the By-Laws and their contents, as well as knowledge of the Constitution of the Student Assembly. All Senators shall also be aware of the proceedings of any meetings from which he or she was absent.

4. The Class Presidents are considered to be the fifth elected Senator for their respective classes and must also abide by the rules set forth for the members of the Senate. They are referred to in the following sections as “Senators”.

§2.1-3.2. Conduct

1. During Senate meetings, all Senators shall act in a manner appropriate for the proceedings.

2. To maintain decorum, the Presiding Officer may make a motion to remove a Senator for the duration of the meeting should he/she find said Senator's behavior disruptive. The motion must be approved by a 2/3 majority of Senators present.

§2.1-4. Committees

§2.1-4.1. Composition

1. There shall be five standing committees: Finance and Budget, Policy, Student Life, Public Affairs, and Outreach.

2. The Chair of the Senate may not hold any other leadership position in the Senate, with the exception of Chair of the Executive Committee. The Presiding Officer of the Senate may not serve on any committee. Class Presidents may also not hold any leadership position in the Senate or on any Senate Committee.

3. Each committee must have a membership of five or more Senators, and at least one Class President. The membership of each shall be established within 48 hours after the first Senate meeting. Senators shall express their committee preference to the Chair who will then make the committee assignments. At least one seat on each committee shall be reserved for a freshman. No Senator may sit on more than two committees, with the exception of Executive Committee as outlined in §2.1-4.5. No Senator may hold the position of Chair of more than one committee. The Finance and Budget Committee shall have graduate and undergraduate senators assigned as proportionally to the graduate students who pay into the activity fee and undergraduate student population of the College, as possible. Senators may

serve as Chair of one committee and Secretary of another. Senators may serve as Secretary of two committees. Each Senator must be a member of one committee. Class Presidents shall also serve on two committees; the Senate Chair will consider their preferences at the beginning of each Senate term. Class Presidents cannot serve as Chair on any committee. Members of the College outside of the Senate may participate in committee projects.

4. The first committee meeting to elect officers and determine the schedule of future meetings must be held prior to the next Senate meeting. The Senate may also commission investigative bodies, outside of the standing committees, on its own, so long as the life and purpose of the Commission is specified by the Senate.

§2.1-4.2. Officers

1. Chair

a. Each of the five standing committees that will be composed of Senators shall elect one of its members to serve as Chair during its first meeting. The proceedings of this election shall be determined by Robert's Rules of Order. The Chair of the Senate shall determine who will conduct this election. A majority of committee members must be present in order to elect a Chair.

b. The Committee Chair shall preside over the committee's meetings, maintain decorum while meetings are in session, and set meeting times, locations, and agendas. Meeting times, locations, and agendas must be announced to the Assembly and public 48 hours prior to the committee meeting. No committee meetings shall be scheduled during the same time, except on occasions when both Chairs agree that the business at hand requires the review of both committees in tandem.

c. The Committee Chair shall report to the Senate the opinions of their committee. The Committee Chair shall also deliver any resolutions or amendments as passed out of their committee to the Senate Chair 48 hours prior to the next Senate meeting.

2. Secretary

a. Each of the five standing committees that will be composed of Senators shall elect one of its members to serve as Secretary during its first meeting. The proceedings of this election shall be determined by Robert's Rules of Order. The Chair of the Committee in question shall conduct this election. A majority of committee members must be present in order to elect a Secretary.

b. The Secretary of each committee shall record the minutes and attendance of the meeting. In the case of a roll call vote, the Secretary will record the vote of individual members and submit them to the Secretary of the Senate in accordance with Article IV, Section II, Clauses I and II of the Constitution.

c. The Secretary shall provide the minutes, vote tallies, and attendance record to the Secretary of the Senate within 48 hours after a committee meeting, who shall distribute them to the Senate as a whole prior to the next Senate meeting.

§2.1-4.3. Responsibilities

1. Each committee shall review all resolutions concerning matters within its area of interest assigned to it by the Chair of the Senate.
2. Each committee shall consider all matters of the College in relation with its area of interest not addressed by resolutions and recommend the appropriate actions to the Senate.
3. Each committee shall meet 48 hours prior to the next Senate meeting, on a weekly basis, while the Senate is in session unless there are extenuating circumstances that call for the cancellation of campus activities.

§2.1-4.4. Removal

1. If the committee feels either officer has not fulfilled the duties of their office outlined in this document, a Bill of Impeachment, approved by a simple majority of the committee, may be brought before the Senate. The Senate Executive Committee shall determine the proceedings of the trial.
2. If an officer is removed, or their office is vacant due to other circumstances, a new officer will be elected at the next committee meeting.

§2.1-4.5. The Executive Committee

1. There shall exist an Executive Committee, for internal affairs integral to accomplishing the overall mission of the Student Assembly Senate.
2. The Executive Committee shall consist of the Chair of the Senate, the Secretary of the Senate, the Chairs of the Senate committees, and an additional member of the Senate chosen by the Senate Chair. The Chair of the Senate shall serve as Chair of the Executive

Committee, and the Secretary of the Senate shall serve as Secretary of the Executive Committee.

3. The Executive Committee shall be responsible for reviewing legislation involving internal affairs as it arises, and is not required to meet on a regular schedule.

§2.1-5. Resolutions

§2.1-5.1. Format

1. The Senate shall construct and pass resolutions to fulfill its mandate of serving the students who elected it.
2. Resolutions will follow the standard format, with pre-ambulatory and operative clauses. Each resolution must include the name of the sponsor and the date it was submitted. Authors of resolutions may add a title to the resolution, where appropriate.

§2.1-5.2. Submission

1. Any Senator may submit a resolution of his or her own composition, or sponsor a resolution composed by a member of the College. Resolutions shall be submitted to the Chair of the Senate, who will ensure that they are in the proper format before their introduction.
2. All resolutions shall, following their introduction, be forwarded to the appropriate committee, selected by the Chair of the Senate and following the section of the Code to which they apply. If extreme urgency applies, the Senate may, by the approval of a majority of its members attending, consider a resolution at the same meeting in which it is introduced.
3. After review by the appropriate committee, the Committee Chair shall present the resolution along with the opinion of the committee. The Senate shall then vote on said resolution following sufficient debate. If a simple majority of the Senate approves, the resolution is effective immediately, unless otherwise outlined in the resolution.
4. The Senate may pass informal resolutions. The resolutions may take the form of a single sentence, positive or negative statements. They may also take the form of requests to specific persons or offices. Such informal resolutions must be written out and submitted to the Chair

in the form in which they were passed by the Senate before the end of the meeting at which they were acted upon.

5. All resolutions shall be placed on file in the Student Assembly Office with the records of the Senate. Final copies of all resolutions shall be made available by the Chair to the Student Assembly President for review within 12 hours of the meeting at which they became effective.

6. The Chair of the Senate shall present resolutions to the appropriate party with the presence of any other official he or she deems appropriate.

7. All resolutions, with the exception of amendments to the Code and/or Constitution of the Student Assembly, may be vetoed by the Student Assembly President.

8. Should the Student Assembly President veto a resolution, he/she shall distribute a message to all members of the Senate within 7 days of his/her receiving said resolution detailing his/her reasons for issuing a veto, else the resolution shall be considered signed.

9. When a bill pertaining to either the Student Conduct Council or Undergraduate Honor Council is introduced it is the responsibility of the sponsor to speak at the respective meetings of the relevant organization. The sponsor should notify the Honor or Conduct Council upon submission.

§2.1-5.3 Spending Resolutions

1. The Chair of the Finance and Budget Committee, as part of his or her introduction to every resolution requesting funds for individual students and/or student organizations must detail:

- a. How much money is left in the Student Activities Reserve fund, and
- b. What percent the desired amount will take from that fund.

2. The Chair of the Finance and Budget Committee, as part of his or her introduction to every resolution requesting funds for individual students and/or student organizations must detail how much money said organization has already received from the Student Assembly in the past year in said resolution.

3. Sponsors of all bills requesting funds must verbally disclose their membership (active or not active) of any organization for which they are requesting funds during said resolution's introduction on the floor of the Senate.

§2.1-6. Executive Confirmation

1. The Senate shall confirm Executive appointees as outlined in Article II; Section III; Clause III of the Constitution of the Student Assembly. The Student Assembly President shall submit in writing a brief summary of the reasons behind each individual's selection to the Chair of the Senate forty-eight hours prior to the meeting.

§2.1-7. Conduct Appeals Committee

1. The Senate shall hold the power to elect members of the Student Conduct Appeals Committee, or any appeals committee jointly created from its membership.
2. This Election shall take place at the beginning of the school year, and those elected shall be nominated by either nomination from the Office of Student Affairs or by any member of the Student Assembly, and then approved by a 2/3 vote.

§2.1-8. Amendment Procedure:

1. This document may be amended at any time by a vote of 2/3 of the Senators.
2. Amendments must be submitted in the same fashion as formal resolutions.

Chapter 2: The Bylaws of the Graduate Council

Ratified August 22, 2003
Last amended April 9, 2004

§2.2-1 Pursuant to Article I, Section V(II) of the Constitution of the Student Assembly of the College of William and Mary in Virginia, the Graduate School of Arts and Sciences, The Graduate School of Business, the Graduate School of Education, the Marshall-Wythe School of Law, and the

Virginia Institute of Marine Science hereby form the Graduate Council of the College of William and Mary and do hereby adopt the following Bylaws for its regulation.

§2.2-2 Purpose

1. The purposes of the Graduate Council include, but are not limited to, the following:
 - a. To enact and foster legislation regulating activities of the five schools as a collective body;
 - b. To promote activity between the students of the different Schools;
 - c. To protect the interests of all graduate students in the affairs of the Student Assembly.
2. No action by the Graduate Council may:
 - a. Govern the affairs of any School exclusive of all others;
 - b. Govern the affairs of undergraduates not involved in graduate activities;
 - c. Be inconsistent with College policy or the laws of the Commonwealth of Virginia or the United States;
 - d. Be inconsistent with the Constitution of the Student Assembly or other Student Assembly policy. Any Graduate Council action found to violate this provision may be superseded by the Student Assembly Senate pursuant to Article I, Section V(II) of the Constitution of the Student Assembly.

§2.2-3 Meetings

1. The Graduate Council shall meet at least once every month. The Officers of the Graduate Council may determine the day and time each month for the purpose of maximizing attendance of voting members.
2. The Officers of the Graduate Council may call a meeting whenever they feel that a meeting is necessary.
3. Each School shall send at least one representative to the meeting, and may send as many representatives as the School desires.
4. A Faculty Advisor, to be selected by the College, may attend Graduate Council meetings.
5. Graduate Council meetings are open to the public. However, the Officers, acting as a group may ask any nonvoting attendee to leave at the time of debate or execution of a vote.

§2.2-4 Voting

1. Voting in a Meeting
 - a. Each school shall cast two votes for or against any Graduate Council decision requiring a vote. Unless otherwise specified in these Bylaws, any such Graduate Council decision requires six votes to be approved. Quorum for a meeting is achieved by the presence of at least one representative from each of a minimum of four schools. No vote may take place in a meeting without this quorum.
 - b. Any legislation considered by the Graduate Council must be approved by a vote.

- c. If more than two representatives of a School are present at a meeting, the attending representatives may confer before deciding how to cast the two votes for the School. If one representative is in attendance from a School, that representative may cast the two votes for that School in any manner that representative chooses, regardless of consistency.
 - d. Schools unrepresented at a meeting:
 - i. If a school is unrepresented at a Graduate Council meeting at which a vote is taken, and the requisite number of votes for approval of an action is still achieved, the action will be approved, with the unrepresented School deemed to have abstained from the vote. If the officer representing that School subsequently disagrees with the approved action, that officer may manifest dissent at the following meeting or in a message dispatched to all other officers. If it is clear that a proposed action would fail even if the unrepresented School was present and voted in its favor, the action will fail, and the officer representing the School may manifest dissent as described above.
 - ii. If the absence of representatives of the School has affected the outcome of the vote, the officer representing that School shall be promptly notified on the subject of the vote, but not of the current support for the action or lack thereof. That officer shall then communicate the nature of the unrepresented School's vote to the Secretary of the Graduate Council.
 - e. The President of the Graduate Council shall not cast a vote in any matter to be voted upon by the Graduate Council with the following exceptions:
 - i. The president is the only representative of the President's School present at the meeting, in which case the President may cast both of the School's allotted votes.
 - ii. A vote of 5-5 is recorded in an issue that requires exactly six votes for approval, in which case the President may cast one vote for purposes of breaking the tie.
2. Voting Without a Meeting
- a. The Graduate Council may vote between meetings if an issue will require disposition before the next meeting, or if the votes of Schools unrepresented at a meeting are required for disposition of an action, or for any other reason the Graduate Council shall deem appropriate.
 - b. The President of the Graduate Council shall inform all officers of the matter to be voted upon, and specify a deadline for the Schools to submit their vote.
 - c. Representatives of each School shall communicate the nature of that School's votes to the Secretary of the Graduate Council. If the Secretary receives more than two votes from any School, the Secretary shall disregard the votes and instruct the School to cast its votes again.
 - d. The Secretary shall inform the other officers when the requisite number of votes for approval or disapproval of the action is received, or when all applicable votes are received, whichever comes first.

- e. No individual may vote in a Graduate Council matter if that individual, or the office thereof, if applicable, is the subject of the vote. However, nothing in these Bylaws shall purport to deprive any School of its two votes under any circumstances.
- f. Regarding the handling of the decision to appeal the budget award to the Graduate Council by the Executive Appropriations Committee, the Graduate Council, at the meeting before the budget requests are due, shall specify the amounts to request for each line item, with the intention of automatically voting to appeal should the Executive Appropriations Committee award funding below the specified amounts, and automatically voting not to appeal should the funding be equal to or greater than these amounts. These amounts need not be equal to the specific amounts the Graduate Council requests of the Executive Appropriations Committee.

§2.2-5 Officers

- 1. Officers of the Graduate Council
 - a. The Graduate Council shall have the following officers at all times: President, Vice President, Secretary, Treasurer and Social Chair. Each School shall be represented by one officer. If an officer is enrolled in a program of student at more than one School, the officer will be deemed to represent the School with which the officer is primarily associated. If it is not apparent which School the officer should represent, the officer shall disclose upon taking office which School that the officer will represent. Each officer shall have one vote for that officer's represented School, with the other vote submitted by anyone that School shall choose, unless that officer, or the office thereof, is the subject of the vote, in which case the officer's represented School shall choose two separate individuals to vote, under Article III, Section B(5) of these Bylaws. Furthermore, at the first meeting of the Graduate Council for the academic year, the Graduate Council shall select graduate students to serve as representatives on the Student Assembly Senate to the extent that the number of seats allocated to graduate students exceeds the number of Schools.
- 2. Duties of Graduate Council Officers
 - a. The President of the Graduate Council has the following powers and responsibilities:
 - i. To act in the best interests of all graduate students.
 - ii. To coordinate Graduate Council meetings.
 - iii. To plan the agenda for the meetings.
 - iv. To oversee and preserve order at meetings.
 - v. To maintain communication between Schools between meetings.
 - vi. To represent the graduate student community whenever requested to do so by the College.
 - b. The Vice President of the Graduate Council has the following powers and responsibilities:
 - i. To assist the President in the performance of the President's duties.

- ii. To perform the President's duties in the event that the President is temporarily or permanently unable to do so.

- c. The Treasurer of the Graduate Council has the following powers and responsibilities:
 - i. To know the amount of money allocated by the College to the Graduate Council for the year in which the Treasurer will be in office.
 - ii. To assist the President in monitoring money spent and money received by the Graduate Council.
 - iii. To determine the budget for the Graduate Council for the following year.
 - iv. To represent the Graduate Council before the Student Finance Committee, aided by the President.

- d. The Secretary of the Graduate Council has the following powers and responsibilities:
 - i. To record minutes of Graduate Council meetings.
 - ii. To preserve records of Graduate Council votes.
 - iii. To monitor Graduate Council voting not conducted in a meeting.

- e. The Social Chair of the Graduate Council shall have the following powers and responsibilities:
 - i. To facilitate communication between students of different Schools with regard to matters that affect students at more than one School.
 - ii. To promote events sponsored by the Graduate Council, or any event by any School open to all graduate students.

3. Selection of Graduate Council Officers

- a. At its April meeting, the Graduate Council shall select its officers for the following academic year. All officers must be enrolled full-time in any School for the entire academic year in which the officer serves.
- b. At the March meeting, all officers eligible to remain in office for the following academic year and who wish to do so shall declare their desire for reselection. Immediately following the meeting, any School not represented by an officer eligible for reselection may select an individual to serve as an officer for the following year. Schools who are represented by an officer eligible for reselection shall confirm the officer as its nominee, or select another one. All Schools must have selected their Graduate Council officer before the April meeting.
- c. Any individual confirmed by the individual's Schools may declare a desire for a specific officer position prior to the April meeting by contacting the incumbent President of the Graduate Council. The President shall immediately relay to other current members of the Graduate Council any such communication.
- d. At the April meeting, all incoming officers shall select, if they have not already done so, the office which they would like to hold.

- i. If more than one individual is interested in any office, the Graduate Council shall vote with respect to that office.
 - ii. If an office is not sought by an incoming officer, officers losing the Graduate Council vote for the office which they were seeking are deemed to be in competition for the unsought office.
 - iii. Once all officer positions are assigned to incoming officers, the Graduate Council shall vote to approve the new slate of officers for the following year.
- e. If the Graduate Council has not selected its officers for the following year by the end of the April meeting, the Graduate Council shall select its officers or the following year before the first School concludes its spring semester, by whatever means necessary.

4. Removal of Graduate Council Officers

- a. Any Graduate Council officer may be removed pursuant to Article VI of the Constitution of the Student Assembly.
- b. Any School may remove its representative officer from office at any time.
- c. The Graduate Council may remove its own officers from office for whatever reason it deems necessary.
 - i. Any voting member of the Graduate Council may at any time request the removal of any officer and state the reason removal may be necessary.
 - ii. The Graduate Council shall vote to commence removal proceedings. If the request for removal is made between meetings, the votes shall take place before the next meeting, unless that would be impractical.
 - iii. At the meeting following the request for removal, the officer whose removal is requested shall address the Graduate Council if desired.
 - iv. The Graduate Council shall vote on removal. Eight votes are required to remove an officer from office.
- d. Any Graduate Council officer may resign from office at any time communicating notice of resignation to the remaining Graduate Council officer.

5. Vacancies

- a. Single Vacancy
 - i. If a vacancy exists among Graduate Council officers as a result of any proceeding under Section D, the School unrepresented by an officer shall confirm a new officer.
 - ii. Officers remaining in office may request to be reassigned to the vacant office immediately following notice of the vacancy. Selection of a new slate of officers shall commence according to Section C of this article.
 - iii. The Graduate Council shall then vote to confirm its new slate of officers.

- iv. If the office of the President is vacant, the Vice President shall become President, and the office of Vice President shall be deemed vacant for purposes of this section.
- b. Multiple Vacancies
 - i. If at any time there are multiple vacancies among the slate of Graduate Council officers, all Schools unrepresented by an officer shall confirm a new officer.
 - ii. Officers remaining in office may request to be reassigned to any vacant office immediately following notice of the vacancies, any selection of a new slate will commence according to Section A of this article.
 - iii. The Graduate Council shall then vote to confirm its new slate of officers.
 - iv. If the office of President is vacant, and the Vice President has remained in office, the Vice President shall become President, and the office of the Vice President shall be deemed vacant for purposes of this section. If the offices of the President and Vice President are both vacant, the office of the President may be filled by any officer remaining in office. The officer's former office will become vacant for the purposes of this section.

§2.2-6 Amendment of the Bylaws

1. Any voting member of the Graduate Council may submit a proposal to amend these Bylaws at any time.
2. Eight votes are required to amend these Bylaws.
3. If the College should dissolve a School, or charter a new School, until these Bylaws are redrafted they shall be presumed to have been amended to reflect the change in the number of Schools comprising the Graduate Council, and to assure that all Schools continue to have the rights and representation required to give all Schools an equal and proportionate share of control in all affairs of the Graduate Council.

TITLE 3: EXECUTIVE BRANCH

Chapter 1: Generally

§3.1-1. Executive Departments shall be under the control of the Secretary of that Department. They shall have vested authority over the workings of that Department within those limitations set in legislation and the directions of the President of the Student Assembly.

§3.1-2. Secretaries of Executive Departments are appointed by the President of the Assembly with the Consent of the Senate, pursuant to Article II, Section III, Clause III of the Constitution.

Nominees must be presented to the Chairman of the Senate for confirmation within 10 academic days (as defined from this point forward in the code of the student assembly “academic days” shall mean days which school is in session including weekends) of the President's assumption of Office, or within 15 academic days after a vacancy in such a Secretary position is known.

§3.1-3. All appointed offices charged with managing the external relations of the Assembly, with the exception of the Executive Office of the President or Vice President, shall be appointed with the Consent of the Senate, pursuant to Article II, Section III, Clause VII of the Constitution. External relations shall be defined as representing the Assembly to bodies including, but not limited to, the Administration of the College, the Commonwealth of Virginia and the elected officials of such, the City of Williamsburg, surrounding Counties, and those entities in the City and Counties which affect the College and the students, the Faculty and Staff of the College, and the Board of Visitors.

§3.1-4. If the Senate should refuse to consent to a nominee of the President, he/she must make another nomination within 10 academic days.

§3.1-5. The Vice President may appoint and dismiss members of an Executive office of the Vice President, which shall be limited to Assistants, Advisors, and Managers as he/she shall deem necessary.

§3.1-6. The period of time after the election of the President, and before the President's assumption of Office, shall be used to reach out to the student body to solicit ideas for the new administration and distribute applications for positions in the Executive Branch should the newly elected President so choose. The outgoing President shall cooperate fully in this endeavor by providing the newly elected President access to all resources necessary, including, but not limited to, the school-wide e-mail list.

§3.1-7. All Secretaries of the Executive Departments are charged with maintaining open channels of communication between that Executive Department and the committee to which the Secretary is assigned. Secretaries are required to serve as non-voting, ex-officio liaisons to their respective Senate Committees and they must attend all committee meetings. In addition, they are required to report to their respective Senate Committee on all upcoming or passed executive initiatives pertinent to that Committee. Furthermore, Secretaries must report back to their Executive Department once a week as to the actions and progress of the Senate Committee to which they are assigned. The Secretary of the Department of Finance shall be assigned to the Finance and Budget Committee. The Secretary of the Department of Student Life shall be assigned to the Student Life Committee. The Secretary of the Department of Health and Safety shall be assigned to the Student Life Committee. The Secretary of the Department of Public Affairs shall be assigned to the Public Affairs Committee. The Secretary of the Department of College Policy shall be assigned to the Policy Committee. , The Secretary of the Department of Student Rights shall be assigned to the Policy Committee. The

Secretary of the Department of Diversity Initiatives shall be assigned to the Policy Committee. The Secretary of the Department of Outreach shall be assigned to the Outreach Committee. If a Secretary of an Executive Department has four consecutive absences for which the Secretary did not send a representative of the Executive Department in his place the President is required to present an oral and written presentation as to why the Secretary has not been fired to the Senate at the Senate's next regular meeting. An absence will be excused by the Secretary of the Senate for any reasonable reason.

Chapter 2: Department of Public Affairs

§3.2-1. There shall be an Executive Department of Public Affairs. The Department shall manage the relations of, and advocate for, the Assembly with:

1. The Administration of the College
2. The Commonwealth of Virginia and the elected officials of such
3. The City of Williamsburg, surrounding Counties, and those entities in the City and Counties which affect the College and the students
5. The Board of Visitors

§3.2-2. Within the Department of Public Affairs there shall be a Secretary of Public Affairs who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.2-1, and as the President shall deem necessary.

§3.2-3. The roles prescribed in §3.2-1 may be expanded through the direction of the President.

§3.2-4. Members of the Department of Public Affairs charged with managing the external affairs of the Assembly shall be appointed with the Consent of the Senate, as outlined in §3.1-3.

Chapter 3: Department of Finance

§3.3-1. There shall be an Executive Department of Finance. The Finance Department shall manage the budget of the Assembly. It shall prepare for the President, pursuant to Article II Section II, Clause IV of the Constitution:

1. The budget of the Assembly
2. The Student Activities funding budget from the income generated by the Student Activities Fee
3. The Student Publications funding budget from the income generated by the Student Activities Fee

§3.3-2. The Department shall also prepare and coordinate:

1. Applications and recommendations for private, local, state, and federal grants to fund the activities of the Assembly and other Student organizations and activities
2. Fundraising activities for the Assembly

§3.3-3. Within the Department of Finance there shall be a Secretary of Finance who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.3-1, and §3.3-2 as the President shall deem necessary.

§3.3-4. The roles prescribed in §3.3-1, and §3.3-2 may be expanded through the direction of the President.

§3.3-5. Appropriation Process

§3.3-5.1. General

1. The mission of the Student Assembly appropriation process is to foster growth and excellence in the student experience at the College through fair and adequate funding of student organizations. The Student Assembly shall appropriate monies to fund activities that comply with guidelines set forth in this section, irrespective of the viewpoint of the organization, and in accordance with the statement of Rights and Responsibilities found in the most current edition of the College of William and Mary's Student Handbook. All organizations that fail to meet the prescribed guidelines will not receive monies from the Student Activities Fee.
2. Organizations recognized in good standing by the College of William and Mary may request funding for activities they sponsor with funds from the Student Activities Fee.
3. Student Activities Fee should be defined as a non-academic fee charged to each full-time student at the College. In addition, the Student Activities Fee shall include any monies that were not disbursed in a fiscal year and were kept in a state account for the benefit of the Student Assembly from which the Office of Student Leadership Development can only make expenditures with the consent of the

Student Assembly, which shall include the special event funds and the Student Activities Reserve Funds.

4. All organizations which receive money from the Student Activities Fee shall provide information on the size of any off-campus account or any other outside funding that the organization may hold.

5. The Senate and Executive of the Student Assembly shall make a recommendation for the Annual Student Activities Fee for the Board of Visitors' consideration based upon the approved budget.

6. The Student Assembly shall be the sole grantor of the disbursement of the Student Activities Fee to organizations recognized in good standing by the Office of Student Leadership Development. No other person or entity shall appropriate money outside of the guidelines set forth in this title. Any person deemed in violation of misappropriating funds may be charged with a Class 4 Felony under §18.2-112 of the Code of Virginia.

§3.3-5.2. Executive Preparation of the Annual Budget of Student Activities Fees

1. Pursuant to Article II, Section II, Clause III of the Constitution of the Student Assembly, the President of the Student Assembly "shall prepare and present to the Senate for their approval, the Budget of the Student Assembly and the Budget for the allocation of fees for Student Activities."

2. The President shall designate the Department of Finance, whose creation was set forth in §3.3-1 of the Code of the Student Assembly to prepare the Budget for the allocation of Student Activities Fees for the upcoming fiscal year.

3. The Secretary of Finance, who shall henceforth be referred to as the Secretary, shall lead the effort to prepare the budget for the President to present to the Senate.

4. The Secretary shall nominate an Executive Appropriations Committee (EAC) that will aid the Secretary in preparing the budget. The Secretary shall nominate the Committee by November 15th of the academic year. The Secretary shall chair the EAC. The remaining appointees shall be representative of the student body as a whole. The Department of Finance shall develop administrative guidelines for the appointment of the Committee. Prior to the initiation of the EAC, the Office of Student Leadership Development shall submit a written report to the EAC containing what the applying organizations spent of their budgets in the previous

year, which the EAC may or may not take into account while making budgetary considerations. Such report will not include information that infers that allocations are prohibited or allowed that are not explicitly prohibited or allowed by this finance code. This section of the code is intended to ensure that student funds are controlled by students and limit the role of the Office of Student Leadership Development to that of processor of student funds. No member of the Office of Student Leadership Development or non-students may advise the EAC during the EAC's budgetary deliberations. However, any member of the public may observe EAC deliberations and the EAC will offer ten minutes of public comment at the beginning and end of each daily session. A representative of the Office of Student Leadership Development must remain present in order to answer questions as directed by the chair of the EAC. No member of the Senate shall sit on the EAC. The voting members of the committee shall be one member from each undergraduate class, two graduate students, and one at-large member, totaling seven voting members

5. The Senate Finance Committee Chairman and the Senate Finance Committee Secretary shall be placed on the EAC as non-voting members for each yearly budget process indefinitely. They shall be allowed to participate for the purposes of clarification or to ask questions of representatives of student organizations. If one of the representatives from the Senate is unable to attend a session, the Finance Committee Chairman may designate a temporary replacement from the Finance Committee.

6. Within 10 days of the EAC's creation, it shall issue a campus wide announcement for the budget requests of student organizations in good standing with the Office for Student Activities. The Office of Student Leadership Development shall develop packets for Student Organizations to use in their budget proposals. Such report will not include information that infers that allocations are prohibited or allowed that are not explicitly prohibited or allowed by this finance code, as to prohibit the Office of Student Leadership Development from controlling students' access to student funds.

7. These student organizations seeking funding shall be required to furnish their organization description, update on activities, line-item budget, organization's goals, and any other relevant information requested by the EAC.

8. The Secretary shall work in conjunction with the Office for Student Activities and Leadership Development in educating the various student organizations on submitting funding requests for the upcoming school year.

9. The Department of Finance and the Office of Student Leadership Development shall have received all Student Organization's budget requests before the last day of classes in the Fall semester. Budgets submitted after this deadline may be accepted upon the discretion of the EAC, by majority vote.

10. The EAC shall review budget requests submitted in writing by organizations in good standing. No organization may make a budget request unless it has submitted a written request to the Department of Finance and the Office of Student Leadership Development under the guidelines set above.

11. The EAC shall hold public hearings after reviewing the written requests submitted. Student organizations requesting funds from the Student Activities Fee may ask for a hearing from the EAC. The EAC shall grant all requests for organization budgetary hearings made by those organizations that submitted budgets by the last day of classes in the Fall semester. Accepted late-submitting organizations may be granted hearings with a majority vote of the EAC.

12. The EAC will then prepare the budget under guidelines that will be set forth later in this section by the first business day in February for presentation to the President of the Student Assembly. The EAC's presentation to the President shall be public information and open to all students for inspection. In preparing the budget, the EAC shall take the following into consideration:

- a. The extent to which the proposed activity is likely to foster growth and excellence among students at the College.
- b. The commitment of the activity sponsors to the execution of the activity.
- c. The history of the activity, and the projected needs of the activity for the upcoming fiscal year.
- d. The amount of outside funding the activity has previously received and the potential for additional funding from other sources. This includes the limitation on an organization's eligibility to access the Competition Fund for more than two consecutive years on account of the same competitive event.
- e. The goals of the organization's primary activities and its membership selection process.
- f. Any other relevant factors the committee deems appropriate

13. The EAC shall give the president either a written explanation of their budget or one member of their committee may verbally explain the budget in addition to or instead of presenting a written report. The President of the Student Assembly then has five academic days to make any changes that he feels necessary; he shall not hold a formal appeals process. At this point, neither the Office of Student Leadership Development nor the Executive Branch shall send a budget to clubs or organizations for appeals; for example, they may not show the budget to all clubs or organizations via email, by encouraging groups to view the draft budget at a certain location, or via other forms of communication. However, they may show it on an case-by-case basis to individual clubs or individuals if requested.

14. The President shall then submit the budget to the Chairman of the Senate for the Senate's approval after ten academic days from the EAC's presentation to the President. The President shall also submit a written report with his/her budget and/or appear before the Senate once he/she has presented a budget.

15. All meetings of the EAC shall be opened to the public under the Commonwealth of Virginia's Freedom of Information Act. The EAC may go into closed session by a majority vote only to discuss private matters that are permissible under Virginia's FOIA laws.

§3.3-5.3. Legislative Approval of the Annual Budget of Student Activities Fees

1. Pursuant to Article II, Section IV, Clause I of the Constitution "the Senate shall have the power: to provide for the Budget of the Student Assembly and disbursement of monies from the Treasury of the Student Assembly and of fees allocated for student activities,..."

2. Once the Chairman of the Senate is presented the Annual Budget of the Student Activities Fees, he or she shall present the budget to the Chair of the Finance and Budget Committee within five academic days.

3. The Chairman of the Finance and Budget Committee shall within 7 academic days call for public budgetary hearings to hear objections and additional requests to the budget presented to the Senate. The Chairman of the Finance and Budget Committee is then responsible for distributing a copy of the draft budget to all student organizations who requested funding from the Student Assembly. He shall also be responsible for ensuring that all groups who desire to appeal their budget

receive a hearing within the Finance and Budget Committee. All written objections received shall be public information.

4. Any Individual Senator may submit budget amendments to the Chairman of the Senate Committee on Finance and Budget. The Committee will then entertain these requests, in addition to entertaining requests from individuals or student organizations. All budget amendments will be heard in open hearings of the Committee.

5. The Senate Committee on Finance and Budget shall have 14 academic days to submit the budget onto the full Senate. With the permission of the Chairman of the Senate, the Committee may enter into further deliberation.

6. The full Senate shall pass a budget within 7 academic days of receiving the budget from the Senate Committee on Finance and Budget; the full Senate may hear the budget on the floor for one or two weeks.

7. Upon notification that the Senate Committee on Finance and Budget has discharged the budget from committee, the Chairman of the Senate will issue a call for any additional amendments from SA Senators and include them in the agenda for that meeting; no amendment will be heard to the budget on the Senate floor unless it is on the agenda or unless it is entertained by a vote of 2/3rds of Senators present and voting.

8. Upon passage, the Chairman of the Senate shall present the enrolled budget either in person and/or with a written report describing the Senate's changes to the President of the Student Assembly within 3 academic day of passage. The President then has 7 days to either sign or veto the budget.

9. If the President vetoes the budget, the Senate may override the President's veto by a 3/4 majority set forth in Article I, Section III, Clause III of the Constitution of the Student Assembly. If there is not a 3/4 majority to override the President's veto, the Senate must send an amended version of the budget to the President within 5 days for signature. The President then may veto or sign the budget. If the President vetoes the budget a second time, the Senate and the President shall create a conference committee to negotiate differences. The conference committee shall include to the President of the Student Assembly, the Chief of Staff of the President, the Secretary of Finance, the Chair of the Senate, the Chair of the Senate Committee on Budget and Finance, and a Senator representing the graduate schools. This committee shall present to the Senate an amended version of the budget, who shall

then be required to pass the budget under the legislative process spelled out in the Constitution within 7 academic days of the receipt of the Conference Committee's report.

§3.3-5.4. Activity & Event Funding and Conference Funding

1. All requests by Student Organizations for appropriations from the Activity & Event Fund, Competition Fund, and the Conference Fund shall be made to the Department of Finance and to the Office of Student Leadership Development. The deliberations of the Department of Finance should not include a member of the Office of Student Leadership Development but the Department of Finance may seek advice from the Office of Student Leadership Development.
2. Grants by the Department of Finance from Activity & Event, Competition, and/or Conference funding shall be presented to the Senate Finance Committee at its next scheduled meeting for review and possible revision and approval.
3. The Competition Fund shall operate in accordance with the following guidelines:
 - a. The purpose of the Competition Fund is to assist student organizations with competitive event costs that were not previously funded during the general budget request cycle.
 - b. Funding for established competitions is not intended for use from this fund. The fund is for competitive events arising during the year that provide a financial hardship for that organization.
 - c. An organization will not be eligible to access money from this fund on account of the same event for more than two consecutive years. If an organization desires additional funding after that period, the organization should make a request for such funding in its annual budget.
 - d. At the start of a given fiscal year, the amount in the Student Activities Reserve allocated for the Competition Fund will be set as 15% of the unused Student Activities funds (i.e. rollover) from the previous fiscal year. The Competition Fund will not accumulate a balance from year to year.
4. The requesting party may take an appeal to the Senate. Parties must be made aware that they may file an appeal with the Senate when their allocation is decided upon. Parties must be encouraged to file sum-certain appeals since the decision of the Senate is final and only expenditures with good cause demonstrated will be seriously considered on appeal. The Senate shall then take up the grant at the next

scheduled meeting. The Senate may then raise the grant by majority approval. The measure would require a majority vote for passage.

5. Any grant over three thousand dollars will go directly to the whole Senate at its next scheduled meeting. The Senate may adjust the grant by majority approval. The final grant would require a majority vote for passage and approval.

6. The Office of Student Leadership Development shall be charged with keeping record of these funds.

7. The Senate and Department of Finance shall receive a complete quarterly report, detailing all expenses, on the expenditure of competition and conference funds and a complete monthly report, detailing all expenses, on the expenditure of Activity & Event funds disbursed from the Office of Student Leadership Development. The Secretary of the Senate is charged with sending this monthly report, by e-mail, to each Senator. The Department of Finance is charged with sending this monthly report, by e-mail, to the President, Vice President, and Chief of Staff. Additionally, the Chair of the Finance Committee and Secretary of Finance shall receive an update within 7 days of his request to the Office of Student Leadership Development.

§3.3-5.5. Student Activities Reserve Fund

1. The Department of Finance shall be charged with estimating revenues generated by the Student Activities fund, and any monies that are appropriated through the budget process and not used, shall be placed in a fund named the Student Activities Reserve Fund. At the end of the academic year, before any monies that are appropriated through the budget process and not used are placed in the Student Activities Reserve Fund, any monies in the Student Activities Reserve Fund in excess of \$100,000 shall be given to the Fund for William and Mary to be endowed to generate interest for the College in perpetuity. The Student Activities Reserve fund may be used for emergency funding or special projects that the Student Assembly deems beneficial to the campus as whole.

2. The Student Activities Reserve Fund is meant for larger purchases that will benefit most students at the College. More particular funding requests should be addressed to the Activity & Event Fund or the Competition Fund.

a. If the Activity & Event Fund is depleted during any part of the academic year, monies will be replenished in increments of \$1000 from the Student

Activities Reserve, which will continue upon event of the Activity & Event Fund depletion until the Student Activities Reserve has been depleted.

- b. If the Competition Fund is depleted during any part of the academic year, monies will be replenished in increments of \$3000 from the Student Activities Reserve, which will continue upon event of the Competition Fund depletion until the Student Activities Reserve has been depleted.

3. The power to appropriate the Student Activities Reserve fund shall be vested in the Student Senate, except for provisions stated in clauses 4 and 5, and shall be processed by the Office of Student Leadership Development in conjunction with the Department of Finance. Any request to receive monies from the Student Activities Reserve Fund shall be made to the Department of Finance c/o the Office of Student Leadership Development.

4. Any Senate Bill that will spend money from the Student Activities Reserve Fund, or any Senate vote to spend additional money from the Activity & Event Fund or Competition Fund to a student organization shall not be heard on the floor of the Senate as “Old Business” or the portion of the bill’s debate where a bill may be voted upon unless the following conditions are met:

- a. In the case of Student Activities Reserve expenditures, the student organization certifies that they have exhausted all other channels for receiving money, e.g., they have gone to the Activities and Events fund, the Competition Fund, or the Conference Fund for the appropriate amount of money, and that they have received a response as to the amount of funding from the administrator of said accounts.
- b. In the case of all expenditures, the student organization must present revenues and expenditures for the past two semesters, if the student organization has been in existence for the past two semesters.
- c. In the case of all expenditures, the student organization must present information about the club, including at a minimum: number of members, number of people regularly attending meetings, fundraising efforts over the previous 12 months, cash on hand, and activities planned for the next two semesters.

5. The Office of Student Leadership Development may spend up to \$10,000 out of the Student Activities Reserve per fiscal year (July 1- June 30) on general maintenance purposes without Senate approval, but if an expenditure exceeds \$1,500 it must be reported, in writing, to the President of the Student Assembly. General maintenance purposes are defined as essential upkeep that would otherwise hinder the day to day operations of a student club or organization. Annual allocations of the Office of Student Leadership Development out of the Student Activities Reserve

cannot come out of the Reserve. Such annual allocations may be set aside in the regular budget prepared by the Executive and approved by the Senate. During the summer when the Senate is not in session, the Office of Student Leadership Development must receive the approval of the President of the Student Assembly for any expenditure that exceeds the limit for that fiscal year. The President of the Student Assembly must be notified of all allocations out of the Student Activities Reserve by the Office of Student Leadership Development within 7 days of the expenditure. All records of expenditures by the Office of Student Leadership Development from the Student Activities Reserve shall be presented in writing to the President, Vice President, Chief of Staff and each Senator once a month. Failure of the Office of Student Leadership Development to present such records will be reported by the Secretary of the Senate to the Independent Student Auditors, the Vice President of Student Affairs, and the College's Internal Auditor.

6. Any other funding request must be taken to the Senate for approval. The request shall be received by the Department of Finance c/o the Office of Student Leadership Development. Within 7 academic days of receiving the request, the Secretary of Finance shall present the request to the Chair of the Senate for the Senate's approval. The Senate shall then take up the request within 7 days of receipt under the legislative process set forth under the Constitution of the Student Assembly.

7. When the Senate is not in session, the Assistant Vice-President for Student Affairs may appropriate monies from the Student Activities Reserve Fund in accordance with Clause 4 above. All other funding requests shall be made with the consent of the President of the Student Assembly or his/her designee. All records of expenditures shall be made available to the Senate upon request.

§3.3-5.6. Publication Funding

1. The Student Assembly shall appropriate funds to the Publications Council every two years, based a contract agreed to by the President of the Student Assembly, or their designee, and the Chair of the Publications Council every two years. Once the contract is settled, the amount allocated to publications may not fall below the amount agreed to in the contract. The amount allocated may go up, however, based on an inflation rate agreed to in the contract and the admission of new publications to the Publications Council under guidelines established in the contract.

2. The contract shall be negotiated by the President of the Student Assembly or his designee, a member from the Office of Students Leadership Development, and the Chair of the Publications Council.
3. The contract shall designate a set sum of money that shall be appropriated to the Publication's Council for their disbursement under certain finance guidelines that shall be set forth in said agreement.
4. The contract shall require approval from the Senate after negotiated by the President every two years. However, with the consent of both parties, the contract may be re-negotiated.
5. The Senate in conjunction with the Department of Finance, which shall have oversight for the valid appropriation of funds to individual publications. Additionally, a line-item budget for each publication during the last fiscal year must be presented to the Senate by August 31.
6. The Consolidated Student Publications Reserve Fund consists of monies not spent by publications in a given year. This fund will be subject to a \$75,000 ceiling. Any and all funds that accrue above this amount will be transferred back to the Student Assembly into the Student Activities Reserve Fund outlined in §3.3-5.5. All funds equal to or below \$75,000 will become the sole possession of the Publications Council. Only the Publications Council will have the ability to make expenditures from this fund. All expenditures from this fund must be reported to the Student Assembly Senate every month.

§3.3-5.7. Finance Guidelines

1. The Student Assembly may fund activities that fall into the following categories:
 - a. Student Government Activities: These are activities or initiatives sponsored by the Student Assembly or parts thereof. These include student government organizations, the individual graduate schools, and the four undergraduate classes. The activities of the Student Conduct Council will also be considered as student governmental activities. The activities of the undergraduate Honor Council will not be considered as student government activities.
 - b. Publication Activities (Publication Council): These are limited to university-sponsored publications under the jurisdiction of the Publications Council. The Student Assembly shall fund a block sum for

the Publication Council per a contract set forth in §3.3-5.6. No individual publication who is a member of the Publications Council may receive money directly from the Student Assembly unless they have already made a request to the Publications Council for funding out of the Publications Council Reserve.

- c. Conference Activities (Conference Fund): These activities involve support for students of the College attending lectures, conferences, symposia, or similar activities.
- d. Special Activity Funding: Available to student organizations to provide financial assistance when holding activities and events and making campus improvements. Consists of the Special Events, Activities and Improvements Fund.
- e. Service Activities: These are activities whose primary purpose is to provide volunteer service to the College community, outside the College community, or both.
- f. Co-curricular Activities: These are activities which promote, supplement, or enhance curricular activities of the students at the College. To be included in this category, the activity for which funding is requested must be clearly linked to those of academic departments, programs, or schools.
- g. Cultural Activities: These activities consist of programs that are designed to increase cultural awareness, and the activities are for the benefit of and open to the entire college community.
- h. Interscholastic Activities: These are activities which involve competitions, exchange of ideas, or simulations with students of other institutions of higher education.
- i. Peer and Public Education Activities: These are activities which promote knowledge and information within and/or outside the College Community regarding subjects of importance or interest to the community but are not of a politically partisan nature or involve religious worship ceremonies or devotional activities.
- j. Humanitarian Activities: These are activities which, through student action, promote or encourage the humane treatment of people or animals.
- k. Hobby Activities: These are activities which promote, enhance, or encourage the hobbies of students at the College.
- l. Student Organization Fundraising: These are activities which allow Student Organizations to raise monies for their activities.

2. The following activities may not be funded through revenue generated by the Student Activities Fee:

- a. Politically partisan activities in support of or in opposition to a candidate or political party are not fundable regardless of viewpoint.
- b. Purchases solely for the purposes of religious worship or devotion are not fundable regardless of viewpoint.
- c. Activities for which academic credit is received.

- d. In general, food or beverages shall not be funded, with certain exceptions:
 - i. Food or beverages as a meal for a visiting lecturer or entertainer or as a reception to accompany such an entertainer or speaker may be funded.
 - ii. Food or beverage that is integral to an activity may be funded including, but not limited to, cultural activities.
 - iii. Food or beverage up to \$20 for a single yearly organizational interest meeting.
- e. Publicity via flyering for a specific event may only be funded up to \$10 for the event. General organization yearly publicity via flyering may be funded up to \$20. Funding of other forms of publicity will be considered on an individual basis.
- f. Only organizations that have office space on campus will be able to receive funds for land-line telephone costs, to a maximum of \$20. Cellular phone bills may be reimbursed if integral to the basic functioning of the organization.
- g. Bills for non-personal cellular phones (ie., organizational cell phones) may be reimbursed if integral to the basic functioning of the organization.
- h. No alcoholic beverages or tobacco products will be funded.
- i. No plaques, awards, certificates or any prizes shall be funded.
- j. No memorabilia, yearbooks, photo albums or any items that are solely group-specific will be funded.
- k. No Non-itemized operating expenses will be funded.
- l. No salaries for student organization members will be funded with the exception of wages for student organizations, vital to student life who could not function without them such as Steer Clear. In the case of publications, it can be impossible to discern whether publications receiving funding are using student fee money funding or advertising or other revenues to pay these salaries. Thus, any publication that pays salaries to editors will lose funding from student activities fee money if this practice persists.

3. Any Student Organization that misappropriates money from the Student Activities Fee will be subjected to administrative action from the Office of Student Leadership Development and any officers engaging in actions of misappropriation may be subject to Honor Council and/or Student Conduct Council investigation.

- a. The Senate Committee on Finance and Budget shall have investigatory authority on any misappropriation of Student Activities Fees.
- b. All investigative hearings shall be opened to the public under the Virginia Freedom of Information Act.

4. Funding to individual student organizations, with the exception of student government organizations and the Publications Council, will be capped at 25% of the annual budget for non-governmental student organizations unless the requesting

organization submits to the Senate Finance Committee and Executive Department of Finance reports of revenue and spending by the Mondays before Fall, Winter, Spring, and Summer breaks, detailing line-item transactions.

§3.3-6. Executive Spending Limitation

§3.3-6.1. Executive Limitations

1. The Student Assembly shall maintain an account, (herein known as the “Primary Off-Campus Account”). This account shall only be spent from via a Senate bill, authorized in advance by the normal process of legislation, or via the provisions in this section.
2. This account shall receive all profits from Student Assembly activities outside the fundraising activities of the individual social classes, graduate school associations, and the Undergraduate and Graduate Councils. Such Student Assembly activities shall include, but not be limited to, the refrigerator and microwave sales.
3. The sum total of all Executive expenditures on this account, passed through the provisions in this section, shall not exceed \$750 per month. This total may be exceeded only through advance passage of a separate Senate bill.
4. Any additional off-campus accounts, held by the Student Assembly, beyond the Primary Off-Campus Account (herein known as “Secondary Off-Campus Accounts”) shall require the advance passage of a Senate bill to either create these accounts and/or initiate transactions within them. All restrictions relevant to the Primary Off-Campus Accounts, unless otherwise specified in section §3.3-6.
5. All changes within any Student Assembly account altering the liquidity of any of the funds, require the advance passage of a Senate bill.
6. In addition, as a special exception to part 3 of this subsection, the Student Assembly President shall be allowed to temporarily advance money to a registered student organization in good standing, defined as having no outstanding debts to the Office of Student Leadership Development, provided that the expense has already been approved through the normal budget or special events funding process. This money must be repaid within 14 days. After this time, the Student Organization will be subject, but not limited; to freezing all future funds until the matter is resolved.
7. Further, the Student Assembly President shall be allowed to spend up to \$10,000 from the Student Activities Reserve during the summer session, defined as the time between the last senate meeting of academic year to the first meeting of the next academic year. Individual allocations shall not exceed \$750 and total spending in any 30-day period shall not exceed \$1,500 without a call for objections from the members of the Finance & Budget Committee 10 days prior to the allocation. Should a member of the Finance & Budget Committee raise an objection within 72 hours, the Finance Chair shall call for a vote on the proposed

allocation from the committee. A majority of the voting members must approve the allocation within seven days. All restrictions in sections §3.3-6.2 apply.

§3.3-6.2. Account Regulations

1. The off-campus account(s) shall be required to have two signatories on the account to include the President of the Student Assembly and the Secretary of Finance. A signatory is someone who has filled out paperwork with the bank and whom the bank recognizes as having the ability to sign checks. It does not confer any other rights, specifically the right to authorize purchases.
2. Every transaction made pursuant to this section (i.e. not separate Senate bills) over \$250 must be proposed by the SA President and sent out over the Senate Finance Committee's electronic mailing list at least 12 hours prior to the purchase. This written proposal must include approximate cost and purpose of the expenditures. Confirmation as well as details surrounding any purchase over \$250 must be sent out over the Senate Finance Committee's electronic mailing list.
3. The Student Assembly shall use the monies collected in the off-campus account(s) for purposes that serve the betterment of the Student Body. Such things shall include:
 - a. office supplies for SA business
 - b. printing costs for SA business
 - c. costs for SA events and initiatives, including awards and prizes for such initiatives
 - d. T shirts or uniforms for campus activities and events
 - e. dues for organizations of which the SA and/or the College is a member
 - f. Freedom of Information Act requests
 - g. website costs
 - h. get out the vote efforts
 - i. funding events, activities, and improvements for Student Organizations
 - j. Greater Williamsburg community events
 - k. any purposes allowed by the SA budgeting or special events processes, as outlined in the Finance Code

Such things shall never include:

- a. Salaries
- b. personal purchases for individuals except as otherwise defined in this section
- c. lending of money to an individual except as otherwise defined in this section

- d. purposes not allowed by local, state, or federal law
4. The only method for allocating funds from any account is written checks, signed by one of the two signatories. These checks must be filled out entirely with their purpose in the memo or “for” line.
5. The checks from all accounts must be secured by the SA President. If this checkbook is stolen or lost, the SA President shall immediately notify the Senate Finance Committee and shall immediately take all steps to reconcile the issue with the bank.
6. Every purchase with a receipt shall be presented to the Secretary of Finance to aid in record keeping. The Secretary of Finance shall establish a location for these receipts to be kept. The Secretary of Finance may decide a process by which to submit these receipts.
7. In order to ensure a smooth transition year to year, the outgoing Student Assembly President and Secretary of Finance shall be required to transfer signatory authority to incoming administration within five business days of the inauguration. If there is no new Secretary of Finance at this time, they shall transfer signatory authority to the incoming President of the Student Assembly. All financial records from the previous year shall be turned over to the incoming Student Assembly President within 5 business days of inauguration.

§3.3-6.3. Account Transparency and Reporting

1. The balances and all activities in the Student Assembly off-campus account(s) must be available to the entire student body. The Secretary of Finance shall be required to make the account balances and the transactions public on the Student Assembly website, which will be updated monthly. The website shall be consistent with the statements issued by the financial institution where such accounts are located and shall include the reasons for the authorization of each specific purchase, the amount spent, and the person/entity that received the funds.
2. All monies in off-campus and reserve accounts, regardless of type, must be accounted for and reported monthly to the Senate by the Secretary of Finance or the President of the Student Assembly’s designee. Such reports shall be issued in person and by electronic mail to the Senate by the first Senate meeting of every month. The President of the Student Assembly, in any case, is responsible for the completeness and accuracy of all reports. These reports shall demonstrate that the information on the website is consistent with the statements issued by the financial institution where such accounts are located and shall include the reasons for the authorization of each specific purchase, the amount spent, and the person/entity that received the funds.

3. Any Senator may request records from the off-campus account(s), including all banking and financial records from financial institutions, and including reasoning for authorization of specific purchases. Such requests shall be made to the Secretary of Finance, upon which the Secretary shall have seven business days to comply with the information request. Additionally, these records may be requested pursuant to the provisions of the Virginia Freedom of Information Act.
4. The Senate Committee on Finance and Budget shall be responsible for oversight of all off campus accounts. The committee shall review the on-line records monthly following the meeting at which the Secretary of Finance presents his or her report to ensure that they are consistent with the executives report.
5. If the Senate Finance Committee votes by a majority of its standing members, it may call the Student Assembly President, Vice President, Senate Chair, and/or Secretary of Finance to appear at one of its next two regularly scheduled meetings to answer questions pertaining to the off-campus accounts. The Student Assembly President, Vice President, Senate Chair and/or Secretary of Finance shall be in serious neglect of the duties of their office if they do not appear.
6. Any elected official who misappropriates monies or withholds information from the Senate regarding their use will have a bill of impeachment brought against them by the Senate Committee on Finance and Budget to the Senate floor at the subsequent meeting, as described in the Constitution of the Student Assembly. Any non-elected official who misappropriates monies or withholds information from the Senate regarding their use will have a letter of concern drafted and delivered by the Senate Committee on Finance and Budget to the Student Assembly President concerning the non-elected officer's inappropriate behavior, and if the behavior is not remedied within two weeks of delivery, the Chair of the Senate Committee on Finance and Budget will introduce a bill requiring impeachment of the Student Assembly President if the behavior of the non-elected official is not remedied by the next Senate meeting.
7. If applicable, the person shall also be referred to the William and Mary Honor Council by the Chair of the Senate Committee on Finance and Budget or the Chair of the Senate.

§3.3-6.4. Expiration

1. The above direction (ie §3.3- 6 –ie the Off Campus Account Section) expires on October 29TH, 2013.

Chapter 4: Department of Health and Safety

§3.4-1. There shall be an Executive Department of Student Health and Safety. The Department shall manage, coordinate, and advocate for Assembly actions on student health, campus safety policy, and other related issues. The Department shall have the following roles:

1. Coordination of and advocacy for Campus Safety Activities
2. Coordination of and advocacy for Sexual Assault Policy and Procedures
3. Working with the Student Recreation Center to coordinate student health, Intramural Sports, and Club Sports activities.

§3.4-2. Within the Department of Health and Safety there shall be a Secretary of Health and Safety who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.4-1, as the President shall deem necessary.

§3.4-3. The roles prescribed in §3.4-1 may be expanded through the direction of the President.

Chapter 5: Department of College Policy

§3.5-1. There shall be an Executive Department of College Policy. The Department shall manage, coordinate, and advocate Assembly actions on college policy and student advocacy. The Department shall have the following roles:

1. Create and manage an Office of Student Advocacy
2. Manage, coordinate and advocate for students on student life policies
3. Recommend students to sit on College Policy Committees, and manage and coordinate the activities of those students
4. Manage, coordinate and advocate for students on residential living policies
5. Create additional ad hoc Special Initiative Committees
6. Advocate for Academic policies to the faculty and staff of the college

§3.5-2. Within the Department of College Policy, there shall be a Secretary of College Policy, who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.5-1, as the President shall deem necessary.

§3.5-3. The roles prescribed in §3.5-1 may be expanded through the direction of the President.

Chapter 6: Department of Diversity Initiatives

§3.6-1. There shall be an Executive Department of Diversity Initiatives. The Department shall manage communication and act as the liaison to the various diversity organizations on campus including:

1. Gender related organizations
2. Multicultural related organizations
3. Sexual Orientation related organizations
4. Religious related organizations

§3.6-2. Within the Department of Diversity Initiatives there shall be a Secretary of Diversity Initiatives who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department, and as the President shall deem necessary.

§3.6-3. The roles prescribed in §3.6-1 may be expanded through the direction of the President.

§3.6-4. The Secretary should have demonstrated leadership at the college on diversity issues, and that amongst other things that the president of the Assembly sees fit, the Department should work closely with the Office of Multicultural Affairs.

Chapter 7: Department of Student Outreach

§3.7-1. There shall be an Executive Department of Student Outreach. The Department shall manage communication and act as the liaison to the various clubs and student organizations on campus.

§3.7-2. Within the Department of Student Outreach there shall be a Secretary of Student Outreach who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department, and as the President shall deem necessary.

§3.7-3. The Department of Student Outreach is charged with reaching out to any and all student clubs and organizations in an effort to have the Assembly better serve their needs. Additionally, the Department shall be charged with planning and executing outreach programming, reaching out to students on an individual basis to ensure that the Assembly is best representing the student body, and collaborating with the Senate Committee on Student Outreach to compose the Assembly's quarterly reports. In Addition, these quarterly reports shall be submitted to local Williamsburg Publications as well as the City Government of Williamsburg in cooperation with the department of Public Affairs in order to keep the broader Williamsburg community informed about the current undertakings of the William and Mary Student Assembly.

§3.7-4. The roles prescribed in §3.7-1 and §3.7-4 may be expanded through the direction of the President.

Chapter 8: Department of Student Rights

§3.8-1. There shall be an Executive Department of Student Rights. The Department shall advocate for the protection of the rights of students in the following areas:

1. By providing a system to educate students on their rights in regards to Campus Police
2. By providing a system to educate students on their rights in regards to Residence Life
3. By providing a system of counsel to the Judicial Counsel for students' rights
4. By providing an oversight position for Administrative Accountability with regards to students' rights

§3.8-2. There shall be a Secretary of Student Rights who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.8-1, and as the President shall deem necessary.

§3.8-3. The roles prescribed in §3.8-1 may be expanded through the direction of the President.

Chapter 9: Department of Student Life

§3.9-1. There shall be an Executive Department of Student Life. The Department shall manage, coordinate, and advocate Assembly actions on student life issues, working with the following divisions of the College administration:

1. Residence Life
2. Dining Services
3. Auxiliary Services
4. Information Technology
5. Parking Services
6. The Office of Student Leadership Development
7. The Office of Student Volunteer Services

§3.9-2. The Department shall be charged with establishing working relationships with relevant student groups to accomplish their and the Assembly's goals, including, but limited to, the Council for Fraternity Affairs, the Inter Sorority Council, and Alpha Phi Omega.

§3.9-3. There shall be a Secretary of Student Life who shall control the Department. There shall also be Assistant Secretaries and other Deputies for the roles assigned to the Department in §3.9-1 and §3.9-2, and as the President shall deem necessary.

§3.9-4. The roles prescribed in §3.9-1 and §3.9-2 may be expanded through the direction of the President.

TITLE 4: THE JUDICIAL BRANCH

Created 13-March-06, RB

Revised 17-April-07, RB

Chapter 1: The Code of Statutes of the Review Board

§4.1-1. This Code of Statutes shall contain the policies and procedures of the Review Board.

§4.1-2. Authority

1. The Review Board shall have original jurisdiction over all cases arising out of the Constitution of the Student Assembly, the Code of the Student Assembly, and regulations produced by Student Assembly agencies. Examples of such cases are:
 - a. Conflicts between branches, divisions, agencies, offices, or officials within the Student Assembly about the meaning or impact of Student Assembly regulations.

- b. Allegations of denial of due process, discrimination, and/or unfair treatment by funded organizations.
2. The Review Board has appellate jurisdiction over all cases originally brought before the Elections Commission.
3. The Review Board shall provide advisory opinions upon the request of the President of the Student Assembly or the Chair of the Senate.

§4.1-3. Abbreviations and Definitions

1. Within this title, the phrase Student Assembly may be abbreviated as SA, and the phrase Review Board may be abbreviated as Board.
2. Within this title, any branch, department, agency, or office within the Student Assembly may be generically referred to as a functional unit of the SA.
3. Any student, student organization, or functional unit of the SA that files a complaint with the Review Board shall be known as a petitioner.
4. Any student, student organization, or functional unit of the SA that is challenged in a complaint filed with the Review Board shall be known as a respondent.
5. An opinion is defined as a written report containing the findings of the Review Board and stating any remedies to be implemented. An opinion of the Board shall include the names of the members who heard the case, and the number of members who voted for and against the opinion.
6. An advisory opinion is defined as an interpretation and/or clarification of the regulations governing the Student Assembly, including but not limited to the Constitution, Code, and previous Review Board opinions.

§4.1-4. Initiating a Case

1. To initiate a case before the Review Board, any student(s), student organization, or SA functional unit may file a complaint. In order to be considered, complaints must meet the following standards:
 - a. All complaints must be submitted to the Chair of the Review Board.
 - b. Complaints must be submitted in English, and be readable unaided by a person with normal vision.
 - c. Complaints may be submitted as physical documents, by facsimile, or by electronic mail. Complaints sent by electronic mail must be in the form of an attached printable document (either Microsoft Word or Adobe PDF format).
 - d. Complaints must name the student(s), student organization, or SA functional unit submitting the complaint, and the student(s) and/or SA functional unit challenged.
 - e. Complaints must contain a description of the situation or actions that the petitioner believes to be wrongful. Complaints must argue that the respondent is in some way responsible for the situation or actions.
 - f. Complaints must be filed within the statute of limitations prescribed by the regulations of the Student Assembly.
 - g. Complaints may be no longer than five pages. Typed complaints must use one-inch margins and 12-point serif or sans-serif typeface.

- h. All complaints must be made in good faith, and signed by the petitioner(s). If the petitioner is a student organization or SA functional unit, the organization's president or otherwise highest officer must sign the complaint.
2. Complaints may be amended by the petitioner within 72 hours of the initial filing of the complaint. The amended complaint must comply with all requirements enumerated in §4.1-4.1 above. Amendments to a complaint may not add further respondents.
3. Upon receiving an original or amended complaint, the Review Board shall notify all of its members within 48 hours. The Review Board shall also notify the respondents named in the complaint within 48 hours, and provide them with copies of the complaint.
4. After notification of a complaint, each respondent must submit a response to the complaint within 72 hours. If a complaint names multiple respondents, the respondents may opt to file a single response, or to file responses individually. Responses must meet the following standards in order to be considered:
 - a. All responses to complaints must be submitted to the Chair of the Review Board.
 - b. Responses must be submitted in English, and be readable unaided by a person with normal vision.
 - c. Responses may be submitted as physical documents, by facsimile, or by electronic mail. Responses sent by electronic mail must be in the form of an attached printable document (either Microsoft Word or Adobe PDF format).
 - d. Responses must clearly indicate what complaint they are responding to, and must clearly name the student(s), student organization, or SA functional unit responding to the complaint.
 - e. Responses must attempt to answer the challenges made in the complaint.
 - f. Responses to complaints may be no longer than five pages. Typed responses must use one-inch margins and 12-point serif or sans-serif typeface.
 - g. All responses to complaints must be made in good faith, and signed by the respondent(s). If the respondent is a student organization or SA functional unit, the organization's president or otherwise highest officer must sign the response.
5. Respondents shall be notified of any amendments made to the complaint, and given an additional 72 hours to change their response from the time of the last amendment. They are not required to do so.
6. Within 72 hours after the time to file complaints and responses has closed, the Review Board shall decide whether or not to hold a hearing. At least three members must vote in favor of a hearing in order for a hearing to be conducted.
7. All petitioners and respondents shall be notified if a hearing is to be conducted. The Review Board shall attempt to schedule a hearing at a mutually convenient time for those involved, which shall always be at least 72 hours after notification of a hearing has been given.
8. This process can be expedited with the mutual approval of the petitioner(s) and respondent(s).

§4.1-5. Hearings of the Review Board

1. The Review Board conducts hearings in order to determine the validity of challenges made against a respondent. Hearings shall be run under the parliamentary authority of the Student Assembly.
2. A majority of the Review Board must be present in order to conduct a hearing.
3. A member the Review Board who believes himself to be personally involved in a case to an extent that he is unable to rule fairly may recuse himself from a hearing and its deliberations. A recused member observing a hearing does not count towards the majority required to conduct a hearing.
4. All hearings shall be open to the public unless the Review Board votes to close them. A vote to close a hearing shall succeed only if all members present, or all but one of the members present, agree to do so.
5. Speaking to the Review Board
 - a. Petitioners and respondents always have the right to speak at their hearings.
 - b. A student may nominate another willing student to speak on his behalf at a hearing.
 - c. An organization or SA functional unit **MUST** nominate one or more students to speak on its behalf.
 - d. Students nominated to speak on behalf of a petitioner or respondent may remain in the hearing room during a closed hearing.
 - e. The Review Board reserves the right to limit the number of people that may speak at a hearing on behalf of a petitioner or respondent.
6. Conduct of the Hearing
 - a. Hearings of the Review Board are conducted in a consistent format.
 - b. At the beginning of a hearing, the petitioner and respondent shall each have three minutes to present opening arguments to the Review Board without interruption. The petitioner presents his arguments first.
 - c. The Review Board will then interview the petitioner for 20 minutes. Following the interview with the petitioner, the Review Board will interview the respondent for 20 minutes. At its discretion, the Review Board may extend the length of time allotted for either interview to allow for the presentation of longer or more involved arguments.
 - d. Following the interviews, the petitioner and respondent shall each have five minutes to present closing arguments to the Review Board without interruption. As with opening arguments, the petitioner presents first.
7. After the hearing for a case has concluded, the Review Board shall meet to deliberate and write an opinion. The deliberations may be conducted immediately after the hearing, or at any time within the following 48 hours.

§4.1-6. Deliberations

1. Deliberations of the Review Board shall be conducted in closed session. Only members present at the hearing for a case may participate in the deliberations to decide the outcome of the case.
2. The Review Board is responsible for producing a written opinion at this time. This opinion must satisfy the requirements given in §4.1-3.5.
3. A majority of the Review Board must vote in favor of a particular opinion in order to decide a case. The majority opinion is binding on all parties.

4. Review Board members who vote in the minority against the final opinion may write a dissenting opinion that satisfies the guidelines in §4.1-3.5. Dissenting opinions are not binding.
5. Petitioners and respondents shall be given a copy of the written opinion within 48 hours of the conclusion of deliberations.
6. The names of members voting for or against opinions shall not be released, except by unanimous consent at the time of the decision.
7. The Review Board shall submit the majority opinion, and any dissenting opinions, that it produces to the Chair of the Senate, the President of the Student Assembly, and the Undergraduate and Graduate Councils.

§4.1-7. Remedies

1. The Review Board may issue a binding interpretation of a section of the Constitution or Code of the Student Assembly.
2. The Review Board may find regulations of the Student Assembly contrary to the Constitution of the Student Assembly. Regulations that are declared unconstitutional cease operating immediately.
3. The Review Board, through its written opinions, may publicly identify officials of the Student Assembly who are failing to comply with the regulations of the Student Assembly. The Review Board has the power to order officials and functional units of the Student Assembly to complete tasks required by the regulations that govern them.
4. Elections
 - a. The Review Board may allow someone whose request for candidacy was denied by the Elections Commission to appear on the ballot.
 - b. The Review Board may remove sanctions imposed by the Elections Commission, including but not limited to fines, warnings, and removal from the ballot.
 - c. If a case is brought involving an election that has already concluded, the Review Board may order a special election to be conducted.
5. This section should not be construed to deny the Review Board the ability to implement other just remedies as a particular case may dictate.

§4.1-8. Advisory Opinions

1. The President of the Student Assembly and the Chairperson of the Senate shall have the ability to request advisory opinions from the Board.
2. The President of the Student Assembly and the Chairperson of the Senate both shall receive copies of each advisory opinion, including the language of the requests and the Review Board's response.
3. Advisory opinions may be rendered with a single meeting of the Review Board, in lieu of a full hearing. A majority of the Review Board must agree on the advisory opinion.

§4.1-9. Appealing Decisions of the Review Board

1. A respondent who is unsatisfied with the decision made by the Review Board may request an appeal by filing a written complaint to the Review Board within ten academic days of receiving the decision.

2. A complaint used to initiate an appeal must follow the guidelines in §4.1-4.1; the respondent need not be named on the complaint, as it is by definition the Review Board. It may not be amended.
3. The complaint must argue that the decision of the Review Board was erroneous. A complaint filed as an appeal should cite at least one relevant passage in the regulations of the Student Assembly.
4. At least three members of the Board must vote to hear an appeal within 72 hours of the appeal being received by the Board.
5. No formal hearing is required to decide an appeal, but the Board may schedule an interview with the appellant if questions arise.
6. Appeals are decided by deliberation in closed session. At least five members of the Board must be present, but the members present during an appeal need not have been present at the original hearing. Upon reaching a decision, the Review Board will report it in a written opinion meeting the criteria of §4.1-3.5. Four members of the Board must concur on the opinion for it to become effective.
7. The Review Board may implement any of the remedies discussed in §4.1-7 if found to be necessary as the result of an appeal. Remedies implemented as the result of the case that led to the appeal may also be reversed, if appropriate.
8. Decisions reached upon appeal are final.

TITLE 5: JOINT AGENCIES

Chapter 1: Generally

§5.1-1. Joint Agencies are those Offices which are not solely under the authority of a given branch of the Assembly, but are integral to accomplishing the overall mission of the Assembly.

Chapter 2: First Year Council

§5.2-1. There shall be an Joint Agency known as the First Year Council (FYC), whose mission shall be as the vehicle of involvement in the Assembly for freshmen. It shall have the following duties:

1. Provide forums for interaction between the freshman class and the elected members of the Assembly.

2. Provide for the creation of a system whereby members of the FYC may serve as Aides within the Executive Office of the President, Executive Departments, the Senate, and Joint Agencies. Aides shall serve on a semester-long term.

§5.2-2. The Director of the First Year Council shall be appointed by the President of the Assembly with the Consent of the Senate, pursuant to Article II, Section III, Clause III of the Constitution. Nominees must be presented to the Chairman of the Senate for confirmation within 10 academic days of the President's assumption of Office, or within 15 academic days after a vacancy is known.

§5.2-3. There shall also be Assistant Directors and other Deputies for the roles assigned to the Agency, as the Director shall deem necessary.

§5.2-4. If the Senate should refuse to consent to a nominee of the President, he or she must make another nomination within 10 academic days.

§5.2-5. The Director shall issue monthly reports on progress to the Chairman of the Senate and the President of the Assembly.

Chapter 3: Independent Elections Commission

§5.3-1. There shall be an Independent Elections Commission, pursuant to Article V, Section I, Clause II of the Constitution. It shall have the following duties:

1. The fair and impartial administration of all elections for all popularly elected undergraduate Offices of the Assembly.
2. The fair and impartial administration of referendum elections.
3. To enforce the requirements of the election.
4. Other rules, regulations, or processes not specified in this code but deemed necessary by the Elections Commission for the successful implementation of the election.

§5.3-2. The President shall appoint one Chair and four Commissioners as principle officers to the Elections Commission to carry out the duties enumerated in the Code. All members of the Commission shall be subject to confirmation by the Senate, pursuant to Article II, Section II, Clause III of the Constitution. The Commission may determine its other officers as necessary to conduct elections, including a Vice Chairman. No member of the Commission may have a public interest in the outcome of an election. Public interests include, but are not limited to, personal gain resultant from election results, public statements prior to election regarding candidates or offices sought and collective gains by a campus organization affiliated with the member of the Commission. If such

public interest is found during the tenure of a Commissioner, he must remove himself from the deliberations of the Commission.

§5.3-3. The Commission shall hold all meetings in an open and public manner, and shall not be permitted to go into closed session except when involving infractions.

§5.3-4. All forms and documents of the Commission must be posted on the Student Assembly website.

§5.3-5. Referenda

§5.3-5.1. Establishment of Referenda

1. Every academic spring term during the Student Assembly's elections, questions may be placed on the ballot for the student body to vote upon.
2. There is no limit as to the number of questions that may be posted on the ballot in the Student Assembly General Elections.
3. In the event that 500 different William and Mary students sign a petition requesting for an emergency referendum to be held on a particular question, the Elections Commission must select a calendar date within 15 academic days of receiving the petition to hold the referendum.

§5.3-5.2. Nature of Posting a Question on the Ballot: There are three ways for a question to be posted on the ballot.

1. Student Assembly Senators vote for a question to be posted on the ballot under the legislative guidelines set forth in the Constitution of the Student Assembly.
2. The Vice-President of Student Affairs formally requests (either in writing or in person at a Standard Senate meeting) for the Student Senate to post a question. The Student Assembly Senate may pass the request for the question to be posted on the ballot under the legislative guidelines set forth in the Constitution of the Student Assembly.
3. 250 different students of The College of William and Mary sign and date an official Election's Commission "Referendum Question Petition Form" and present it to the Election Commission.

- a. The “Referendum Question Petition Form” will be created by the Election’s Commission. At the top of the form will be the question being petitioned to be posted on the ballot.
- b. The Elections Commission shall post the question listed on the form as it is written.
- c. Only two weeks will be provided for signatures to be signed upon a petition form. The start of these two weeks shall be from the date the first signature is placed upon the “Referendum Question Petition Form.”

§5.3-5.3. Other Procedures

1. The “Referendum Question Petition Form” shall be made available to the Students of the College of William and Mary all year long through either the Student Assembly Web Page or the Student Assembly Office.
2. All Referendums shall not be binding. For a resolution to be binding the Student Assembly Senate must pass resolutions into the Code of the Student Assembly which must be signed by the President of the Student Assembly.

§5.3-6. Candidacy

1. No individual may seek to represent a constituency, defined as social class, of which he or she is not a part currently or will be a part of in the next academic year. Any disputes regarding ones social class standing shall be resolved by the Elections Commission. Candidates must be enrolled as a student of the College.
2. In order to be listed on the ballot, one must submit a declaration of candidacy to the Elections Commission and attend a candidate information session before a deadline set by the Elections Commission. In this declaration one must agree to abide by all campaign regulations.
3. No one may run for more than one Student Assembly office at the same time.
4. No one shall be eligible to seek office with the knowledge that he or she will not be an active student at the College, defined as not being enrolled as a full-time student, during part of his or her tenure. Examples of this include participation in Study Abroad programs, academic suspension, or withdrawals.

5. All candidates for Student Assembly Office must pledge to conduct their campaign, and if elected, their activities while in office in an honorable fashion, adhering always to the William and Mary Honor Code.

§5.3-7. Election Procedure

1. If possible, the Elections Commission shall maintain polling places throughout the campus where students may vote. Non-partisan posters will clearly mark each public polling place.

2. The Elections Commission will furnish staff to work at the polls. These staff members may not be candidates in the election, nor may they have a public interest in the election outcome.

3. Each student will have one vote in each race for which he or she is eligible. A student is eligible to vote for officers of his or her own social class, as determined by the College Registrar.

4. The Senate shall determine the means of polling for each election in order to maximize participation and electoral validity. This shall be announced publicly at candidate information sessions and through campus publicity. However, if an unforeseen problem arises, a change in method does not constitute an unfair advantage to any candidate. It shall be assumed that all candidates are treated equally under any method of polling.

5. Only one person may hold each elected office.

6. Elections for the offices of Class President are decided on the plurality system. Elections for Senate are decided on the plurality system.

7. Between a month and 14 days before the election, at least 2 mandatory candidate information sessions shall be held, allowing for the possibility of a private session at the request of a potential candidate. A potential candidate must go to one of these options. 14 days before the election, declarations of candidacy and a statement by the candidate for inclusion on the ballot are due. The Commission will notify the candidates and provide them with the listing of candidates and offices sought. The Commission will offer all candidates the opportunity to change their position sought within the Student Assembly up to ten days before the election. The interim change period will be openly visible, with candidates being notified what changes have been made to the candidate list as they arise. Any changes made to the candidate list must be announced to all candidates within 12 hours. In the event that the election timeframe is interrupted by a scheduled school break and the school is out of

session, the period of the break shall not count as part of the timeframe. The timeframe shall resume immediately after school re-enters session.

8. Election results must be approved and certified by the Commission as a whole prior to public or private dissemination of results. This certification process will vary by polling method, but must end with presentable evidence of vote totals for all candidates in all races.

9. At the first Senate meeting following the election, the Commission or representatives thereof must present a report of the election proceedings.

§5.3-8. Campaign Regulations

1. Every candidate must carry on a fair campaign and abide by all campaign regulations. All candidates must abide by the letter of these rules. The Elections Commission is required to post these guidelines online to allow for public access of these regulations.

2. Campaigning may not begin until 12:01 a.m., nine days before the election.

3. Campaigning is defined as the act of soliciting votes. Examples of campaigning include, but are not limited to:

- a. The public distribution or posting of campaign materials, physical or electronic, seeking votes for a particular candidate.
- b. Speaking before an organized group or in a public place seeking votes for a particular candidate.
- c. Announcing intent to run for office to an organized group or in a public manner, including, but not limited to, flyer distribution or posting, social networking websites, mass e-mails, or electronic status messages, as interpreted by the Commission.
- d. Any activity, on the part of either a particular candidate or representative of a candidate, requesting the vote of a constituent, as interpreted by the Commission.

4. The definition of campaigning shall not include the creation or design of campaign materials, the recruitment of direct campaign workers, the scheduling of speaking engagements, the discussion of campaign strategies, or other activities intended for the establishment of a campaign staff, as defined by the Elections Commission.

5. A campaign staff shall be defined as any individuals willfully helping a candidate seek office, either before or during the official campaign period. Only declared candidates themselves may solicit individuals to serve on a campaign staff.

6. Beginning on the Election Day candidates will not campaign within fifty feet of polling places.

7. Candidates are expected to follow all College Posting, Fire Code and Solicitation Policies.
8. Campaigns must be run in an ethical manner with mutual respect toward other candidates at all times. Candidates must abide by all applicable College, local, state, and federal regulations including, but not limited to, the Student Conduct and Honor Codes.
9. Candidates are responsible for the actions of their campaign workers and supporters. This includes any independent organizations supporting the candidate.
10. Any materials posted or distributed by the campaign, whether printed or electronic, must contain the name of the candidate responsible for its publication. This includes declarations of support on College chalkboards.
11. Candidates are also not permitted to use any obscene or pornographic material with his or her campaign.
12. Every campaign will be held to spending limits. This limit refers to the spending of the whole campaign, including those items purchased or acquired by campaign workers and supporters, which includes independent organizations donating money to a candidate or spending money on behalf of a candidate. The definition of an independent organization is any group of people that helps support a candidate in any way. All donations made by individuals to a candidate must be included in the spending limit.
 - a. Candidates for Class President will be limited to fifty (50) dollars or its equivalent in goods and services based on fair market value.
 - b. Candidates for Senate will be limited to fifty (50) dollars or its equivalent in goods and services based on fair market value.
 - c. Candidates for Student Assembly President will be limited to four-hundred (400) dollars or its equivalent in goods and services based on fair market value.
13. Candidates may not engage in the following activities, and may be assessed a CLASS ONE infraction if they do so:
 - a. Engage in campaign activities before the start of the campaign period.
 - b. Post any piece of campaign material on a surface which is prohibited by the regulations of the College.

- c. Post more than one piece of campaign material on any bulletin board or kiosk, with the exception of Morton Hall, where candidates may post up to four pieces of material per floor, not including individual rooms, and one piece of material on each bulletin board in the stairwells.
- d. Post any piece of campaign material larger than 8 ½ by 11 square inches on a bulletin board, kiosk, or the halls of Morton Hall. Writing on chalkboards shall not be limited.
- e. Campaign within 50 feet of a polling place during the polling period.
- f. Post any piece of campaign material on a non-public bulletin board. This includes RA bulletin boards, unless the permission of the RA of that hall is given.
- g. Post on the door of any Residence Hall room without the permission of one of the residents of that room.
- h. Post any materials that do not have the name of the Candidate printed on it.
- i. Use a Student Assembly or official social or academic class listserv for campaigning or voter mobilization purposes.

14. Candidates may not engage in the following activities, and may be assessed a CLASS TWO infraction if they do so:

- a. Slander, the oral communication of a statement known to be false with the intention to injure the reputation of a Candidate. Reasonable allowance shall be made by the Commission for expressions which may be reasonably understood as the opinion of the person expressing it.
- b. Libel, the presentation of publications which have contents known to be false with the intention to injure the reputation of a Candidate. Reasonable allowance shall be made by the Commission for expressions which may be reasonably understood as the opinion of the person expressing it.
- c. Knowing inclusion in campaigns of pornographic or obscene materials, as interpreted by the Commission.
- d. Failure to submit required information to the Commission by a required deadline known to the candidate.
- e. Campaigning by door-to-door solicitation, as defined by College policy.

15. Candidates may not engage in the following activities, and may be assessed a CLASS THREE infraction if they do so:

- a. Bribery of a candidate. Bribery of a candidate shall be defined as the promise or provision of money or any tangible incentive with the intent of a candidate removing himself from contention for the office he is declared for, or intentionally losing the campaign for the office.
- b. Negative Attacks against a candidate. Candidates for office may not make attacks on a candidate based solely upon their character or person. This shall not be construed to prohibit direct comparisons of a candidate's experience, trustworthiness, platform, issues or other legitimate factor.
- c. Bribery of a voter. Bribery of a voter shall be defined as the promise or provision of money or any tangible incentive with the intent of soliciting a vote for a particular candidate.
- d. Tampering. Tampering shall be defined as intentional interference with the electoral process in such a way as to subvert the integrity of the process. Tampering includes watching a voter complete the voting process. Tampering also includes accessing in any way, directly or indirectly, elections returns before the full results are certified by the Elections Commission.
- e. Over Spending. Spending more than the spending limit created in §5.4-8(11) exclusive of fines, or spending more than \$39 in fines as created in §5.4-9(5)(2).
- f. Intentional destruction of another candidate's campaign materials. Destruction of another candidate's campaign materials includes, but is not limited to, widespread destruction of another candidate's flyers, and tampering with another candidate's electronic campaign materials, such as a website or social networking group, as interpreted by the Commission. Erasing of campaign messages on chalk boards shall not be considered destruction of campaign materials.
- g. Anonymous Posting. The posting of anonymous campaign material, physical or electronic, including, but not limited to, anonymous flyers, e-mails, or web-postings, as interpreted by the Commission.

16. Independent organizations, as well as members of a candidate's campaign staff, must report all expenditures to the Commission made on behalf or in support of a candidate.

They must report these expenditures before the end of polling and these donations must be made public on the SA web site.

17. All candidates must turn in financial disclosure statements before the close of the polls on Election Day or at the request of the Elections Commission. The appropriate receipts must accompany this statement when applicable. Failure to do so on the part of a candidate may result in the assessment of a CLASS THREE infraction.

18. All who run a write-in campaign will be subject to the same campaign regulations and penalties as officially declared candidates. The candidate running the write-in campaign is required to contact the Elections Chairman about his or her intent before the opening of the polls on Election Day or his or her votes will not be counted. Furthermore, no write-in candidate will be certified as the winner until his or her eligibility has been verified.

19. All who wish to run for office must turn in a signed declaration of candidacy form by the deadline established by the Elections Commission. Individuals will not be listed on the ballot unless this form is handed in by the deadline.

20. As the Student Assembly exists to further the interests of the student body, all candidates for the elections are required to submit a personal statement. This should not exceed one hundred and fifty words in length and will serve as the statement used by the Elections Commission for publicity of that candidate.

21. Candidate tickets for President and Vice-President of the Student Assembly may change during the first three days of the official campaign period, but may not change less than seven days before the election, pursuant to the Constitution of the Student Assembly.

22. Candidates for Student Assembly Office may withdraw their declared candidacy at any point twenty-four hours prior to the election by submitting a binding Withdrawal of Candidacy Form, created by the Elections Commission.

§5.3-9. Enforcement

1. The Elections Commission has the authority to enforce all decisions.
2. Anyone may file a complaint regarding a violation of the letter of any campaign regulation with the Elections Commission. All violations must be reported before twenty-four (24) hours after the closing of the polls. Violations may be reported by contacting members of the Elections Commission via phone or email.

3. The Elections Commission will investigate all complaints found to have merit. Any candidate accused of violating the election regulations will be contacted by the Elections Commission and given the opportunity to explain or refute the charges prior to a decision of sanctions. The Chairman will have the power to impose sanctions independent of the committee except for the removal from the ballot and disqualification. If necessary, the Elections Commission will hold an emergency meeting regarding violations. Meetings will not be public.
4. There shall be three classes of infractions for actions by candidates against the regulations and requirements in this Title.
5. A CLASS ONE infraction shall carry the following penalties, one of which shall be assessed by the Chairman of the Commission.
 - a. For a first offense, a warning will suffice.
 - b. A fine, not to exceed \$20, to be put into the Student Activities Fund.
 - c. In addition to either the warning or the fine, the candidate must remove all inappropriately placed elections flyers immediately upon the request of the Chairman of the Commission.
6. A CLASS TWO infraction shall carry the following penalties, one of which shall be assessed by the Chairman of the Commission.
 - a. A suspension of active campaign privileges for a set period of time.
7. A CLASS THREE infraction shall carry the following penalties, one of which shall be assessed by the Chairman of the Commission.
 - a. Removal from the ballot and invalidation of candidacy.
8. Penalties assessed against Campaign Committees by the Chairman of the Commission may be overturned by a majority vote by the Commission. Penalties may be assessed for each item or event of infraction, if said infractions occur in various places. Penalties may be downgraded in severity from Class Three to Class Two or Class Two to Class One by a majority vote by the Commission.
9. If the Chairman of the Commission assesses a CLASS THREE infraction against a campaign committee, that ruling shall be immediately stayed, and the Commission shall meet within 12 hours. At that meeting, by majority vote, they may confirm or overturn the decision of the Chairman. If, at that time, the Commission shall decide that the assessment

of a CLASS THREE infraction was appropriate, the Candidate shall be required to cease campaign activities, and shall be removed from the ballot.

10. Penalties may be assessed for each item or event of infraction, if said infractions occur in various places.

11. If any candidate's actions are found to have violated other codes, he or she will be referred to the appropriate entity. This may involve, but is not limited to the Honor Council, Student Conduct Council, or the College administration.

§5.3-10. Appeals

1. Any candidate who feels that the elections process has not met the requirements of a fair and unbiased election as set out in the Constitution of the Student Assembly, whether through improper enforcement of regulations by the Elections Commission or other irregularities, to the extent that the alleged infraction could have materially changed the outcome of the election, may appeal the election to the Review Board.

2. A candidate has forty-eight hours after the certification of election results by the Commission Chairman to file an appeal to the Review Board.

3. The Review Board must convene within forty-eight hours to hear the appeal. If the Review Board determines that the alleged infraction could have altered the outcome of the election, the results of the appealed race shall be declared invalid and a special election shall be held for the appealed office open only to the same candidates.

Chapter 4: The Joint Facilitation Committee

§5.4-1. The Joint Facilitation Committee

1. There shall exist a Joint Facilitation Committee, for internal affairs that are integral to accomplishing the overall mission of the Assembly. The Joint Facilitation Committee shall be under the joint control of the Student Assembly President and Chairman of the Senate. They shall have vested authority over the workings of that Committee within those limitations set in legislation.

2. The Committee shall be composed of the Student Assembly President, Student Assembly Vice President, Executive Chief of Staff (or designee), the Chairman of the Senate, the Secretary of the Senate, and an additional member of the Senate.

a. The Student Assembly President shall choose the designee or Chief of Staff to serve on the Committee.

b. The Chairman of the Senate shall choose the additional member of the Senate to serve on the Committee.

3. The Joint Facilitation Committee shall be charged with facilitating and managing the internal operations of the Assembly including, but not limited to:

a. The tasks of office management of the Student Assembly Office, at the Williamsburg Campus of the College of William and Mary, which shall include overseeing supply and inventory, office equipment, office staffing, office access and clerical duties;

b. The tasks of keeping complete Archives. The website shall be maintained by the Chief Technology Officer of the Assembly, chosen by the Joint Committee, who shall ensure the records of the Assembly are open and publicly available to all students. The Chief Technology Officer shall be charged with maintaining the website and shall sit in on the Joint Facilitation Committee as a non-voting member. The Chief Technology Officer shall fulfill his/her duties as prescribed in the Student Assembly Constitution;

c. The task of handling all FOIA requests. The Committee shall choose an individual to serve as FOIA Officer, who shall be the principal contact for all Virginia Freedom of Information (VA FOIA) requests concerning the Student Assembly. He/she shall notify the President of the Student Assembly and Chair of the Senate of such requests within three business days of receiving them. The Committee shall take steps necessary to encourage and ensure the compliance of the Student Assembly with VA FOIA regulations and inform the Senate and Executive of its efforts at the request of these bodies. The FOIA Officer, or his/her designee, is authorized to make official requests to the Virginia FOIA Advisory Council on behalf of the Student Assembly with the prior majority consent of the Senate.

d. The advance posting of all meeting times. The President and the Chair of the Senate are charged with coordinating monthly meetings. The Joint Facilitation Committee shall be responsible for the public posting of the date, time, and location of regular public meetings of the Executive, full Senate, committees of the Senate, and Graduate Council as required by Virginia law. Such postings shall be made at least 48 hours prior to the meeting of the above mentioned bodies;

e. The facilitation of the Student Assembly's Information Technology resources. The Joint Facilitation Committee shall be responsible for managing the Student Assembly's email account, the allocation of the Student Assembly password, management of electronic mailing lists, and other IT resources. In addition, the Joint Facilitation Committee shall be charged with uploading all information obtained from FOIA requests carried out by the Student Assembly, at Senate Policy Committee's discretion with input from the petitioner, to the Student Assembly website.

f. Fulfilling all other responsibilities necessary to the effective and efficient operation of the Student Assembly, and other duties assigned to it by Resolution of the Senate, or Decision of the Review Board.