

Bylaws
of the
Student Government Association
of the
University of Maryland, Baltimore County

The Bylaws were ratified by the Student Government Association of the University of Maryland, Baltimore County, on May 15, 2004, and last amended on March 13, 2017 (effective May 15, 2016). The document below is current as of April 7, 2017.

Scope The Bylaws of Student Government Association (SGA) shall be second highest-ranking document created by the SGA, superseded by only the SGA Constitution.

Article 1. LEGISLATIVE BRANCH

1.1. Officer Duties

All Representatives and Senators shall attend all meetings of their respective legislative body, attend all committee meetings, participate in activities sponsored by SGA, maintain close contact with their constituents, and initiate activities which benefit UMBC undergraduates. Each legislative body shall hold at least one meeting weekly during the fall and spring semesters.

1.2. Duties of Senate Speaker and Assistant Speaker and Finance Board Chair

The Speaker of the Senate and Chair of the Finance Board shall be responsible for the administration of their respective body; serving of the voice of their respective body; preside over meetings of their respective body (except when absent or yielding the chair); making the SGA Guiding Documents available to all members; coordinating membership with the President to form the Nominating Committee; ensuring that a full Election Board is seated by the end of the fall semester; determining Stipend Review Committee representatives each semester; and performing all other duties assigned by the President and/or their respective body. The Assistant Speaker of the Senate and Vice Chair of the Finance Board shall perform these duties whenever the Chair of their respective body (Senate Speaker or Finance Board Chair) temporarily cannot, be in charge of assigning committees to the members of their respective body, serve as co-chairs of the Stipend Review Committee, and assist the Chair of their respective body in all other duties.

1.3. Ex-officio Members

The ex-officio members of the Senate and Finance Board will have speaking and motion-making privileges but no voting privileges and will not count toward quorum. The UMBC President, UMBC Vice President of Student Affairs, UMBC Director of Student Life, SGA President, SGA Executive Vice President, and SGA Advisor(s) shall be ex-officio members of both legislative bodies. For the Senate, other ex-officio members will include the SGA Treasurer, SGA Vice President for Student Organizations, and a representative from each of the following organizations: Resident Student Association, Commuter Relations Board, Student Events Board, and the Retriever Weekly. In addition, up to six first-year students will serve as First-Year Ambassadors to the legislative branch of the Student Government Association. Up to three of these Ambassadors will serve as ex-officio members of the Senate, and up to three will serve as ex-officio members of the Finance Board. These ambassadors are to be appointed by the Speaker of the Senate (for those First Year Ambassadors who will serve in the Senate) or the Finance Board Chair (for those First Year Ambassadors who will serve on the Finance Board) and confirmed by the respective bodies.

1.4. Committees

1.4.1. Senate and Finance Board Committees

The Senate and Finance Board may establish their own committees through their procedural rules, through legislation, or by the Senate Speaker or Finance Board Chair.

1.4.2. University Committees

The Senate shall be responsible for the filling of SGA seats (when not otherwise designated) on all university committees created by the UMBC Plan of Organizations and the University Steering Committee. Additionally the Senate shall send a delegation to the Food Services Committee (2 seats), IT Steering Committee (1 seat), Commuter Relations Board (2 seats), and Resident Student Association meetings (2 individuals). Non-Senators may serve on these committees provided they meet minimum requirements for becoming a Senator and are approved by the Senate (majority vote). Student appointments to all other university task force shall be made by the SGA President, subject to Senate confirmation.

1.4.3. Stipend Review Committee

At the beginning of each semester (Fall/Spring) the SGA shall convene a Stipend Review Committee (SRC)--a joint committee a for the purpose of stipend review and allocation. This committee shall have the exclusive power to award stipends to officers eligible to receive a stipend based on their performance in their SGA position. All SGA-allocated stipends are subject to review by the SRC, with the exception of the stipends allocated to the SGA Judicial Branch. The voting membership of the committee shall include two representatives from the Senate—either Senators, First Year Ambassadors to the Senate, or a combination of the two (elected by a majority of the Senate); two representatives from the Finance Board—either Finance Board Representatives, First Year Ambassadors to the Finance Board, or a combination of the two (elected by a majority of the Finance Board); two representatives from the Executive Branch—any member of the Executive Branch (except the President himself) and may only include one of the following: the Executive Vice President, the Vice President for Student Organizations, or the Treasurer (these members are to be appointed by the President); and the SGA Advisor (or designate of the Director of Student Life). The President; Executive Vice President, Vice President for Student Organizations, and Treasurer (if not a voting member of the committee); and all other ex-officio members to the Legislative Branch shall also be ex-officio members of the SRC, with voice but no vote. A representative from The Retriever Weekly may also be an ex-officio member of the SRC. The committee shall be co-chaired by the Assistant Speaker of the Senate and the Vice Chair of the Finance Board. The co-chairs shall serve as members of the SRC with limited voting rights. Decisions made by the SRC are not subject to veto, but can be appealed in accordance with the Guiding Documents.

1.4.4. Nominating Committee

At the beginning of each fall semester, no later than October 1st, the President shall convene a Nominating Committee for the purpose of identifying, evaluating, and nominating candidates to serve on the Election Board (one Election Board Chair and at least six other Election Board members) and the SGA-selected members of the Appeals Board. The Committee shall be chaired by the President, who shall be a voting member. The Senate shall elect two of its members (elected members or First Year Ambassadors) to serve as voting members of the Committee. The Finance Board shall elect two of its members (elected members or First Year Ambassadors) to serve as voting members of the Committee. The Committee will promptly nominate SGA members to serve on

the Appeals Board. The Committee can only nominate Election Board members after an Election Board Chair has been nominated by the Nominating Committee and confirmed by the Senate and Finance Board. The confirmed Election Board Chair shall also be a voting member of the Committee; however, the Election Board Chair will have no vote regarding the selection of the SGA appointments on the Appeals Board. The Executive Vice President, Vice President for Student Organizations, Treasurer, SGA Advisor, and one representative of The Retriever Weekly shall be ex-officio Committee members, with voice but no vote. The Committee shall only forward candidates for Election Board Chair to the Senate and Finance Board for confirmation that meet the approval of at least a two-thirds vote of the entire voting membership of the Nominating Committee, present or absent. For all other members of the Election Board, the Committee shall only forward candidates to the Senate and Finance Board for confirmation that meet the approval of at least a majority of the entire voting membership of the Nominating Committee, present or absent; for members of the Appeals Board, the Committee shall only forward candidates to the Senate and Finance Board for confirmation that meet the approval of at least a majority of the entire voting membership of the Nominating Committee, excluding the Election Board Chair, present or absent. In the event of a vacancy on the Election Board, or a vacancy of an SGA-selected member on the Appeals Board, a replacement will be nominated and selected in the manner described above.

1.5. Confirmation

The Senate shall confirm all presidential appointments to the Cabinet; positions for which a stipend is provided and/or the officer is responsible for supervising other appointed officers; the Elections Board Chair; The Senate shall confirm the recommendation of student appointments to the Maryland Higher Education Commission (MHEC) and University System of Maryland (USM) Student Council.

1.6. Legislative Process

1.6.1. Legislation

Official actions of the Senate and Finance Board shall be made in the form of legislation. All legislation formatted to include: a code and title (should be unique for the academic year); any authors and sponsors (an officer can be both); the date of introduction; a special header noting the vote requirement, if not a majority, and required notice, when applicable; the bill's purpose; the action taken (by passage of the legislation); count and date of the vote; signature of the chair of the body in which the legislation was voted on; and space for the President's signature (if subject to veto).

1.6.2. Legislation Action

All legislation shall be drafted, submitted, debated, and voted on in accordance with the procedural rules of the legislative body(s) considering it. Senate and Finance Board legislation shall be sponsored in accordance with the respective body's procedural rules. Once legislation passes, the Speaker/Chair of body in which it passed should forward the legislation to the President within two business days (days university is open) of passage (even when not subject to veto).

1.6.3. Executive Action

The President shall then sign (approve) or veto the legislation and then return it to the author and the Senate Speaker and Assistant Speaker (in the case of Senate legislation), or both (in the case of Joint legislation) within five business days of receiving it. If the President does not return the legislation within five days, it shall automatically be approved. Once legislation is approved, it becomes effective immediately, unless otherwise noted in the legislation.

1.6.4. Overriding Vetoes

In cases of presidential vetoes, legislation shall be returned to the Speaker/Chair with a list of objections in writing within five business days of receiving the legislation. At the next regular meeting of the legislative body(s), the Speaker/Chair shall inform the legislative body of the veto, the list of objections shall be read, and the legislative body(s) may at its discretion override the veto by a two-thirds vote. If the veto is overridden, the legislation becomes effective immediately, unless otherwise noted in the legislation.

1.6.5. Voting and Quorum Requirements

Entire membership includes all filled seats with voting privileges (abstentions and absences count negatively). Members present include members with voting privileges in attendance (abstentions count negatively). Votes specified as “simple,” “members voting,” or left unspecified include only those voting for or against the item (exclude abstentions).

Majority shall mean more votes for than votes counting negatively. Other vote requirements (2/3rd, 3/4th, etc.) shall be construed as at least the requirement times counted votes (un-rounded). Plurality means the most votes amongst options.

All legislation requires a minimum of a simple majority vote for passage. No votes effecting legislation shall be binding unless a quorum of a majority of entire body membership is present.

Article 2. EXECUTIVE BRANCH

2.1. President

The SGA President shall be available for meetings and office duties; maintain the day-to-day operations of the SGA; report to the legislative branch on a monthly basis on Executive Branch initiatives and other relevant issues; write a yearly report of activities; faithfully execute all approved legislation; chair the Nominating Committee and ensure that a full Election Board is seated by the end of the fall semester; attend all meetings of the University Steering Committee and any other committees designating a seat for the SGA President; sit as an ex-officio on the Student Activities Fee Review Board; call and preside over Cabinet meetings; and perform other duties assigned in the SGA Guiding Documents and legislation.

2.2. Executive Vice President

The SGA Executive Vice President shall be available for meetings and office duties; assist the President with the day-to-day operations of the SGA; report to the legislative branch on a monthly basis; write a yearly report of activities; co-direct with the President the Cabinet; sit on all university committees reserving a seat for the SGA Executive Vice President; chair the Senate and Finance Board

until they elect their Speaker/Chair; and perform other duties assigned by the President, Guiding Documents, and legislation.

2.3. Vice President for Student Organizations

The SGA Vice President for Student Organizations shall be available for meetings and office duties; establish and maintain services and programs to support student organizations; convene and work in collaboration with the Student Organization Advocates; attend all Cabinet meetings; report to the legislative branch on a monthly basis; write a yearly report of activities; and perform other duties assigned by the President, Guiding Documents, and legislation.

2.4. Treasurer

The SGA Treasurer shall be available for meetings and office duties; attend all Cabinet meetings; write a yearly report of activities; handle, coordinate, and reconcile all financial transactions in SGA-managed accounts, including that of student organizations; keep the Executive Branch, legislative bodies and student organizations informed of the status of their respective accounts; provide training for student organizations on budgeting and expending of funds; work in the Student Affairs Business Services Center, and performed duties assigned therein; sit as an ex-officio members of the House Finance Committee and Student Activities Fee Review Board; and perform other duties assigned by the President, Guiding Documents and legislation.

2.5. Other Cabinet Members

All other Cabinet members shall be available for meetings and office duties; attend all Cabinet meetings; write a monthly report of activities; and perform the duties assigned by the President, Vice President, and legislation.

Article 3. JUDICIAL BRANCH

3.1. The Appeals Board

The Appeals Board shall have the responsibility to hear all cases where an SGA officer is accused of violating any material provision or principle of an SGA Guiding Document, to hear cases where candidates for elected office allege they have been wrongly disqualified by the Election Board, and to hear cases where an individual seeks to appeal their SGA-granted stipend from the Stipend Review Committee. The Appeals Board's decision will be the ultimate and final determination on these matters.

3.1.1. The Convener

The Director of Student Life will determine a UMBC staff or faculty person to be the Convener of the Appeals Board by October 1st of each academic year. Once the Director of Student Life has identified this individual, and the individual has accepted the position, their responsibilities of Convener will be effective immediately. The Convener will notify board members when the Appeals Board shall meet to hear various cases. In addition, the Convener will be the central point of contact for when an individual believes the Appeals Board shall hear a particular case. The Convener shall serve in this position until at least September 30th the following year, and until a new Convener has been determined by the Director of Student Life. The Director of Student Life shall

promptly fill any vacancy of the position of Convener.

3.1.2. Members of the Appeals Board

The Appeals Board will consist of five voting members: three members from the Student Judicial Programs, and two members from the SGA. The Nominating Committee will nominate two representatives for the SGA that will be confirmed with joint legislation. Members from the Student Judicial Programs will undergo an internal election process to determine their representatives. All five members must notify the Convener of their membership by November 1st of each academic year, or an earlier time set by the Convener. Each member will serve in their position on the Appeals Board in accordance with the SGA Constitution and other SGA Guiding Documents. Members of the Appeals Board, including the Convener, are not eligible to receive stipends from the SGA.

3.1.3. Convening of the Appeals Board

The circumstances in which the Convener will convene the Appeals Board are as follows:

- i. A candidate for elected office who has been disqualified by the Election Board submits a written statement and any evidence to the Appeals Board alleging that the sanction of disqualification is disproportionate to the violation(s) that resulted in their disqualification. This written statement and evidence must be submitted to the Appeals Board, via the Convener no later than 24 hours after the disqualification is issued. The Election Board Chair, must publish and confirm election results after the Appeals Board reaches a decision, or at May 15th at 5:59 p.m. local time, whichever comes first. In such a case, the Appeals Board's inquiry will be limited to the reviewing whether the Election Board's decision to disqualify was disproportionate to the violation(s). The Appeals Board will regard the Election Board's determination that the candidate committed the violation(s) as conclusive.
- ii. An SGA officer who receives less than their full stipend granted by the Stipend Review Committee submits a written statement to the Appeals Board, via the Convener, alleging that the granted stipend is disproportionate to the conditions the Stipend Review Committee determined that resulted in the officer receiving less than their full stipend.
- iii. An SGA officer who accuses another SGA officer of violating any material provision or principle of an SGA Guiding Document, must submit a signed, written statement, co-signed by at least one other SGA elected officer, to the Appeals Board, via the Convener.

3.1.4. Proceedings

The Appeals Board shall handle all cases with fundamental fairness. The Appeals Board may not create a policy, but instead may only interpret existing policies in rulings. All decisions are based on majority rule. There shall be no abstentions of voting members on the Appeals Board. These processes shall be strictly stated and followed by the Appeals Board procedural rules. All decisions shall be made publicly available within five business days of any hearings.

3.1.5. Ex-Officio Members

The Director of Student Life, or designee, shall be the only ex-officio members of the Appeals Board. Ex-officio members may not serve as the Convener of the Appeals Board.

3.2. Election Board

The Election Board shall have the responsibility and duty of administering a neutral election process, which maximizes voter turnout, ensures fairness and equity to all candidates and voters, and minimizes disruptions to students and university functions. The Election Board shall determine the time, places, and manner of all elections in accordance with the SGA Guiding Documents.

3.2.1. Election of Officers

Senators and Finance Board Representatives shall be elected by plurality (persons with the most votes are elected). Executive officers (President, Executive Vice President, Vice President for Student Organizations, Treasurer) shall only be elected by majority. If there are more than two candidates in a race for an Executive office, the instant runoff electoral system will be used to determine the majority winner. Voters will rank candidates in order of preference. Voters can rank as many or as few of the candidates as they wish. If no candidate receives a majority of first-rank votes, the candidate with the fewest first-rank votes will be eliminated, and that candidate's votes will be redistributed to the next ranked preference of each voter. If no candidate has a majority of the votes after this, the candidate with the next fewest first-rank votes will be eliminated, and that candidate's votes will be redistributed to the next ranked preference of each voter. This process continues until one candidate has received a majority of the votes or until only two candidates remain in the race. In that case, the plurality candidate will win the election.

No person may be elected with fewer votes than 5% of ballots cast. The Election Board shall hold a runoff election in the case of ties for the affected races only.

3.2.2. Special Elections

Special elections may be called for the purpose of hearing a referendum by the Election Board or by passage of legislation. The President shall forward legislation initiating a special election to the Election Board within five days of passage. The Election Board shall be responsible for advertising, administering, and verify the results of all referendum in accordance all SGA Guiding Documents. All referendum shall take the form of a yes-or-no question.

Article 4. SGA ADVISOR

The Director of Student Life and/or a designee thereof (approved by the SGA President and both legislative bodies) shall be the SGA Advisor.

Article 5. SGA STEERING COMMITTEE

The SGA Steering Committee shall be composed of, but not limited to, the President, acting as Chair, Executive Vice President, Vice President for Student Organizations, Treasurer, Speaker and Assistant Speaker of the Senate, Chair of the Finance Board, Chief Judge Advocate, and SGA Advisor(s). This committee shall discuss relevant matters concerning the branches of SGA and to ensure that the SGA communicates efficiently. The committee shall meet two times monthly

while the legislative bodies are in session. The President, Speaker of the Senate, and Chair of the Finance Board shall report back to their branches/bodies after each meeting.

Article 6.

ARCHIVING

All archived material shall be kept in the SGA office for one year, after which time it may be archived in the UMBC Library. A copy of archived materials should be given to the Office of Student Life. All archived materials shall be available for review by any student, staff, or faculty. The President, Speakers, and Election Board Chair are responsible for ensuring the archival of their respective body's materials. The following materials shall be archived:

- The official copy of any Senate or Finance Board legislation (even if it doesn't pass).
- Minutes from and all documents distributed at all Senate and Finance Board meeting
- Minutes and/or reports from meetings of legislative committees.
- Yearly reports written by each member of the Executive Branch.
- Election materials and decisions from the Election Board.

Article 7.

IMPEACHMENT PROCEEDINGS

Once impeachment is initiated, the charged officer shall be promptly notified of the charges. The charged officer shall have ten days (after receipt) to prepare a defense, and all evidence shall be public available for those ten days. The trial shall begin at the first meeting of the legislative body hearing the charges, and it shall proceed as follows:

- The Chair of the trial shall set the guidelines for witness registration.
- The trial shall be held in Executive Session with ex-officios permitted to be present. The Managers (those levying the charges) and Defense (representation of the charged) shall be allowed to be present up to the point of deliberations. The trial shall be handled in a discrete and just manner with detail minutes kept throughout.
- The Chair shall verify the charged party has received proper notification at the trial's onset.
- The charged officer shall enter a plea of guilty or non-guilty. If the charged officer fails to appear, he/she shall automatically be removed from office. For a guilty plea, the body shall move into sentencing. For a non-guilty plea, the official trial begins.
- The order of the trial shall be: opening statements (Managers first); witness testimony (Managers, Defense, then Managers' rebuttals); closing arguments (Managers first).
- The Chair shall maintain order throughout the trial, with points of order not permitted.
- Each witness shall stay outside until called to testify, unless members of the body. The body shall be permitted to ask witnesses questions after each testimony. Cross, redirect, and re-cross examination are all permissible.
- After closing arguments, the charged officer must leave the room, but all other Defense and any Managers who are members of the body may stay with full rights to voice and to vote (ex-officios shall only have voice).
- The body shall first determine the verdict (based on validity of charges) with a majority vote of members present required for a guilty verdict. If charged

guilty, the body shall determine a sentence with a two-thirds vote of members present required for removal from office. All votes shall be conducted by a show of hands, unless a motion for secret ballot passes (simple majority vote).

- No SGA officer may be impeached more than once for the same charges with the same evidence.

Article 8. INITIATIVE

Petitions from UMBC undergraduates shall be initially given to the SGA President. The President shall then forward it within five business days to the Election Board Chair if a referendum item; or to the Speaker of appropriate legislative body(s) if a legislation or resolution for consideration by that body(s).

Article 9. STUDENT ORGANIZATIONS

All undergraduate student organizations wishing to use UMBC's facilities or name, and/or to obtain funds from SGA must be recognized by UMBC through a process in which SGA participates.

9.3. Charter Organizations

"Charter Organization" is a special form of recognition granted, by a two-thirds vote of both legislative bodies, to organizations which require special considerations, such as in the budgetary process, for the success of the organization due to their unusual and large capacity for extending the SGA mission on the UMBC campus. Such special considerations shall be specified in a charter, drafted by the organization itself, and approved at the time of chartering.

Article 10. BUDGETARY PROCESS

Student activity fees shall constitute a general student activity fund to support activities beneficial to UMBC undergraduates. The Senate and Finance Board shall establish and maintain a Guiding Document entitled the "Budgetary Policy" determining the budgetary process and which body allocates what funds. No one, including the SGA President, shall spend funds which have not been allocated in accordance with the SGA Guiding Documents.

Article 11. OFFICER TRANSITION AND TRAINING

All SGA officers shall attend a retreat prior to the start of the legislative session. This retreat shall focus on the teaching of policies and procedures, goals and expectations, university relationships, and all other relevant training items. The training shall be conducted by the President, in conjunction with the Executive Vice President, SGA Advisor(s), and a representative from the Senate and Finance Board. In extenuating circumstances or other emergencies, this requirement shall be waved. Additional training opportunities shall be offered throughout the year for new officers by the respective branch/body's presiding officer.

Article 12. RATIFICATION AND AMENDMENT

Ratification of these Bylaws, and amendments thereof, shall be approved by a two-thirds vote of the entire membership of the Senate and the Finance Board. Actions to ratify or amend these Bylaws are not subject to veto.