



**Governing Codes of the Student Government Association of the University of Kentucky  
(UKSGA)**

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## **CODIFICATION**

### CHAPTER 100: ORGANIZATION OF THE GOVERNING CODES

100.1 All UKSGA legislation shall be compiled in a codification known as the UKSGA Governing Codes, hereinafter referred to as the Governing Codes. Upon assembly of a quorum, the UKSGA Governing Codes can be amended through bills passed in the Senate by a majority of the members present.

100.2 The Governing Codes shall be arranged by subject matter within the six (6) main titles, each composed of a number or numerically designated chapters, according to the following scheme:

Title I (Ch. 100-199) Codification

Title II (Ch. 200-299) The Legislative Codes

Title III (Ch. 300-399) The Executive Codes

Title IV (Ch. 400-499) The Judicial Codes

Title V (Ch. 500-599) The General Codes

Title VI (Ch. 600-699) Election Procedures and Rules

100.3 Each chapter shall be subdivided by means of a decimal arrangement carried out to two or more decimal places. The decimal place shall represent a chapter's section. A subsection shall be referenced by lower-case letters. A subsection's subsection shall be represented by Romanettes. For example, Chapter 100 would begin with 100.1 with potential subsection 100.1(a) and potential sub-subsection 100.1(a)(i). Subsections shall relate back to the previous section. Sub-subsections shall relate back to the previous subsection.

100.4 The Operations and Evaluations Committee shall further classify laws to provide a logical, orderly, and comprehensive arrangement of the UKSGA Governing Codes by subject

matter. Such classification shall be made prior to debate on a proposed bill in the Student Senate.

- a. The Attorney General has the authority to make corrections to spelling and non-punctuation typographical errors in any piece of legislation.

100.5 There shall be one official copy of the UKSGA Governing Codes. This shall be kept in the UKSGA office and made available to all students electronically. The Attorney General is responsible for continuous maintenance of the official copy of the UKSGA Governing Codes such that at any given time they reflect all legislation enacted as of that time. The UKSGA Statues must also be published on the UKSGA website and on BBNvolved and it is the responsibility of the Attorney General to maintain them.

## **THE LEGISLATIVE BRANCH CODES**

### **CHAPTER 200: THE SENATE**

200.1 The Senate shall be composed as prescribed in Article I, Section 1 of the UKSGA Constitution.

200.2 There shall be one (1) senator elected by and from each College.

200.3 Additional Senate seats shall be allocated each calendar year by the following means:

- a. Undergraduate Senators-At-Large
  - i. The total undergraduate student population from the most recent University of Kentucky enrollment statistics, minus the total population of students classified as freshmen, shall be divided by the number 1,000. The resulting number is then rounded up to the next whole number, indicating the number of prescribed Undergraduate Senators-At-Large.

A. If the prescribed number of Undergraduate Senators-At-Large is less than seventeen (17) Senators, the total number of allocated senate seats for Undergraduate Senators-At-Large shall instead be seventeen (17).

b. Graduate Senators-At-Large

i. The graduate student population from the most recent University of Kentucky enrollment statistics, including only students under the degree level “Graduate”, shall be divided by the number 1,400. The resulting number is then rounded up to the next whole number, indicating the number of prescribed Graduate Senators-At-Large.

A. If the prescribed number of Graduate Senators-At-Large is less than six (6) Senators, the total number of allocated senate seats for Graduate Senators-At-Large shall instead be six (6).

c. Freshman Senators

i. The total population of students classified as freshmen from the University of Kentucky enrollment statistics shall be divided by the number 1,400. The resulting number is then rounded up to the next whole number, indicating the number of prescribed Freshman Senators.

A. If the prescribed number of Freshman Senators is less than four (4) Senators, the total number of allocated senate seats for Freshman Senators shall instead be four (4).

d. Source of “Enrollment Statistics”

i. Enrollment statistics for the allocation of senate seats shall be obtained from the “Enrollment & Demographics” data provided by the University of Kentucky Office of Institutional Research, Analytics, and Decision Support, which is most easily accessible via the office’s website at [www.uky.edu/irads](http://www.uky.edu/irads).

A. The most recent data available shall be used for the purposes of Senate seat allocations.

- e. The Operations and Evaluations (O&E) Committee within the Senate shall maintain sole authority over allocating Senate seats during the second committee meeting following a new calendar year.

200.4 Senators shall serve from the time they are sworn by the Chief Justice or their designee until the time that the next Senate is sworn into office unless they resign or are impeached.

#### CHAPTER 201: OFFICERS OF THE SENATE

201.1 The Student Body Vice President shall serve as the President of the Senate.

201.2 The Senate shall elect the officers prescribed by the constitution.

#### CHAPTER 202: SENATE EXECUTIVE COUNCIL

202.1 There shall be a Senate Executive Council who shall do the following:

- a. Set the agenda for Full Senate meetings;
  - i. Review legislation for proper form and sponsorship;
  - ii. Make substantive changes they deem necessary;
  - iii. May send items to committees for further review;
- b. Have power to grant emergency status to bills;
  - i. In extenuating circumstances, the Council may take action on an emergency status bill on behalf of the Senate;
- c. Reassign senators to committees as needed;
- d. Create and populate ad hoc committees as they deem necessary;
- e. Rule on excuses for absences at senate meetings, committee meetings, Senator office hours, and accountability;
- f. Oversee the general operation of the Senate;
- g. Make mandatory any trainings they deem necessary for any member of the senate. This shall be conducted by simple majority vote.

## CHAPTER 203: SENATE COMMITTEES

203.1 The Senate shall establish the following standing committees:

- a. Appropriations and Revenue Committee
- b. Academic and Student Affairs Committee
- c. Operations and Evaluations Committee

203.2 For each respective committee, their primary responsibility shall be:

- a. Appropriations and Revenue Committee
  - i. Review and approve the budget of the UKSGA;
  - ii. Review and grant allocation of money to registered student organizations as designated by the UKSGA Budget in accordance with viewpoint neutrality;
  - iii. Monitor the allocation of funds by the UKSGA;
  - iv. Review and approve any legislation that has a financial impact.
- b. Academic and Student Affairs Committee
  - i. Review and draft resolutions concerning changes or recommendations to academic policy;
  - ii. Identify university wide academic issues and draft appropriate legislation to the Student Senate and University Senate;
  - iii. Work for the betterment of student's campus and academic experience through drafting resolutions on behalf of the student body;
- c. Operations and Evaluations Committee
  - i. Review legislation affecting the structure of the UKSGA Governing Codes;
  - ii. Approve executive appointments and refer these to the full Senate;
  - iii. Oversight of action following the passage of legislation;
  - iv. Evaluation of active members of UKSGA, if necessary, and evaluation of UKSGA programming as prescribed in Chapter 508.

203.3 Temporary or ad hoc committees may be established for a particular purpose and a limited duration by resolution of the Senate or by the Senate Executive Council

203.4 Committee Membership

- a. Senate members shall be divided evenly between the three committees by the Vice President of UKSGA.

#### 203.5 Committee Rules

- a. Once a standing committee has been initially convened each school year, the committee shall elect a chair and a vice-chair of the committee, except for the Senate Executive Council, which shall be chaired by the Vice President.
- b. Committee meetings may be called by the Committee Chair. Standing committee meetings shall occur bi-weekly alternating with full senate meetings.
- c. Quorum of the committee is a majority of the committee members.
- d. The vice-chair of committee must serve as the committee secretary. The purpose of the secretary is to record the minutes of committee meetings.
- e. Informal discussion of a subject is permitted while no motion is pending.
- f. When a proposal is perfectly clear to all present, a vote can be taken. Unless agreed to by unanimous consent all proposed actions must be approved by vote.
- g. The chair may speak in discussion, may vote on all matters, and may offer recommended motions to be made by committee members, but shall not make motions on questions before the committee.

203.6 Any member of UKSGA may request to appear before a committee. Approvals of these requests will be the decision of the chair.

#### CHAPTER 204: PROCEDURE

204.1 “Quorum” shall be met when 51% of currently serving Senators are present and voting, as defined in the Constitution.

204.2 “Legislation” shall refer to one or more resolutions, bills, acts, or laws.

204.3 A resolution shall be any written motion before the Senate and shall pertain to special or temporary matters.

204.4 A bill shall be any written motion before the Senate that is to be codified into the UKSGA Governing Codes.



204.5 All provisions of these rules applying to bills shall also apply to resolutions. These rules shall not apply to Appropriations and Revenue Bills.

204.6 An act shall be a bill which has been passed by the necessary majority of the Senate.

204.7 A law shall be an act which has been signed by the Student Body President, an act vetoed by the Student Body President, where said veto has been overridden by the Senate, or an act which was neither signed nor vetoed within seven days of its transmission to the Student Body President.

204.8 The principal sponsor of a piece of legislation shall be the member of Senate who introduces the bill or resolution. The Principal Sponsor shall be listed first in any list of sponsors. A piece of legislation may have any number of members of the Senate as sponsors, where said sponsorship indicates strong support but entitles the sponsor to no special legislative privilege.

204.9 A need that can be addressed by the Senate may be written and placed in proper form by any person. The author of the legislation shall then find an authorized sponsor, who shall act as principal sponsor for the legislation. If the author is a Senator, that person shall be the principal sponsor.

204.10 Each bill shall be given a title by its sponsor.

a. The title of each bill shall adequately and fairly reflect its subject matter.

b. When the bill is materially modified or the scope of its application extended or decreased, the title of the bill shall be changed by the Senator introducing the bill so as to indicate the full purport of the bill amended.

204.11 Bills submitted for introduction shall be prepared in a computer-typed form. When a bill which is introduced is not in typed form, the bill must be retyped in the correct form.

204.12 The Senate Chair shall assign all legislation a measure number. Bills must be numbered chronologically as the Senate Chair receives them.

- 204.13 All legislation shall be filed by its sponsor with the Senate Chair who shall refer the legislation to the Senate Executive Council. The Senate Executive Council shall assign the legislation to the appropriate committee for consideration.
- 204.14 Legislation shall be considered by committees in accordance with the provisions of these codes.
- 204.15 All legislation shall be reported from the standing committee to which it was referred along with the recommendations of that committee. The report shall be submitted to the Clerk no later than twenty-four hours after the committee meeting at which it was approved.
- 204.16 Every Senator presenting a committee report shall endorse the report with the name of the committee and if there is a minority report the names of the members making the report will be reported.
- 204.17 The committee report shall show that a quorum of the committee was present and a majority of those present voted in favor of the report.
- 204.18 If any committee recommends adoption of an amendment or committee substitute of a bill or resolution, the amendment or committee substitute shall follow the original act. The bill or resolution and the amendment shall be placed on the agenda for the next legislative meeting.
- 204.19 Only the Senate Chair or the committee chair to which the legislation is assigned may, with the consent of a majority of the membership of the Senate present and voting, recall the measure to be referred to another committee or the floor.
- 204.20 Not less than twenty-four hours prior to a regularly scheduled meeting of the full senate, the Senate Chair shall ensure that copies of all legislation to be considered for that meeting are made available to each member of the senate by electronic mail.
- 204.21 The Senate Chair shall certify the passage of bills by the senate. If passage required either a three-fourths or two-thirds vote of members present and voting, the certification shall include a notation that it was passed with the requisite number of votes.

204.22 Following the passage of legislation in the Senate:

- a. Within three (3) work days of passage, three (3) copies of all acts and resolutions passed by the full Senate shall be signed by the Senate Chair as they were passed. The Senate Chair shall deliver two (2) copies to the Student Body President.
- b. The remaining signed copy shall be filed by the Clerk, who shall place a copy of it online and in the UKSGA office files. The Senate Chair and the Clerk of the Senate shall be responsible for the maintenance of this file.

204.23 The Student Body President shall return all signed acts to the Senate Chair within seven (7) school days of receiving it, unless they shall have elected to veto the act or to decline to sign it. The Student Body President shall keep the other copy signed by both parties, and it shall be included among the permanent records of the Office of the Student Body President.

204.24 Acts of the Senate signed by the Senate Chair and the Student Body President immediately become law, unless otherwise specified. Acts not returned within seven (7) days of passage shall become law without the Student Body President's signature, with a notation by the Senate Chair stating that the President declined to sign the act.

204.25 Voted acts shall be returned to the Senate Chair with a veto message within seven (7) days of transmission to the Student Body President.

- a. Upon delivery of a veto to the Senate Chair, either the Student Body President or the Senate Chair shall promptly pass along the veto message to Senate members.
- b. The Senate Chair shall then place a special order for the reading of the veto message and a motion to override the President's veto on the agenda of the next senate meeting. This motion requires a two-thirds vote of Senate members present and voting for adoption.
- c. If the motion is adopted, the act shall become law despite the Presidential veto. Following Senate override of the President's veto, acts of the Senate shall become law with a notation by the Senate Chair stating that the President's veto was overridden.

204.26 The Clerk is authorized to make corrections of typographical errors in the text of bills at any time prior to ratification. Before the correction is made, the clerk shall have the approval of the Senate Chair.

204.27 All amendments shall be germane to the original subject matter of the bill. The question of germaneness is in order at any time the measure is before the body prior to final action on the measure.

204.28 All bills and resolutions introduced in the Senate shall include a bill number on the first page. A bill number shall be in the form of "S.#.YEAR," where "YEAR" is the year the legislation was filed, and "#" is the cardinal number of the legislation. Legislation shall be numbered consecutively, with the first piece of legislation filed in a calendar year being "1". Thus, the first bill filed in 2020 would be denoted "S.1.2020."

204.29 All bills and resolutions in the Senate shall include a legislative history section on their first page which shall be compiled by the clerk of the senate.

204.30 This history shall include the date of introduction, the principal and other sponsors, and the committee to which it was referred by the Senate Executive Council. It shall also include the date it reported from committee, by whom it was reported, how it reported, and the numbers of any subsidiary documents relating to the bill or resolutions. It shall also include the dates of any other relevant action on the measure, motions for reconsideration, the actions taken, ayes and nays of roll call votes and the sponsors of these actions.

204.31 The final copy of this legislative history shall include the final disposition of the bill along with the original introduction number.

204.32 Resolutions shall have clauses explaining the need for the legislation which shall begin "WHEREAS," and shall contain one sentence each, terminating with a semicolon. Where there are two or more such clauses, the next to last clauses shall terminate with a semicolon followed by the word "and."

204.33 There shall be a resolving clause in all resolutions which shall follow any explanatory clauses and shall read “BE IT RESOLVED BY THE STUDENT GOVERNMENT ASSOCIATION OF THE UNIVERSITY OF KENTUCKY THAT:”. If there are explanatory clauses, this clause shall be preceded by the word “THEREFORE”.

204.34 All bills shall be line numbered. All bills shall have their provisions divided into sections, and subsections. Bills proposing additions or replacements to the UKSGA Governing Codes shall be numbered in accordance with the UKSGA Legislative Codes.

204.35 Any committee amendments shall be added to the text of the bill as follows: All deletions shall be shown with strikethrough through the proposed deletions and all additions shall be shown in italics.

204.36 The signature page of all legislation shall include the date that the legislation was passed and the signature of the Senate Chair.

204.37 In the event of a veto, the veto message shall begin with the date and include the bill number and complete title of the vetoed legislation. The message may also contain an explanation of the veto. It shall conclude with the Student Body President’s signature.

204.38 In the event that a Presidential veto is overridden, the signature page of all legislation shall include the date it was originally passed, the date of the veto, the date the veto was overridden, and the signature of the Senate Chair.

204.39 Legislation shall be assigned a bill or resolution number upon introduction to the Senate Chair.

204.40 Once a proposed bill or resolution has been assigned its chronological number, this number shall not be changed prior to its consideration by the full Senate.

204.41 Copies of legislation passed by the Senate and signed by the Student Body President must be transmitted to all appropriate or interested parties within five school days of passage.

204.42 All legislation passed by the Senate shall be public record and shall be transmitted in a timely manner to all parties requesting them. No documents of the Student Senate may be withheld except those permitted under state law.

204.43 The Senate Chair shall ensure that a complete set of records is maintained for each Senate, including: the agendas and minutes of each meeting of the Senate; the agendas, minutes, and/or reports of all standing or select committees of the Senate; the complete set of official correspondence from and to the officers of the Senate; the complete financial records of the Senate; all items obtained by the Senate concerning Senate ethics; the most recent roster of the Senate; the most recently published copy of the UKSGA Governing Codes; the complete set of documents on each measure introduced or studied in Senate; and any other documents of importance.

204.44 All documents maintained shall be kept in their original forms, in addition to their amended, revised, and final forms.

204.45 Each year a Code of the Permanent Laws of UKSGA shall be produced. At the end of each session of the Senate, a supplement to the UKSGA Governing Codes shall be produced incorporating all laws passed since the previous edition of the Codes.

## CHAPTER 205: APPROPRIATIONS

205.1 As used in this chapter, unless the context otherwise specifies:

- a. “Registered Student Organization (RSO)” means a student organization that is officially registered with the University of Kentucky
- b. “Funding Request” means any application for appropriation of funds. Funding requests include General Funding Requests, Service Grants, Travel Grants, and Recruitment Grants.
  - i. The application is found online on UKSGA’s BBNvolved page.
- c. “Fiscal Year” is observed to be July 1st to June 30th.
- d. “A&R” refers to the Appropriations and Revenue Committee.

205.2 The following are the general rules for all Registered Student Organization funding:

- a. An organization must be a Registered Student Organization through the University of Kentucky at the time the reimbursement is disbursed.
- b. All funding request forms can be found on BBNvolved and must be filled out correctly using the official UKSGA form via BBNvolved.
- c. All funding requests must include an itemized budget of all expenses.
- d. The A&R Committee must approve all requests. A representative must appear in person at the committee meeting to speak on behalf of the funding request.
  - i. All RSOs will be given at least twenty-four (24) hours notice of the meeting in which their request will be discussed.
- e. UKSGA reserves the right to request its name and logo be displayed on all materials associated with the project or event. The following disclaimer may be substituted for the name and logo, "Funded by Student Government." For events that are partially funded by UKSGA, the disclaimer may read, "Funded in part by Student Government."
  - i. All promotional materials must be submitted to the Executive Director of Marketing and Communications for approval no later than one week prior to the UKSGA-sponsored event if requested by the A&R Chair.
- f. UKSGA is not responsible for expenses that exceed the approved allocation.
- g. UKSGA will only reimburse original receipts submitted by the RSO within thirty (30) days following the last day of the event or purchase.
- h. UKSGA funds appropriated must be used for the purposes stated in the funding request. If the nature of the approved funding significantly changes, the RSO must re-apply to the committee before proceeding with using approved funds.
- i. UKSGA will not disburse funds to cover expenses until after the event or purchase has occurred.
- j. UKSGA will not fund certain items listed below:
  - i. Food and beverages
  - ii. Non-university approved printing or duplicating services
  - iii. Subscriptions
  - iv. Taxes
  - v. Management or consulting fees
  - vi. Organizational membership dues

- vii. Personal gifts, T-Shirts, donations, or contributions
  - viii. Financial aid or academic scholarships
  - ix. Expenses incurred prior to UKSGA approval
  - x. Prizes, awards, or trophies
- k. An RSO can only receive \$2,500 total via funding request(s) per fiscal year.
  - l. If an RSO does not submit a funding application twenty-one (21) days prior to their event/purchase, the A&R Chair has the right to decline said RSO's application.
  - m. All funding requests submitted by an RSO to the A&R Committee will be considered in accordance with viewpoint neutrality via a standard grant rubric in order to ensure fairness and equitability throughout the consideration process.

205.3 The following describes the payment process for funding:

- a. After a funding request has been approved and communicated to the RSO by the A&R Committee, the RSO must meet with the Office Manager within five (5) business days.
- b. To receive full allocated funding the RSO must complete the required evaluation survey provided by the A&R Committee within two (2) weeks following the sponsored event or when expenses are incurred.
  - i. Failure to do so could result in the RSO not receiving their reimbursement.
- c. All transactions will be done by direct billing for internal University of Kentucky expenses or preferably reimbursement. The decision as to the process will be at the discretion of the UKSGA office manager.

205.4 The following are the details of the funding request process:

- a. Funding Requests must have the following general information:
  - i. Title of Request
  - ii. Amount of Request
  - iii. Organizational Information
    - A. Organization Name
    - B. Organization Contact
    - C. Phone Number
    - D. Email Address



- b. Funding Request Forms must ask specific questions about the detail of the Request. The following questions must be answered in the form.
  - i. Describe the funding request in detail.
  - ii. What is the mission and purpose of the organization?
  - iii. Include the date, time and location of the event.
  - iv. How has the organization (or individual members) raised funds to prepare for this project/event?
  - v. Total members in the RSO
  - vi. If an event, what is the estimated attendance at the event? If not, what is the total amount of people to be impacted by this grant?
- c. An RSO will be expected to itemize the costs associated with their event/purchase via the official Funding Request Form
  - i. Requested Funding
    - A. A List of Items
    - B. Quantity of Items
    - C. Cost per Item
    - D. Total Cost
  - ii. The Total Cost of Running the Event (Requested + Provided)
- d. Funding Requests may include any other pertinent information deemed necessary for the applicants per the discretion of the A&R Chair.

205.5 The following are the terms and conditions of funding:

- a. The funding requests will have the Terms and Conditions included as part of the official Funding Request form. This statement will outline the stipulations of funding and will include the following clauses:
  - i. UKSGA will not disburse funds to cover expenses in advance of the event or purchase.
  - ii. UKSGA will not reimburse any expenses for printing and duplicating services performed by vendors other than University of Kentucky approved printing services.

- A. If a printing service is not offered through the University of Kentucky, an outside printing service may be used with approval from both the A&R Chair and the UKSGA Office Manager.
- iii. The UKSGA Office Manager must receive all receipts for the within thirty (30) days of the final date of the event or purchase.
- iv. UKSGA funds will only be available during the fiscal year that the funds were allocated.
- v. To be eligible to receive funding for international travel, student organizations must participate in an in-person orientation with the University of Kentucky's Director of International Health, Safety & Security, at least forty-five (45) days before departure.
- b. The funding request will be reviewed by the A&R Committee pursuant to an applicable, viewpoint-neutral rubric drafted by the A&R Chair following careful consultation with the UKSGA Advisor
  - i. There may be a rubric created for each grant to best evaluate the funding request.

205.6 The following describes the type of funding that UKSGA offers:

- a. General Funding Grant
  - i. An RSO may receive a maximum of \$1,000 per General Funding application.
  - ii. An RSO may receive one General Funding Grant semester and receive a maximum of \$2,000 each fiscal year in General Allocation Funding.
- b. Service Grant
  - i. A Service Grant is a funding request in which any registered student organization can apply for the purpose of carrying out a community service project. An RSO may receive a maximum of \$1500 each fiscal year in Service Grant Funding.
- c. Travel & Conference Grant
  - i. A Travel & Conference Grant is a funding request in which any registered organization may apply to obtain funding for an Academic or Professional Conference that is closely relatable to the purpose of the RSO. Academic and Professional Competitions will also be considered. An RSO may receive a maximum of \$1,500 each fiscal year through the Travel & Conference Grant.

A. An RSO may receive up to an additional \$500 with unanimous consent of the A&R Committee.

d. Recruitment Grant

- i. A Recruitment Grant is a funding request in which any RSO may apply for funding for the purpose of recruiting new members from the University of Kentucky student body to join their organization. An RSO may receive a maximum of \$500 each fiscal year through the Recruitment Grant.

205.7 The Senate Chair and the A&R Chair are responsible for the creation and maintenance of the funding request application.

205.8 All Funding Requests will be heard by the A&R Committee except in extraordinary circumstances as determined by the Senate Chair and A&R Chair.

- a. In an “extraordinary circumstance”, the A&R Chair has the power to approve funding on behalf of the A&R Committee.

205.9 The final decision in multiple applications and all rules herein lies with the Appropriations and Revenue Committee. If an RSO’s funding proposal is denied by the A&R Committee, they may appeal that decision via the process outlined herein.

- a. A link to the appeals form or a description of appeals should be sent in denial and acceptance emails to the registered student organization’s representatives. The appeals form should also be available on the UKSGA website and on UKSGA’s BBNvolved page.
- b. The RSO may first appeal the decision to the Appropriations and Revenue Committee. If their denial is upheld by A&R, they may then present their appeal to the Senate Executive Council. If their denial is upheld by that body, they may then proceed to the UKSGA Supreme Court. Finally, if their denial is upheld by that body, they may then choose to proceed to the University’s Dean of Students or their designee.
- c. All decisions appealed will be reviewed *de novo*. The UKSGA Vice President shall be considered the presiding officer over this hearing body, unless recused. If the UKSGA Vice President is recused, the Senate Chair shall be considered the presiding officer over

this hearing body, unless recused. If the Senate Chair is recused, the remaining members of the Senate Executive Council shall elect from their ranks a presiding officer.

- i. The Presiding Officer shall only cast a vote in the event of a tie.
  - ii. The composition of the Senate Executive Council sitting as a hearing body shall be as prescribed by the UKSGA Constitution. The A&R Chair shall be automatically recused from the Senate Executive Council while sitting for this hearing and determining the issue. All other members of the Senate Executive Council have the right to recuse themselves for good cause and the responsibility to recuse themselves for conflicts of interest.
- d. Both UKSGA and the Registered Student Organization have the right to representation in front of each hearing body. In each appeal the interest of UKSGA will be represented by:
  - i. the A&R Chair and/or other designee to Senate Executive Council (and therefore must recuse themselves from the decision);
  - ii. the Attorney General of the UKSGA with assistance from the A&R Chair and/or other designee in front of the Supreme Court of UKSGA, if the Attorney General cannot or will not zealously represent the decision of the Senate Executive Council the Council may vote to replace them with proper representation;
  - iii. the President of UKSGA with assistance of the Attorney General of UKSGA with assistance from the A&R Chair and/or other designee to the Dean of Students or their designee; if the UKSGA President cannot or will not zealously represent the decision of the UKSGA Supreme Court, the Court may vote to replace them with proper representation.
- e. Any registered student organization whose funding application has been denied has the right to appeal via the process as outlined above.
- f. A written opinion is required to be submitted by every respective hearing body following an appeal hearing. This written opinion must detail their disposition and must be sent to all parties involved in a timely manner following the hearing. The written opinion must be kept on file within the records of the UKSGA Office by the Attorney General.
- g. The Senate Executive Council may debate the disposition of the body in private with invited, non-involved guests. The Senate Executive Council's presiding officer, during its consideration of the issue, shall select one or more authors who can deliver the majority

of the Senate Executive Council to their disposition. These authors are encouraged, but not required, to attach their names to the opinion and disposition.

- i. Dissenting opinions shall not be published by the Senate Executive Council.  
However, letters by dissenting Senate Executive Council members may be sent to the UKSGA Supreme Court if the decision is appealed to that body.
- h. The registered student organization's leadership will initially have three (3) days from the day that they are notified by the A&R Chair of the Committee's decision to notify the Senate Executive Council that they wish to appeal the decision of the Committee. If this is completed within three (3) days, the registered student organization will have the automatic right to a hearing within fourteen (14) days of the initial decision. However, if an appeal is not submitted within three (3) days, the UKSGA Senate Chair has the discretion to allow an appeal to be submitted up to fourteen (14) days after the initial decision. The UKSGA Senate Chair is encouraged to grant said appeal request. If such a discretionary appeal is granted, a hearing of the Senate Executive Council will be held within fourteen (14) days.
  - i. The Senate Executive Council shall issue their disposition of the issue before it within fourteen (14) days of the appeals hearing. The Senate Executive Council shall issue a full opinion within fourteen (14) days of the hearing.
  - ii. The party with the right of appeal after the disposition of the Senate Executive Council shall have seven (7) days to file an appeal with UKSGA pursuant to the procedures of the UKSGA Supreme Court. The UKSGA Supreme Court shall set a hearing date within fourteen (14) days of the filing of an appeal. The UKSGA Supreme Court shall hear and consider this matter pursuant to the UKSGA Constitution and Governing Codes. The UKSGA Supreme Court shall issue a full opinion and disposition within fourteen (14) days of hearing the appeal.
  - iii. The party with right of appeal after the determination of the UKSGA Supreme Court shall have fourteen (14) days to file an appeal with the University's Dean of Students pursuant to any procedures they may prescribe.
- i. Any evidence submitted by a registered student organization that they wish to be considered in their appeals hearing should be arranged in a clear, organized fashion.

- i. Evidence from the registered student organization and the A&R Committee may be submitted to the Senate Executive Council until seventy-two (72) hours before the hearing begins. Such evidence will be shared with the representatives of both parties. New evidence may not be introduced upon appeal to the UKSGA Supreme Court or the Dean of Students, absent extraordinary circumstances.
- ii. All evidence provided to the Senate Executive Council shall be considered anew at each level of the registered student organization's appeal.

## CHAPTER 206: VIEWPOINT NEUTRAL COMPLIANCE AND ACCOUNTABILITY

206.1 This section shall focus on a removal process for A&R Committee member noncompliance with viewpoint neutrality as it is defined by the Supreme Court of the United States of America and other binding laws, rules, regulations, etc.

206.2 A perceived infraction of any member of an A&R Committee may be reported via an anonymous form that shall be included in acceptance and denial emails sent to registered student organizations. This form will also be made available on the UKSGA website and on UKSGA's BBNvolved page. This form should be accessible and constantly monitored by the Senate Chair and/or their designee. The Senate Chair and/or their designee should inform the member of the reported infraction as soon as they are aware of the submission.

206.3 A reported infraction shall be heard by the Senate Executive Council prior to the next A&R Committee meeting unless the next A&R meeting is five (5) days or less from the report of a perceived infraction. In such case, the Senate Executive Council must hear the reported perceived infraction before the next Full Senate meeting.

- a. A determination shall be made within fourteen (14) days of the hearing, unless the Senate Executive Council decides, by a majority vote of its membership, to certify the question to the Vice President for Student Success or their designee.
- b. During said hearing, the Senate Executive Council will review relevant materials, such as evidence that has been submitted, meeting recordings, and the viewpoint neutral rubric utilized by the Committee, and determine the potential noncompliance of the Committee member.

- c. During the hearing both parties shall have the right to representation.
- d. If at any time the issue resolves itself through the withdraw of the complaint, the resignation of the Senator from the A&R Committee or the UKSGA Senate as a whole, or by any other means, the proceedings may be dismissed and the certified question, if present, may be withdrawn before determination.
- e. The Senate Executive Council may debate the disposition of the body in private with invited, non-involved guests. The Senate Executive Council's presiding officer, during its consideration of the issue, shall select one or more authors who can deliver the majority of the Senate Executive Council to their disposition. These authors are encouraged, but not required, to attach their names to the opinion and disposition.

206.4 If by a preponderance of the evidence the Senate Executive Council determines that the Senator was noncompliant with viewpoint neutrality, then the Executive Council shall conclude such.

206.5 Any evidence submitted by a Senator that they wish to be considered in the hearing should be arranged in a clear, organized fashion. Evidence outside of that submitted by a Senator may be utilized.

- a. Evidence from both sides may be submitted to the Senate Executive Council until seventy-two (72) hours before the hearing begins. Such evidence will be shared with the representatives of both sides.

206.6 If the A&R Chair is the member against which the infraction report is made, they shall be automatically recused from the decision.

206.7 If the issue that arises involves a complex or otherwise difficult matter, the Senate Executive Council may certify the question to the University's Office of Legal Counsel for a determination. The Senator against which the infraction has been reported must be notified at least twenty-four (24) hours before such a question is sent. Such a determination on the certified question is binding and must be adopted by the Senate Executive Council.

206.8 There shall be no appeal from a determination by the Senate Executive Council.

206.9 If the determination is made that an infraction was committed, then immediate removal from the A&R Committee is required. Beyond removal from A&R, the Senate Executive Council can implement a range of options ranging from reassigning the Senator to another committee, should they see fit, to seeking further disciplinary action, such as censure or impeachment processes, as outlined in the UKSGA Constitution and Governing Codes.

- a. The Senate Executive Council shall also order the immediate reconsideration of any funding determination materially affected by the Senator's noncompliance. Such a recommendation shall be transmitted to the Appropriations and Revenue Chair as a list of grant applicants to be reconsidered. The Appropriations and Revenue Committee is authorized to reconsider such applications.

#### CHAPTER. 207: ACCOUNTABILITY

207.1 "Censure" is defined as a resolution passed by the Senate in lieu of impeachment. In effect, "censure" is a written reprimand given to an official whose actions may have warranted impeachment, but the Senate felt impeachment was unnecessary.

207.2 Offenses warranting censure include, but are not limited to, the following actions committed while in office: failure to perform UKSGA duties, unsatisfactory performance of UKSGA duties, abuse of power.

207.3 Any active member of UKSGA may be censured.

207.4 A censure resolution must be sponsored by no less than five (5) senators and shall be filed with the senate clerk. A copy of the censure motion shall be forwarded to the Senate Executive Council and the person(s) concerned in the resolution.

207.5 At the regularly scheduled Senate meeting immediately following the filing of a censure resolution, the Senate must take up the resolution for consideration. The person who is being considered for censure is not automatically given a right to appear before the Senate, but may be granted that right.



207.6 The full Senate adopts a censure resolution upon a two-thirds ( $\frac{2}{3}$ ) vote of the Senators present and voting.

207.7 A censure motion may be made on any Article of Impeachment where a majority of the Senate voted in favor of it but it failed to be adopted by two-thirds of the full Senate.

207.8 The following terms and phrases used in this chapter shall be defined as follows:

- a. “Impeached” means the formal adoption of Articles of Impeachment by the Impeachment Body.
- b. “Impeachable Offense” means the conduct to which a person may be impeached. Impeachable offenses are limited to acts committed while in office under the following grounds: misfeasance, malfeasance, nonfeasance, abuse of power, and conviction of a criminal offense.
- c. “Impeachment Resolution” means the statement filed by the requisite number of student Senators that accuses a person of an impeachable offense.
- d. “Articles of Impeachment” means those sections of the Impeachment Resolution that have been adopted by a two-thirds ( $\frac{2}{3}$ ) vote of the membership of the Impeachment Body to proceed to trial.
- e. “Of the membership” means the total authorized number of student Senators in the senate class less the number of vacancies.
- f. “Impeachment Body” means the membership of the senate. If a member of the senate is being impeached, they shall not be counted as part of the membership of the senate. The Chief Justice of the Supreme Court shall preside over the Impeachment Body in all impeachment proceedings. If the Chief Justice is being impeached, then the member of the Supreme Court who has been in office the longest shall preside.
- g. “Conviction of Impeachment” means those sections of the Articles of Impeachment adopted by three-fourths ( $\frac{3}{4}$ ) vote of the membership of Impeachment Body. An officer

convicted of impeachment shall be immediately removed from office. Conviction of Impeachment does not change the person's civil or criminal liability.

- h. "Disqualification from future office" means a separate vote of the Trial Body to prevent the person convicted of impeachment from holding any future UKSGA position. Three-fourths vote of the membership shall be required to disqualify a person from future office.

207.9 Any active member of UKSGA may be impeached.

207.10 The filing date of an impeachment resolution shall be deemed the day that five (5) student Senators co-file an impeachment resolution. The five student Senators co-filing the impeachment resolution must certify that a copy of the impeachment resolution has been given to the person whose impeachment is being sought.

207.11 The person whose impeachment is being sought has no automatic right to appear before the Impeachment Body, unless an Article of Impeachment is adopted to proceed to trial. The Impeachment Body may allow the person whose impeachment is being sought to present evidence and testimony to the Impeachment Body.

207.12 If any Articles of Impeachment are adopted by a two-thirds ( $\frac{2}{3}$ ) vote of the Impeachment Body, a trial shall be held on those Articles by the Impeachment Body. Upon the adoption of the Articles of Impeachment, the presiding officer shall deliver to the person whose impeachment is being sought a copy of the Articles of Impeachment, and that person shall be automatically and immediately suspended from office.

207.13 The impeachment trial must begin no sooner than five (5) school days, but no later than fourteen (14) days from the adoption of the Articles of Impeachment. Failure to begin the impeachment trial shall constitute a dismissal with prejudice of the Articles of Impeachment and remove the suspension from the officer.

207.14 The person whose Conviction of Impeachment is being sought shall be afforded the opportunity to be heard, the right to present witnesses, the right to offer evidence, and the right to offer testimony.

207.15 After the impeachment trial, if an Article of Impeachment is adopted by three-fourths ( $\frac{3}{4}$ ) of the Senate, the person shall be deemed convicted of impeachment and removed from office.

207.16 The Impeachment Body must vote separately to disqualify the person convicted of impeachment from holding any future position within UKSGA. A three-fourths ( $\frac{3}{4}$ ) vote of the membership of the Impeachment Body shall be necessary to affect future disqualification.

207.17 If no Article of Impeachment is adopted by the Impeachment Body, the suspension shall automatically be removed, and the person shall resume office.

207.18 Any member of the Legislative Branch who has disciplinary action brought against them by censure may be instructed for further remediation. The Senate Executive Council shall have the ability to prescribe additional remediation material, such as trainings, to any member. The member whose action is being held accountable shall not be permitted to return to formal meetings until the material is verifiably complete.

207.19 The absence appeal process for senators or other active members of the Legislative Branch shall operate as follows:

a. After a member of UKSGA is marked absent and the Senate Executive Committee has deemed the absence as excused or unexcused and the member does not accept the designation, the member shall have the option to submit a written request for appeal. The Appeal Request should contain a brief statement of the reason the member of UKSGA was absent, an elaboration as to why they feel the absence is not in violation of the applicable standards set forth in the Senate Accountability Contract, and any evidence supporting their claim. This Appeal Request should be submitted within 72 hours of the notice of the Senate Executive Committee decision, or the request shall be denied without further discussion.

b. The Appeal Requests for missed Legislative Branch functions shall be submitted to both the acting Senate Chair and the acting Chief Justice.

c. The Requests shall be presented in the UKSGA Supreme Court. The proceedings shall be arranged at the discretion of the parties involved.

d. The Appellate ruling of the Supreme Court shall be the final decision on the matter. If the Appellate body maintains the absence as unexcused, the absence shall count against the allotment of allowed absences prescribed by the Senate Accountability Contract. An Appellate decision which overturns the ruling shall maintain full effect and the absence shall not count against the allotment of absences prescribed by the Senate Accountability Contract.

e. Active members of the Legislative Branch shall have two (2) appeal requests per year, regardless of the outcome of these appeals. Any unused appeal requests shall not accumulate in the event of multiple terms.

## **THE EXECUTIVE BRANCH CODES**

### **CHAPTER 300: THE CABINET**

300.1 A President and Vice President will be elected as prescribed in the UKSGA Constitution.

300.2 Once elected, the President shall appoint a Chief of Staff who must be confirmed by the Student Senate. The Chief of Staff will oversee the daily operation of the Cabinet and fulfill other duties as outlined in the Executive Codes.

300.3 The President, Vice President, and Chief of Staff will constitute the Executive Leadership Team which will oversee the operation of the Executive Cabinet. The President may appoint additional members from the Cabinet to the Executive Leadership Team as they deem necessary

300.4 An "Interim Officer" is defined as a temporary Executive Cabinet Officer appointed by

the Executive Leadership Team immediately after a resignation notice has been given by a member of the Executive Branch OR immediately after an Executive Branch Officer has been impeached.

- 300.5 In the event that a non-elected member of the Executive Branch is impeached or resigns, the Executive Leadership Team shall be responsible for notifying the Legislative and Executive Branches of the vacancy in a timely and efficient manner. In lieu of the vacancy within the Executive Branch, the Executive Leadership Team shall name an Interim Officer to the vacant position. The timeline that the Interim Officer serves shall begin immediately after the resignation or impeachment of the Executive Branch Officer and span through the conclusion of the “Emergency Nomination Period” at which the interim position is then terminated.
- 300.6 The Interim Officer will serve alongside the former Executive Branch Officer, if the departing officer is currently within good standing as outlined in 300.14, to gain a basic understanding of the position. The departing Executive Branch member is expected to train the Interim Officer to take over the position until the Emergency Nominations Period concludes.
- 300.7 Serving as Interim Officer does not disqualify an individual from applying to permanently fill the position within the Executive Branch.
- 300.8 In the event that an Executive Cabinet Officer is impeached or resigns, an Emergency Nomination Period shall open promptly after notification of their departure. During this period, applications for the vacant position will be accepted via BBNvolved. The Emergency Nomination Period shall remain open for as long as the Executive Leadership Team deems necessary.
- 300.9 As with other Executive Branch appointments, the President shall select from the pool of applicants and submit the nomination to the Operations and Evaluations Committee for

approval ahead of approval by Full Senate. Regarding when the President must submit nomination to the Operations and Evaluations Committee:

- a. If the departing Executive Cabinet Member provides notice pursuant to 300.14, the President must submit a nomination within four weeks of the date of notice, or
- b. if the departing Executive Cabinet member does not provide notice pursuant to 300.14, the President must submit a nomination within four weeks of the date of departure.

300.10 The Executive Cabinet will consist of the Executive Leadership Team and any additional officers the President deems necessary for the operation of the Executive Branch. These appointed members will be referred to as Cabinet Officers. Cabinet Officers and their Powers and Duties are as follows:

a. Attorney General

- i. Shall be the official custodian of the UKSGA Governing Codes and all other official records and shall ensure that they are made available as outlined in the Legislative Codes.
- ii. Shall review Executive Orders for proper form and filing.
- iii. Shall work with the Senate Operations and Evaluations Committee to ensure nominations, elections processes, and legislative review are following the proper timelines as outlined in the Governing Codes.
- iv. Shall be responsible for the UKSGA Elections process as outlined in the Elections Code.
- v. Shall represent UKSGA in any cases in which the organization is brought before the UKSGA Supreme Court.
- vi. Shall serve as the UKSGA spokesperson regarding any official matters before the UKSGA Supreme Court. Any statement must be approved by the Student Body President.

b. Director of Marketing and Communication

- i. Shall be responsible for any publications or communications to campus with approval by the President.

- ii. Shall be responsible for maintaining and updating the official UKSGA social media platforms
  - iii. Shall be responsible for keeping adequate stock of promotional items for tabling and UKSGA events.
  - iv. Shall serve as the primary official spokesperson for the UKSGA to student press organizations *not related to* matters before or regarding the UKSGA Supreme Court. Any official statement on UKSGA matters shall require Presidential approval.
- c. Director of Inclusion and Equity
  - i. Shall organize inclusion and equity-based trainings for members.
  - ii. Shall work with the UKSGA President to further the diversity and representation within UKSGA
  - iii. Shall work with University administrators to address inclusion and equity issues broadly across campus
- d. Director of Student Health and Wellness
  - i. Shall work with administrators on addressing student wellness
  - ii. Shall focus on both mental and physical wellbeing issues
- e. Director of Campus Safety
  - i. Shall pursue initiatives that address student safety concerns
  - ii. Shall plan and execute both an on-campus and off-campus safety report and present it to administrators
  - iii. Shall serve as the officer responsible for the LiveSafe partnership with UKPD. They shall also prepare a semester report with data derived from the app
  - iv. Shall serve as a liaison to the UK Violence Intervention and Prevention Center
  - v. Shall serve as the liaison to UK Transportation Services and as the officer responsible for the Kentucky Wildcab partnership
- f. Director of Campus Services
  - i. Shall explore initiatives related to enhancing student services on campus or bringing new services to campus

- ii. Shall serve as the liaison to the Community of Concern in addressing student basic needs concerns
  - iii. Shall facilitate all grant and scholarship application processes subject to review and approval by the Academic and Student Affairs Committee
    - i. This does not pertain to RSO funding through the Appropriations and Revenue Committee
- g. Director of Government Relations and Civic Engagement
  - i. Shall advise the President on matters pertaining to local, state, and federal policy impacts on students and the University
  - ii. Shall serve as the officer responsible for the WildCats at the Capitol Internship Program partnership
  - iii. Shall coordinate the UK delegation to the Kentucky Rally for Higher Education
  - iv. Shall organize the UK delegation for the annual SEC in DC Conference
- h. Deputy Chief of Staff
  - i. Shall support and be a point of contact for coordinators working within the Executive Branch
  - ii. Shall meet with Executive Branch members to discuss how they will utilize coordinators
  - iii. Shall oversee Executive Branch transition procedures and documents between administrations
  - iv. Shall act as a “historian” of UKSGA, including working with UK Special Collections to preserve and archive UKSGA’s physical materials (promotional items, meeting minutes, etc.) for posterity
  - v. Shall work collaboratively across UKSGA to record and preserve the history of student life at UK through a variety of projects (oral histories, photography projects, etc.), and promote UK student traditions
- i. Director of Wildcat Wardrobe
  - i. Shall oversee the operation of the Wildcat Wardrobe program
  - ii. Shall facilitate a donations and inventory process
  - iii. Shall hire and train volunteers to staff the wardrobe during hours of operation



- j. Director of Information Technology
  - i. Shall maintain the UKSGA website and routinely publish updated records, recordings, and documents
  - ii. Shall coordinate with each director to collect and synthesize data pertaining to our services and events
  - iii. Shall produce a semesterly report on our data and analytics
  - iv. Shall generate questions for the annual All-Student Survey in consultation with the Academic and Student Affairs Committee
  - v. Shall coordinate with the Senate Vice Chair to collect all recordings of UKSGA Full Senate meetings
- k. Events Manager
  - i. Shall have event management services permissions
  - ii. Shall coordinate both Fall and Spring Forums in consultation with the Academic and Student Affairs Committee
  - iii. Shall coordinate UKSGA's involvement with homecoming events and activities
  - iv. Shall coordinate K Week activities and events
  - v. Shall coordinate all meeting and event space room reservations including but not limited to
    - A. Events
    - B. Executive Branch Meetings
    - C. Full Senate and Committee meetings
  - vi. Shall produce a post-event report for every UKSGA event
  - vii. Shall pursue any other event-based project that furthers the mission of UKSGA

300.11 All Cabinet Officers will assume their roles upon appointment by the President and confirmation by a majority vote of the Student Senate.

300.12 Cabinet Officers may appoint their own respective staffs with approval from the President and Chief of Staff upon each appointment. These appointments will be known

as Executive Staff and shall be considered part of the Executive Branch. Executive Staff are not members of the Cabinet.

300.13 The Executive Leadership Team shall submit nominations for the Executive Cabinet (including appointments during an Emergency Nomination Period) and all relevant information about the nominees to the Chair of the Operations and Evaluations Committee no less than seven (7) days prior to the committee's established meeting time.

300.14 In the event that an Executive Cabinet Member chooses to resign, they must give the Executive Leadership Team at least two (2) weeks of notice prior to their departure. At the time of their resignation, the Emergency Nomination Period shall begin and the Executive Leadership Team may begin to search for an individual to fill the vacant position.

#### CHAPTER 301: CABINET RESPONSIBILITIES

301.1 The Executive Cabinet shall meet at the request of the Student Body President.

301.2 All Cabinet Officers are required to attend all Executive Cabinet Meetings unless excused by the Chief of Staff. Excuses will be granted based on University Senate Rule 5.2.4.2.

301.3 All Executive Branch Members are required to host regularly scheduled office hours in the UKSGA Office. The number of hours required will be set by the Executive Leadership Team and documented by the Chief of Staff.

301.4 The President shall reserve the right to make mandatory any additional events or meetings they deem necessary.

301.6 Executive Branch members shall wear official UKSGA apparel when representing the organization at meetings and events.

301.7 Every Cabinet Officer shall keep a thorough record of their actions and experiences while in their roles. These records will serve to transition their successors into their roles.

301.8 The President shall establish a reporting structure for the Executive Branch to ensure that projects remain on track and are appropriately reported to the Executive Leadership Team as well as the Senate.

301.9 The President, in consultation with the Executive Leadership Team, shall make mandatory any trainings or continuing education programs they deem beneficial for the Executive Cabinet. The Executive Leadership Team shall maintain the authority to dismiss or excuse any Executive Branch member from any training.

301.10 The Executive Branch must engage in at least one inclusion and equity related training every academic semester.

## CHAPTER 302: PROCEDURES

302.1 The President is the ultimate authority on all processes and approvals within the Executive Branch.

302.2 Executive Orders shall direct the operation of the executive branch and shall be communicated to the Senate and made available to the public.

- a. Executive Orders shall remain in effect through the remainder of the academic year during which they were enacted unless otherwise revoked by a later order.

302.3 The President must be a signatory on all contracts and memoranda to which UKSGA is a party.

- 302.4 All purchases must be executed by the Chief of Staff or their designee(s) and approved by the President. Any purchases made must follow the appropriate timelines set forth by University policy.
- 302.5 Any official communication on behalf of UKSGA or the Student Body must be approved by the President.
- 302.6 All events funded by the executive budget must be advertised for at least one full business week before they occur.
- 302.7 Direct budgetary transfers shall not be executed without a Memorandum of Understanding which details the responsibilities of and is signed by all parties involved.
- 302.8 Any Cabinet Officer who wishes to initiate a new project or program or utilize their budget must first submit a proposal to the Chief of Staff. This proposal must demonstrate the purpose of the initiative, how it aligns with the mission of UKSGA, and any internal or external collaborations.
- 302.9 For budgetary or purchasing requests, a proposal must be submitted to the Chief of Staff with the parameters outlined in Code 302.8 as well as a specific itemization of what the money will be spent on.

### CHAPTER 303: ACCOUNTABILITY

- 303.1 All Cabinet Officers are subject to evaluation by the Executive Leadership Team as well as the Operations and Evaluations Committee of the Senate.
- 303.2 The President shall have the power to appoint and/or remove any non-elected member of the Executive Branch at-will.
- 303.3 The appeal process for active members of the Executive Branch shall operate as follows:

- a. After an active member of UKSGA is marked absent and the President, Vice President, and Chief of Staff (referred to Executive Leadership throughout this section) has deemed the absence as excused or unexcused and the member does not accept the designation, the member shall have the option to submit a written request for appeal. The Appeal Request should contain a brief statement of the reason the member of UKSGA was absent and an elaboration as to why they feel the absence is not in violation of the applicable standards set forth in the applicable Executive Branch Accountability Contract. This Appeal Request should be submitted within 72 hours of the notice of the Executive Leadership's decision, or the request shall be denied without further discussion.
- b. The Appeal Requests for missed Executive Branch functions shall be submitted to both:
  - i. The acting President, Vice President, or Chief of Staff
  - ii. The acting Chief Justice
- c. The Requests shall be presented in the UKSGA Supreme Court. The proceedings shall be arranged at the discretion of the parties involved.
- d. The Appellate ruling of the Supreme Court shall be the final decision on the matter. If the Appellate body maintains the absence as unexcused, the absence shall count against the allotment of allowed absences prescribed by the Executive Branch Accountability Contract. An Appellate decision which overturns the ruling shall maintain full effect and the absence shall not count against the allotment of absences prescribed by the Executive Branch Accountability Contract.
- e. Active Members of the Executive Branch shall have two (2) appeal requests per appointment term, regardless of the outcome of these appeals. Any unused appeal requests shall not accumulate in the event of multiple terms.

#### CHAPTER 304: SUPREME COURT NOMINATIONS

304.1 Pursuant to Article III, Section 2 of UKSGA Constitution, the President nominates Supreme Court Justices. These nominations are approved by the Operations and Evaluations Committee and the Full Senate.

304.2 When a Supreme Court vacancy arises, the President or their designee shall create and

publish an application for interested students via BBNvolved. The President or their designee shall disseminate information about the vacancy to relevant groups in the university community, which should include but is not limited to: the J. David Rosenberg College of Law, the Gatton College of Business and Economics, and the Martin School of Public Policy and Administration. The application shall elicit information about a potential nominee's credentials and shall be shared with the Operations & Evaluations Committee as it evaluates the nominee's candidacy. Consistent with the UKSGA Constitution and UKSGA Code 304.1, the President retains exclusive authority to select nominations for Senate review.

## **THE JUDICIAL BRANCH CODES**

### **CHAPTER 400: THE SUPREME COURT**

400.1 The Supreme Court shall have original jurisdiction over cases involving: interpretation of the UKSGA Constitution, offenses against the UKSGA Constitution, constitutionality of UKSGA Constitutional Provisions, the constitutionality and interpretation of Senate legislation, disputes in or between any Registered Student Organizations (RSO), and any other matter directly related to UKSGA.

400.2 The Supreme Court shall have appellate jurisdiction over claims and disputes arising from internal appeals, review processes, and elections.

### **CHAPTER 401: CASES BROUGHT BEFORE THE SUPREME COURT**

401.1 Any member may bring an action before the UKSGA Supreme Court.

401.2 A member may initiate an action by delivering a written petition to the Chief Justice. This member will be recognized as the petitioner.

401.3 To be acted on by the Supreme Court, any petition or motion must clearly and accurately: state the petitioner(s) name(s), state the respondent(s) name(s), state the action or actions that are disputed by the petitioner or petitioners, including the time, place, and manner of

said action or actions, to the best of the petitioners' knowledge, state the specific provision or provisions of the UKSGA Constitution or codes the petitioner alleges are violated by the disputed action, set forth the relief sought by the petitioner or petitioners, include, at the end of the petition, the following words: "I hereby represent to the Supreme Court of UKSGA my belief in good faith that to the best of my knowledge the allegations contained herein are true.", and bear the signature of each petitioner at the end of the form.

401.4 Appellate matters heard by the Supreme Court shall follow the petitioning process set forth in Code 401.3. The hearing for the Appeal shall follow all the appropriate codes and regulations outlined in the governing codes.

#### CHAPTER 402: PARTIES TO THE ACTIONS BEFORE THE SUPREME COURT

402.1 Any member may be named as the respondent in any petition brought before the Supreme Court.

402.2 All respondents have the right: to be served with a copy of the petition filed against them, to respond to said complaint with a written answer for consideration by the Supreme Court, and to appear before the Supreme Court and be heard.

402.3 Any party to any action, may, at the discretion of the Supreme Court, implead any third party.

402.4 The Supreme Court may strike any respondent from any petition if the petition neither adequately alleges that said respondent has acted in any way contrary to the Constitution or Governing Codes of the UKSGA, nor adequately alleges that said respondent must be a party to the action in order for the relief requested to be given.

402.5 UKSGA shall be represented by the acting Attorney General and the member shall represent themselves or bring counsel of their choice. Counsel must be a current student of the University of Kentucky. Active members may not represent other active members but are permitted to serve as witnesses if necessary. All parties must be present before the Supreme Court for the evaluation of the Appeal. Should the Appellant be absent and unable to be reached within reasonable effort, the Appeal shall be denied without any

further discussion. Should the Attorney General be absent and unable to be reached within reasonable effort, the Appeal may be postponed or awarded to the Appellant. The Supreme Court shall reserve the right to reschedule, evaluate, and adjudicate the proceedings at their discretion.

- a. Reasonable effort for the purposes of this document shall refer to a phone call, e-mail, text message, or sending for the individual within the premises of the building.

#### CHAPTER 403: ACTIONS BEFORE THE SUPREME COURT

403.1 The Supreme Court may summarily dismiss any action brought before it that does not conform to the requirements of these Codes.

403.2 Any petition submitted to the Supreme Court that fulfills the requirements of these Codes shall be heard by the Supreme Court.

403.3 Petitioners shall serve a copy of their petition to all respondents. The Supreme Court may waive this requirement if, in its judgement, the petitioner has attempted a good faith effort to personally serve all respondents. The Supreme Court may order all parties to appear before it, no less than 14 days from the time of service, except for alleged election violations. Any party failing to respond within the allotted time is subject to judgment against them.

403.4 Respondents to any petition brought before the Clerk of the Supreme Court must inform the Supreme Court that they intend to submit an answer to the petition to the Supreme Court and appear in person before the Supreme Court and be heard.

404.4 The Supreme Court will conduct its proceedings in accordance with the UKSGA Constitution and Codes as well as the normal, accepted practice of the courts of the Commonwealth of Kentucky. Pursuant to their original jurisdiction, the Supreme Court may consider all previously submitted original evidence and any newly discovered evidence at their discretion.



403.5 Upon conclusion of any case before it, the Supreme Court will issue a written opinion explaining its ruling and any relief granted. A copy of this opinion will be transmitted to each party to the action and to the UKSGA President and Senate Chair.

403.6 A compilation of all decisions of the Supreme Court shall be made available to all students.

403.7 Prior Supreme Court decisions shall be treated as legal precedent under the UKSGA Constitution and Codes and may not be overturned save on reconsideration of the same case or changes made to the Constitution or Codes.

403.8 All actions must be brought before the Supreme Court within one year of the transaction or occurrence giving rise to the petition, aside from alleged elections violations. The procedure for filing claims regarding elections can be found in the Election Codes.

## **THE GENERAL CODES**

### **CHAPTER 500: DEFINITIONS**

500.1 As used herein, unless the context otherwise specifies:

- a. “Benefit” means personal gain or advantage, including, but not limited to, financial or political gain.
- b. “Conflict” or “Conflict of Interest” means a situation in which regard for a private interest tends to lead to a disregard of a public duty or interest.
- c. “Harm” means any verbal, written, or printed communication which directly or by inference is:
  - i. Defamatory to another person’s reputation; or
  - ii. Could reasonably cause the denial or termination of membership of another in UKSGA without due process of the law; or
  - iii. Any unlawful interference with the person and/or property of another person.

- iv. Attacking another person based on their Race, Religion, Creed, Sexual Orientation, Age Disability, Place of Origin, Gender Identity, or engaging in any other form of discrimination
- d. “Pecuniary Gain” means any dealing with money, monetary or financial, or something able to be evaluated in terms of money, in which an Active Member stands to obtain an unreasonable benefit due to their position; this does not include funding opportunities through UKSGA.
- e. “Public record” means all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency. “Public record” shall not include any records owned or maintained by or for a body that are not related to functions, activities, programs, or operations funded by UKSGA.
- f. “KRS” means “Kentucky Revised Statutes,” the governing statutes of the Commonwealth of Kentucky.

#### CHAPTER 501: ETHICS

501.1 No active member of UKSGA shall participate in any private business or professional activity or have any direct or indirect financial interest which would place that person in a position where there is a conflict between that private interest and the best interests of the Student Body.

501.2 No member shall misuse or allow the misuse of UKSGA property, facilities, or personnel of any kind.

501.3 No member or registered student organization shall give, offer, or promise any monetary or other benefit to any active member of UKSGA not authorized by UKSGA legislation under any circumstance. Additionally, no active member of UKSGA shall give, offer, or promise any official UKSGA resource or other benefit to any member or registered student organization if not authorized by UKSGA legislation under any circumstance. No active member shall solicit or receive any compensation for acting within their official capacity in UKSGA.

501.4 No active member of UKSGA shall intentionally harm any person.

501.5 No active member of UKSGA shall aid, advise, procure, or in any way coerce another active member to act in violation of this legislation.

501.6 In accordance with Administrative Regulation 4:1, Registration and Recognition of Student Organizations, no RSO/SSO will be hindered or discriminated against in the ordering of its internal affairs, selection of its leaders and members, defining of doctrines and principles, and resolving organizational disputes in the furtherance of its mission or in its determination that only persons committed to its mission should conduct such activities. In all other respects, all RSOs and SSOs must comply with the University's non-discrimination policy, Administration Regulation 6:1, Policy on Discrimination and Harassment.

501.7 An Active UKSGA Member shall not utilize their position for pecuniary gain.

501.8 A violation under this legislation may be cause for impeachment, censure, or removal from office.

#### CHAPTER 502: REFERENDA

502.1 The legislative intent of this chapter is to recognize that the Student Body retains sovereignty over UKSGA and the right to alter the laws by which it is governed, and to establish its opinion on certain issues. This act intends to establish procedures by which students can promote referendum questions. Referenda are placed on the general election ballot to represent an issue or initiative that would warrant a vote by the student body at large.

502.2 The "Board," as articulated in this chapter, shall be the UKSGA Election Board of Supervision.

502.3 Referendum questions may be proposed by a two-thirds (2/3) vote of the Senate or by a petition of at least 1000 students.

502.4 Any petition created under this section must be filed with the Board no later than two (2) weeks before the election that the petitioner intends to place the referendum questions on the ballot.

502.5 Referendum questions approved by a majority of the students voting on the question shall be considered enacted and shall be treated in the same manner as all other resolutions adopted by UKSGA.

502.6 All petitions filed with the Board shall satisfy all of the following requirements:

- a. All names must be the signature of the individual who allegedly signed the petition;
- b. All names must be signed exactly as that person's name is recorded with the Registrar's Office;
- c. All names must be followed by Student ID number, birthdate, and either email or phone number;
- d. Each page containing signatures shall include the identity and signature of the person responsible for securing signatures for that page and that person shall certify that different individuals made all the signatures and that no threats or coercive statements were made to induce a person to sign. For the purpose of counting the number of signatures the signature of the responsible person required by this section shall be counted only once.

502.7 The Senate Executive Council and Attorney General shall review and amend the initiative or referendum to ensure that it effectively conveys its legislative intent. The Elections Board may sit in on these discussions but hold no say in the effectiveness of intent.

502.8 Failure to meet the requirements of UKSGA Governing Codes set forth in Code 501.6 may result in particular signatures or the entire petition being disqualified by the Board. The Board may, at their discretion, use a random sampling technique to verify signatures.

### CHAPTER 503: OPEN MEETINGS

503.1 In accordance with KRS 61.805-61.850, all UKSGA meetings are public business and shall not be conducted in secret. Any legislative changes adopted by the Commonwealth's

legislature to the relevant statute are incorporated herein provided the changes do not violate students' rights and are not in conflict with the mission of UKSGA.

#### CHAPTER 504: SEPARATION OF POWERS

504.1 UKSGA consists of an Executive Branch, a Legislative Branch, and a Judicial Branch as outlined by the UKSGA Constitution.

504.2 A student may only hold one position in only one branch of UKSGA at any one time as outlined and defined in this Chapter.

504.3 A student that holds a position in one branch of UKSGA must resign that office before accepting a position in another branch of UKSGA.

a. Failure to resign may result in Impeachment proceedings within Operations and Evaluations Committee.

504.4 Members of a joint committee of the Legislative and Executive branches shall not be deemed to have a conflict of interest under this statute.

#### CHAPTER 505: PUBLIC RECORDS

505.1 The Attorney General is charged with receiving and processing open records requests for all branches of UKSGA.

505.2 All public records shall be open for inspection by any person, except as otherwise provided by KRS 61.884.

505.3 Suitable facilities shall be made available for the exercise of this right. No person shall remove original copies of public records from the offices of part of the UKSGA without the written permission of the official custodian of the record. Prior to viewing, a photocopy shall be made of the original document in the event a requestee destroys the original record.

505.4 Any person shall have the right to inspect public records. The Attorney General shall require a written application signed by the applicant and with their name printed legibly on the application, describing the records to be inspected. The application shall be hand delivered, mailed, or sent via email to the UKSGA office. The Attorney General may work with the Director of Information Technology to establish a web-based form to submit the aforementioned applications.

505.5 A person may inspect the public records:

- a. During the regular office hours of the UKSGA or by receiving copies of the public records from UKSGA through the mail or email.
- b. If the person requesting the public records, requests that copies of the records be mailed, the official custodian shall mail the copies upon receipt of all fees and the cost of mailing.
- c. If the person to whom the application is directed does not have custody or control of the public record requested, that person shall notify the applicant and shall furnish the name and location of the official custodian of the public records.
- d. If the public record is in active use, in storage or not otherwise available, the official custodian shall immediately notify the applicant and shall designate a place, time, and date for inspection of the public records, not to exceed three (3) days from receipt of the application, unless a detailed explanation of the cause is given for further delay and the place, time, and earliest date on which the public record will be available for inspection.
- e. If the application places an unreasonable burden in producing public records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the UKSGA, the official custodian may refuse to permit inspection of the public records or mail copies thereof. However, refusal under this section shall be sustained by clear and convincing evidence.

#### CHAPTER 506: SENATOR ACCOUNTABILITY

506.1 Senators shall be required to dress in business attire when conducting formal SGA business unless otherwise provided by the meeting's presiding officer, Senate Chair or

Senate Committee Chair, or an exemption, by said presiding officer, is provided due to an extenuating circumstance immediately before formal business.

506.2 Extenuating circumstances may include but are not limited to:

- a. a lab which requires scrubs
- b. a class which requires certain attire

506.3 The Senate Chair shall prescribe further expectations and additional requirements in a

“Senator Accountability Contract” to be provided at the beginning of the Senator’s term.

Items to be included are the following:

- a. attendance requirements
- b. office hour requirements
- c. campus relations requirements
- d. A written agreement that requests the Senators consent to be recorded for the purpose of the UKSGA video archives

506.4 The Senate Chair may prescribe additional requirements in the Senate Accountability

Contract as they deem necessary after consultation with the Senate Executive Committee.

506.5 Any violation of this section shall be subject to review by the Senate Executive Committee

which may recommend proceedings to the Operations and Evaluations Committee for disciplinary action.

#### CHAPTER 507: VIDEO ARCHIVES

507.1 “Virtual Meeting” as articulated in this chapter shall refer to a Full Senate meeting that is held on an online platform in which Senate members utilize audio and video technology to adequately host the meeting.

507.2 “Full Senate Meeting” as articulated in this chapter shall refer to the regularly scheduled meeting in which all Senators convene to discuss official business.

507.3 UKSGA shall be responsible for the live streaming and recording of all in person and virtual Full Senate Meetings. Per KRS 61.805-61.850 all UKSGA meetings are public business and shall not be conducted in secret.

507.4 In accordance with KRS 61.826, video teleconferences (virtual meetings) shall qualify as open meetings.

507.5 The Senate Vice-Chair shall be responsible for the recording of each Full Senate meeting.

507.6 The Senate Vice-Chair shall send the video recording of the Full Senate meeting to the Director of Information Technology within seven (7) days of the meeting's conclusion.

507.7 The Director of Information Technology shall establish and maintain a public, web-based platform that will contain all recorded Full Senate meetings

507.8 The Attorney General is charged with receiving and processing any open records requests pertaining to UKSGA’s video archives.

507.9 The Senate Chair shall be responsible for ensuring that all Full Senate members sign the “Senator Accountability Contract” as outlined in 506.3 and consent to be recorded for the purposes of the UKSGA video archive.

507.10 Recordings, or portions of recordings, from the UKSGA Video Archives shall be permitted for use as evidence in any censure or impeachment resolution brought before the Full Senate.



507.11 Full Senate members who do not consent to being recorded for the purpose of the UKSGA Archives shall not be permitted to attend Full Senate meetings until their consent is received.

#### CHAPTER 508: PROGRAMMING EVALUATIONS

508.1 The Operations and Evaluations Committee shall evaluate UKSGA programming.

508.2 Every two academic calendar years, the Operations and Evaluations Committee shall evaluate the effectiveness and reach of the following:

- a. Grants arising from the Legislative Branch and the Executive Branch
- b. Events hosted by UKSGA
- c. Marketing materials, including but not limited to signs, posters, social media posts, and branding

508.3 Evaluation criteria shall include the following:

- a. Relevant demographics, if access is available or the information is collected at the event
- b. Percentage of Greek vs. non-Greek affiliated involvement
- c. Graduate and Professional student involvement
- d. Total reach of the event or material
- e. UKSGA financial statements relating to costs incurred, surplus funds, or any unplanned expenses

508.4 The Operations and Evaluations Committee shall report their findings to the respective Active Member in charge of oversight for the programming, the Senate Chair, and the President.

508.5 Any action deemed necessary or any recommendations that the committee may have shall accompany the report.

508.6 The Operations and Evaluations Committee shall follow up on any recommendations in the same academic year the recommendation was made.

508.7 Evaluations may be completed on a staggered basis. For example, Legislative Branch evaluations may be conducted in even years, whereas Executive Branch evaluations may be conducted in odd years.

#### CHAPTER 509: EVALUATIONS OF THE EXECUTIVE BRANCH

509.1 The Operations and Evaluations Committee may evaluate members of the Executive Branch pursuant to 203.2(c)(2).

509.2 The Operations and Evaluations Committee Chair shall meet with the Chief of Staff monthly to discuss the progress of each Executive Branch member and any concerns the Chief of Staff believes should be addressed.

509.3 Each member of the Executive Branch shall attend an Operations and Evaluations committee meeting at the end of the fall semester or the beginning of the spring semester for the purposes of evaluation. The discussion shall include:

- a. A presentation over the member's allocated budget and how it has been used thus far, if applicable
- b. Progress made on goals the member identified at the beginning of their term
- c. How the Senate can assist the member in completing their goals

509.4 The Operations and Evaluations Committee shall report their findings on the respective Active Member to the Senate Chair and the Executive Leadership Team.

509.5 Any action deemed necessary or any recommendations that the committee may have shall accompany the report.

509.6 The Operations and Evaluations Committee shall follow up on any recommendations in the same academic year the recommendation was made.

509.7 The Operations and Evaluations Committee report shall detail the committee's evaluation findings.

## **ELECTION CODES**

### **CHAPTER 600: APPLICATION AND DEFINITIONS**

600.1 These codes shall govern all UKSGA elections.

600.2 Definitions:

- a. "Affiliated with" is defined as openly endorsing a campaign.
- b. "Campaign Promotional Item" is defined as an item in which a candidate distributes which may contain a candidate's or ticket's platform, names, educational experience, or other unnamed item to be determined by the Elections Board.
- c. "Handbill" is defined as a campaign promotional item, no larger than 8.5 x 11 inches to be distributed in mass.
- d. "Poster" is defined as a campaign promotional item sized larger than 8.5 x 11 inches to be posted.
- e. "Banner" is defined as a campaign promotional item larger than 13 x 19 inches to be displayed.
- f. "Classrooms" are defined as rooms where at least two different University administered classes occur weekly during the semester in which the election is held.

### **CHAPTER 601: ELECTIONS BOARD OF SUPERVISION**

601.1 There shall be an Elections Board of Supervision that will oversee the elections process.

601.2 The President, in consultation with the Attorney General and approval by a majority vote of the Senate, shall appoint an Elections Commissioner who shall serve as chair of the Elections Board of Supervision.

601.3 The board shall be appointed by the Elections Commissioner. Nominees may be subject to approval by a majority of the Senate following approval by the Operations and Evaluations Committee upon request of the Student Body President. The Committee shall be composed of no fewer than eight (8) members excluding the chair.

601.4 No persons affiliated with a campaign, including a candidate for office, may serve on the Elections Board.

601.5 Nominations for the Elections Board shall be presented to Full Senate at least two weeks (14 days) prior to the opening day of the elections filing window.

601.6 The individual nominations approved by the Operations and Evaluations Committee will be referred to as the “Elections Board Slate”. This slate of nominees and their qualifications will be presented to the Full Senate for approval, and may be amended if the Full Senate does not approve the slate.

#### CHAPTER 602: TIMELINE

602.1 The Elections Board of Supervision shall no later than three (3) weeks before the election submit for approval by the Senate the following:

- a. The location of the election polls;
- b. The times of operation of each election polling location;
- c. The elections promotion plan;
- d. Any additional procedures and policies not prescribed by this Title for the purpose of managing the election. Plans lacking specificity shall not be approved.

602.2 Elections for Student Body President and Vice-President, Undergraduate Senators At-Large, a portion of the seats allocated for Graduate Senators At-Large, and College Senators shall be held on the Monday and Tuesday two weeks before Spring Break, with the exception of special elections, which may be issued by the Supreme Court.

a. The number of Graduate Senators At-Large elected during the aforementioned Spring election shall be at least three (3) but no more than half of the prescribed allocation for the year.

602.3 The Freshman Senators and the remaining seats for Graduate Senators At-Large shall be elected by the corresponding populations on a Monday and Tuesday between the fifth and seventh weeks of classes in the fall semester. The Monday/Tuesday date shall be determined by the Elections Board of Supervision.

602.4 Upon approval by the Senate, the Elections Board may only amend the Elections Timeline under dire circumstances, including but not limited to:

- a. Death of a candidate or SGA Member
- b. A natural disaster severely affecting campus or the Lexington-Fayette Metropolitan Area
- c. The safety of the student body
- d. Administrative changes and processes out of UKSGA's control, e.g., event management services, issues relating to software utilized in the elections process, or other unforeseen circumstance

Any amendments to the approved timeline shall be communicated to the Student Body and Senate as soon as possible. A failure to provide adequate notice may result in a procedural error providing grounds for a claim in the Supreme Court. The Senate may vote to approve the changes, but approval is not required.

### CHAPTER 603: CANDIDATES

603.1 The period for filing for candidacy in the Spring Elections shall start no later than six (6) weeks prior to the first election day and shall run continuously for a period of two weeks.

603.2 The Elections Board of Supervision may extend the deadline for those races in which no candidate has filed before the above deadline by a majority vote.

603.3 All persons running for an office are required to submit an application to the Elections Commissioner. The candidate may designate the exact variation of their name that appears on the ballot in the application. The Board of Supervision shall prohibit frivolous and fictitious names from appearing on the ballot. This form cannot be changed or handed in after the last time for filing.

603.4 The number of Senators At-Large shall be set as provided in Chapter 200 of the UKSGA Governing Codes.

603.5 The number of College Senators shall be one per College. They shall also serve as the representative for the College on University Senate.

603.6 The Elections Board of Supervision shall hold a period during which any candidates wishing to declare write-in candidacy must submit a declaration of write-in candidacy certifying that they meet the requirements for the office and have read the appropriate rules and granted the UKSGA Advisor permission to certify academic eligibility.

603.7 The period in which candidates may submit declarations of write-in candidacy shall start immediately following the end of the filing period and conclude at 11:59 p.m. EST on the Sunday seven (7) days prior to the regular election. The submission of declarations of write-in candidacy is to be conducted in the UKSGA office. Write-in candidate names will be listed at the top of their respective ballots but will not be a selectable option on the ballot. All write-in candidates will need to be manually entered by each voter.

#### CHAPTER 604: CANDIDATES MEETING

604.1 The Elections Board of Supervision shall establish a meeting for all candidates at which the rules, regulations, pertinent meeting dates, and duties and responsibilities of a UKSGA Representative, as well as the goals of UKSGA, will be presented to the candidates.

604.2 The candidate or agent thereof will be required to sign in and be present at the end of the meeting when the roll is called.

604.3 If a candidate or agent thereof does not attend and remain present for the duration of the meeting, the candidate's name will not appear on the ballot.

604.4 All candidates and agents thereof are responsible for being familiar with and following all federal, state, and University rules and regulations, including all information in the meeting as well as the UKSGA Constitution and UKSGA Governing Codes, for campaigning and elections.

604.5 Candidates shall receive a general fact sheet of duties and expectations required to serve in the office which they are seeking at the candidates meeting. Example documentation may include previous Senate Accountability Contracts, previous published job descriptions, or other supporting, non-confidential documents which predecessors feel candidates would find beneficial.

604.6 If the candidates meeting occurs before the end of the write-in period, all write-in candidates will be required to either attend a make-up candidates meeting with the Elections Commissioner. This meeting shall take place during the seven (7) day period following the closing of the write-in candidacy period. A candidate who does not appear at this meeting or does not have an agent appear on their behalf shall not have their name present on the ballot, and shall not be an eligible choice to be written in.

#### CHAPTER 605: CANDIDATE PLATFORM

605.1 A candidate platform shall be defined as a statement from the candidate or candidates describing their positions.

605.2 Candidate platforms shall be subject to all guidelines regarding campaign material except where otherwise noted.

605.3 Each candidate platform shall not exceed two-hundred-fifty (250) words.

605.4 The Elections Board of Supervision shall make campaign platforms available via the UKSGA website within two (2) business days following the candidate eligibility and verification process.

605.5 The Elections Board of Supervision shall make the campaign platform available at the polling locations and, if feasible, the ballot itself, during designated polling times but must do equally for all candidates who have presented a candidate platform.

605.6 The Elections Board of Supervision may at their discretion make changes or edits that immaterially change the campaign platform. Immaterial changes include only grammatical corrections.

605.7 The Elections Board of Supervision may shorten the length of any platform statement that exceeds the maximum limit to two-hundred and fifty (250) words.

a. The Elections Board of Supervision shall not accept or use images in union with a campaign platform.

#### CHAPTER 606: CAMPAIGN MATERIALS

606.1 Campaign materials for the purposes of UKSGA Elections shall be defined as anything used to promote a candidate including but not limited to: flyers, literature, pamphlets, buttons, clothing articles, table-tent advertisements, electronic communication banners, posters, handbills, web pages, social media content, email documents, sound recordings, video recordings, and location-based marketing materials.

606.2 Signs posted inside the residence halls must comply with Residence Life regulations.

606.3 There shall be no posters in classrooms.



606.4 No campaign material, writing or paint may be placed on the ground (e.g. sidewalks, roads, driveways) or onto living material. This does not include articles of clothing or other textiles.

606.5 Posters shall not be placed on any glass, elevators, or painted surfaces, in accordance with the University's Administrative Regulations Governing the Use of University Facilities by Registered Student Organizations.

606.6 Campaign materials may not be placed on bulletin boards designed for use by campus organizations.

606.7 Each campaign must use discretion not to damage University property.

606.8 The Elections Board of Supervision must approve any posters in advance to ensure that candidate posters to comply with UKSGA policies.

606.9 No poster may be displayed on campus area property without the official seal of the Elections Board of Supervision.

606.10 No person may bribe, give, or lend anything of monetary value over one dollar (\$1.00) or academic value in order to induce a person to vote for or against a candidate or referendum or refrain from voting altogether.

606.11 The Number of Campaign Materials Shall be limited by the following provisions:

- a. Presidential campaigns will be limited to posting one hundred and fifty (150) posters and fifteen (15) banners on campus area property.
- b. Senatorial campaigns will be limited to posting one hundred (100) posters and ten (10) banners on campus area property.
- c. There is no limit to the number of handbills campaign may distribute.

606.12 Destroying or defacing the campaign materials of other candidates is prohibited.

606.13 After campaign material has been placed, it may not be removed by anyone other than the candidate, campaign manager(s), the Elections Board of Supervision, or the poll workers while voting is in progress. University employees acting in accordance with their duties and in the enforcement of university policy may remove materials.

606.14 All posters and other campaign materials must be removed within 48 hours of the polls closing. Each candidate is responsible for removing campaign materials from where their campaign has placed them. Candidates must make a reasonable effort to collect handbills but are not responsible for collecting all handbills that may have been discarded by others.

606.15 No current candidate shall take possession of/use social media accounts for their current campaign which were previously used for a campaign of an individual/ticket other than the current candidate or their running mate.

#### CHAPTER 607: TICKETING

607.1 A ticket is defined as two or more candidates campaigning jointly. Senatorial campaigns should be independent from all other Senatorial Campaigns. Senatorial Candidates cannot appear on campaign materials with other candidates, including but not limited to, banners, posters, handbills, social media accounts, and other promotional materials. Senatorial Candidates may not exhibit support, electronic, verbal or written, for other candidates running in their election or candidates running in the Presidential/Vice Presidential Election.

607.2 The Student Body President and Vice President shall be voted on and elected by ticket. No list of members of senatorial slates shall be printed on the ballot.

607.3 No other tickets shall be permitted. Senatorial candidates, including Freshman Senators, College Senators, Graduate Senators-at-Large and Senators-at-Large, may only seek office on independent platform as well as Presidential/Vice Presidential campaigns.

607.4 Candidates may not exhibit support, electronic, verbal, or written, for other candidate running in their election or candidates running in the President Vice Presidential Election. Candidates may be subject to ticketing violations committed by students or organizations openly affiliated with their campaign.

#### CHAPTER 608: CAMPAIGNING

608.1 Candidates for office are responsible for familiarizing themselves with and following all applicable University, Election Board of Supervision, and Student Senate policies.

608.2 Upon the filing of candidate application, all candidates must sign a statement that they will adhere to all elections by-laws. If not signed, their nomination will be declared invalid by the Election Board of Supervision. This statement is to be turned in along with the application form.

- a. No candidate may begin soliciting votes electronically, verbally, or in writing until they have filed for candidacy and have been notified by the Elections Commissioner that they have been approved as a candidate.

608.3 No campaigning may take place at any polling location during polling hours on the election days, nor may any campaign material be present at a polling location during polling hours.

- a. This stipulation shall exclude candidate platforms received and approved by the Elections Board of Supervision.

608.4 Campaign material within the campaign free zone prior to the zone being designated by the Election Board of Supervision shall be removed by the candidate prior to opening the poll.

608.5 No candidates are allowed within twenty-five (25) feet of any on-campus poll at any time while the poll is open except for the following:

- a. When a candidate is casting their vote
- b. Exempting incidental traffic flow through the hall in which the candidate lives, works or attends class.
- c. Exempting any library other than if the candidate is campaigning.
- d. The candidate is removing campaign materials at the direction of the Election Board of Supervision.

608.6 The Elections Board of Supervision, in collaboration with the Executive Committee, shall promote the election and candidate applications to the student body.

608.7 Neither verbal campaigning nor campaign materials shall be allowed within twenty-five (25) feet of the polls while polls are open if applicable.

608.8 University of Kentucky Libraries and University of Kentucky Student Computer Labs shall be designated as campaign-free zones on election days.

608.9 Door-to-door campaigning is not allowed in the residence halls.

608.10 Forums and campaigning may take place in the residence halls in compliance with Residence Life regulations, with final discretion up to the Resident Director, in any respective residence hall.

608.11 Candidates may hold forums with any student organization provided it is approved by that organization's president.

608.12 Libelous or slanderous campaigning shall be subject to sanction by the UKSGA Supreme Court. Please refer to 500.1 for the ethical expectations of UKSGA and its candidates. If conduct is severe, applicable Kentucky Law may apply.

608.13 No University Mandatory Student Fee monies shall be used for campaigning purposes.

- a. This stipulation shall exclude any materials used for the promotion of the election by the Elections Board of Supervision.

608.14 No person may personally or through an agent intimidate, harass, use or threaten the use of force, violence, or restraint in order to compel or induce any person to vote, abstain from voting, or vote or abstain from voting for a particular candidate or referendum.

608.15 No student may set up a computer or other electronic device to be used as a polling location for the purpose of soliciting votes.

- a. This stipulation does not include polling locations designated by the Elections Board of Supervision.

608.16 All candidates and their staff must adhere to all elections policies and applicable institutional policies during the election period. Unless otherwise allowed under the elections by-laws and policies, all candidates must adhere to applicable university policies, municipal policies and laws, and state policies and laws.

608.17 Additional policies and procedures approved by the Election Board of Supervision and the Senate for the purpose of managing the elections process may be put into effect in addition to these codes and must be adhered to by all candidates and staff. All additional policies will be provided to candidates prior to the start of any campaign period.

608.18 No UKSGA resources shall be used to support any candidate unless those resources are available to all candidates.

608.19 All campaign emails sent to multiple voters must have all email addresses in the blind carbon copy (Bcc) line.

- a. Any voter that requests to be removed from campaign emails must be removed from all campaign mailing lists within 36 hours.

- b. Email addresses obtained through an open records request may not be used for campaign purposes.

608.20 No candidate, student with intention to file for candidacy, or student otherwise affiliated with a campaign shall campaign in or utilize the physical UKSGA office in affiliation with a campaign. This includes, but is not limited to, conversations regarding past, present, or future campaign plans.

#### CHAPTER 609: ELIGIBLE VOTER

609.1 An eligible voter shall be defined as a currently enrolled student at the University of Kentucky.

609.2 The eligible voter record shall be determined by enrollment data provided by the University Registrar.

#### CHAPTER 610: VOTING PROCEDURES

610.1 Full and part-time students shall be permitted to vote once per election.

610.2 The Elections Board of Supervision shall ensure that online ballots, candidate platforms, the election rules, and directions for reporting errors are available on the UKSGA website and BBNvolved.

610.3 Students voting during the general election must do so through the electronic voting system. If unavailable, students may submit a paper ballot at a polling location by the following process:

- a. The student shall be provided a paper ballot by the designated member of the Elections Board monitoring the polling location. This paper ballot must contain the names of all executive candidates and senatorial candidates for the student's college or school of enrollment, spaces for the student to write-in votes for each office, and an envelope.

- b. The Elections Board monitor shall follow the procedures for double enveloping.
- c. The Elections Board shall be responsible for providing the following items at polling locations:
  - i. One large, lockable ballot box;
  - ii. Write-in ballots and envelopes;
  - iii. Instructions for any poll workers;
  - iv. And materials to designate the polling location.

610.4 Voters shall cast their votes using the electronic voting system website from the polling computer(s) or any other computer connected to the internet.

610.5 There shall be no consultation or campaigning in a polling location. Such activity will be grounds for a student's vote being disqualified UNLESS such student is a candidate, in which case a higher penalty may be imposed. The Elections Board of Supervision shall post a sign at each poll with the exact wording in the sentences above notifying voters of this prohibition.

610.6 The following double enveloping procedures must be followed by the Elections Board of Supervision when necessary:

- a. The pollster shall give the voter two envelopes and paper ballots for each position.
- b. The voter shall mark their vote on the ballots and then seal the ballot in the first envelope.
- c. The first envelope shall then be sealed in the second envelope, upon which the pollsters shall then write the voters name and student identification number, the name of the pollsters, and a description of the problem.
- d. This method shall not be employed unless a voter claims to be eligible but is not entered in the list of eligible voters, or claims not to have voted but is marked as voted. The Elections Board of Supervision shall review these ballots and determine which students were eligible voters. The ballots of eligible voters shall then be added to the vote tally.

## CHAPTER 611: POLLSTERS AND POLLING LOCATIONS

611.1 A pollster includes student persons designated by the Elections Board of Supervision to work at the polling location.

611.2 No persons affiliated with a campaign, including a candidate for office, may serve as a pollster.

611.3 A polling location shall be defined as the area within twenty-five (25) feet of an official voting location designated by the Elections Board of Supervision on the day of the election.

611.4 The Elections Board of Supervision shall designate three polling locations per day during the course of an election. Polling locations serve as a space for voters to vote in person or submit a paper ballot if they are unable to vote online. One polling location each day must include the Bill Gatton Student Center. The remaining two polling locations each day must include one south campus location (Agricultural Science Center North, Lee Todd Jr. Building, Dentistry Building, Medical School) and one central campus location (William T. Young Library, The 90). No location, with the exception of the Bill Gatton Student Center location, shall be repeated as a polling location on consecutive days. One location must be located amongst a significant concentration of graduate students, e.g., the healthcare complex.

a. Freshman Elections maintain an exception to the graduate student concentration exception detailed above, however, a third polling place is still required.

611.5 A portable device with internet access shall not be considered a polling location unless specifically designated to be such by the Elections Board of Supervision.

611.6 Election Day shall be designated by the Election Board of Supervision to consist of a minimum of eighteen (18) hours over two (2) days.



## CHAPTER 612: VOTE COUNTING

612.1 A simple majority of the Elections Board, a professional staff representative of the Office of Student Organizations and Activities, the Elections Commissioner, and the Attorney General must be at the vote tabulation procedure. This meeting shall be open to the public in order to promote UKSGA transparency.

612.2 The vote tabulation shall take place within seventy-two (72) hours of the closing of the polls.

612.3 None of the persons prescribed in Code 612.1 may leave during the tabulation, except at the discretion of the Elections Commissioner.

612.4 The Elections Board of Supervision shall determine, via majority vote, the validity of the elections following the completion of tabulation.

612.5 The results shall not be final until certified by a majority of the Supreme Court at the Election Review Hearing.

## CHAPTER 613: COMPLAINTS AND CLAIMS

613.1 “Complaint” as used in this section is defined as the process by which any student may, upon genuine belief of an election violation, notify the Elections Commissioner, who, alongside the Elections Board, determines whether they are actionable.

613.2 “Actionable” as used in this section describes complaints determined by the Elections Commissioner and Board to likely have merit if officially reviewed as a Claim.

613.3 “Claim” as used in this section is defined as the process by which any candidate may, upon genuine belief of an election violation, file for an official review.

613.4 At any time in the election period, any student who believes that a violation of election or campaign rules occurred may file a Complaint with the Elections Commissioner. Students filing complaints may submit any relevant documentation to support their complaint to the Elections Commissioner. Complaints shall be reviewed by the Elections Commissioner and Elections Board within 3 business days (72 hours) of being received by the Elections Commissioner. The complainant, as well as the student(s) and/or organizations who are the subject of the Complaint shall be informed as to whether the Board determines the Complaint is actionable and state their reason for reaching their decision. Board determinations of Complaints are not appealable. Points shall only be assigned to merited Claims by the Supreme Court, and no points are assigned to candidates for actionable Complaints.

a. If, after being informed of an actionable Complaint against their activity, a candidate persists in that activity, the Supreme Court may have grounds to impose higher point penalties at the hearing. However, if the candidate remedies the behavior upon notification by the Elections Commissioner, and is able to provide evidence of such, the Supreme Court could impose a lesser point penalty at the hearing.

b. If a student submits an actionable Complaint after the deadline to submit Claims, the Supreme Court retains authority to order review and assess points if appropriate.

613.5 Any candidate who believes that a violation of election or campaign rules occurred may file a Claim with the Elections Commissioner, by the date and time determined by the Elections Board of Supervision. Candidates filing claims may submit any relevant documentation to support their claims to the Elections Commissioner.

613.6 Questions regarding legislative interpretation, on behalf of the Elections Board, shall be directed to the Attorney General. The Attorney General may request a slip opinion from the Chief Justice of the Supreme Court.

613.7 No more than twenty-four (24) hours after the conclusion of the claims filing deadline, the Elections Commissioner shall present all claims to the Elections Board at the Claims

Reviews Meeting. The Elections Board shall review all claims and determine if a claim has merit or not based on the UKSGA Governing Codes.

613.8 If the Elections Board deems that a claim has merit, they will notify the claimant and defendant of their decision. The claim will then be brought before the Supreme Court.

613.9 If the Election Board determines a claim lacks merit, the Elections Commissioner will notify the claimant of that finding and will provide the claimant with a written statement detailing the reasoning for the finding. The Elections Commissioner must inform the claimant of their right to appeal to the Supreme Court.

- a. A student may file an appeal with the Supreme Court and maintains the right to an expedited hearing due to the time sensitive nature of elections. Notice must be provided to the Elections Commissioner of the appeal within forty-eight (48) hours of an Elections Board decision.
- b. If a candidate chooses to appeal a Claim that the Elections Board deemed to lack merit, the candidate must provide a written statement to the Supreme Court articulating the basis for their appeal. This statement may only include information and/or documentation to support their claim that has not previously been submitted to and considered by the Elections Board.

613.10 The Supreme Court shall convene no later than one week after the Claims Review Meeting. At this time, the Elections Commissioner shall present all claims including those with merit and those that have been appealed. The Supreme Court will decide which claims they will hear in their formal Supreme Court Hearing.

613.11 In the case that a claim is filed contests the eligibility of a candidate, the Supreme Court may call an Emergency Hearing at their discretion to hear these claims.

613.12 Claims will not be considered if not filed before the deadline established by the Elections Board of Supervision.

613.13 No candidate shall exceed their campaign expenditure limit.

#### CHAPTER 614: VIOLATIONS AND PENALTIES

614.1 The point penalty guidelines contained in this chapter are intended to serve as a guide for the Supreme Court as they impose point penalties for election and campaign rule violations. However, the Supreme Court has the ultimate discretion, based on the individual circumstances of a specific violation, to impose a point penalty which deviates from the recommended penalty.

- a. It is recommended that a candidate be completely disqualified from the election in which they are running if they accumulate ten (10) or greater penalty points.
- b. It is recommended that points are levied per violation, not per the number of Claims against them asserting the violation.

614.2 Violations of the election and campaign rules and procedures contained within the UKSGA Governing Codes are separated into Level 1, Level 2, and Level 3 infractions.

614.3 Level 1 violations are those contained in Codes 606.2, 606.3, 606.4, 606.5, 606.6, 606.9, 606.10, 606.11, 606.13, 606.14, 608.9, 608.10, 608.13, 608.18, 608.2b, 608.19, and 608.20. A violation of 613.9, if equal or less than five (5) percent of the expenditure limit, is a Level 1 violation.

- a. The recommended point penalty for Level 1 violations is  $3 \pm 2$  points.

614.4 Level 2 violations are those contained in Codes 606.7, 606.8, 606.12, 606.15, 607.1, 607.3, 607.4, 608.3, 608.4, 608.5, 608.7, 608.8, 608.12, 608.14, 608.15, and 608.16.

- a. The recommended point penalty for Level 2 violations is  $6 \pm 2$  points.

614.5 Level 3 violations are those contained in Codes 604.2, 604.6, and 608.2a. A violation of 613.9, if greater than five (5) percent of the expenditure limit, is a Level 3 violation.

- a. The recommended penalty for Level 3 violations is complete disqualification from the election.

## CHAPTER 615: DETERMINING A WINNER

615.1 Upon completion of the Supreme Court Hearing, the Elections Commissioner shall announce the official results of the election within 24 hours and make the results public within the same time frame.

615.2 A Presidential/Vice-Presidential ticket shall be declared winner if they receive fifty percent (50%) plus one (1) vote of votes cast in the election.

615.3 A candidate with the majority of votes in a college senatorial race shall be declared winner upon 50% plus one (1) of ballots cast.

615.4 The number of seats in an at-large race is prescribed by Code 200.3. The top candidates in the Undergraduate and Graduate Senator At-Large races, as prescribed in the preceding code, as determined by ranked choice methodology found in Chapter 616, shall be declared winners.

615.5 If a candidate declines a position, the eligible candidate with the next highest percentage of votes shall be offered that position.

615.6 The Supreme Court may, upon violation of any procedure, and at its discretion, invalidate the election results and issue a new election.

## CHAPTER 616: EXPENDITURES

616.1 A ticket composed of a candidate for President and Vice President is limited to a total expenditure of one thousand (1000) dollars. In the case of a new election issued by the Supreme Court, a ticket may spend an additional one hundred fifty (150) dollars.

616.2 Senatorial candidates are limited to a total expenditure of four hundred (400) dollars. In the case of a new election issued by the Supreme Court, senatorial candidates may spend an additional fifty (50) dollars.

616.3 Each candidate shall submit the candidate's expenditure form to the Elections Commissioner or their designate at the time set by the Elections Board of Supervision following the election. Candidates are responsible for getting a receipt form showing date, time and the Commissioner's or designates' signature. Original receipts and a copy of all printed material shall accompany the expenditure form.

- a. If a candidate fails to submit an expenditure form within 24 hours of the closing of the polls, the candidate forfeits the position.

616.4 The winner of a write-in vote must file an acceptable expense report, showing that campaign expenses did not exceed the limit for that office, before being seated.

616.5 All commercial or individual services or tangible materials donated by non-students to a candidate or candidates shall be attributed as expenditures of the receiving candidate or candidates at a reasonable retail price.

- a. Tangible materials donated by students to candidates shall also be attributed as expenditures of that candidate at a reasonable retail value. Tangible material donated by students to candidates include, but are not limited to paper, wood, glue, staples, posters, signs, banners, and other like materials. Tangible materials donated by students to candidates shall not include the hosting of a website, website design, or computer programming, since these donations are services.
- b. Donations by students to candidates shall be subject to the following rules:
  - i. Any student, whether part time or full time, of the University of Kentucky, including Lexington community college students, can donate their services in any capacity whatsoever, including professional services, and that donation shall not be attributed to the expenditure of the receiving candidate or candidates;

- ii. Service donations by students include donations of website hosting, website services, or the donation of any future technology that may replace web communication.

616.6 All expenditure sheets shall be available for viewing in the UKSGA office from the time they are filed until the time the claims period is over.

616.7 The Supreme Court shall have jurisdiction to settle valuation disputes.

- a. The burden is on the claimant to prove by a preponderance of evidence that a candidate has exceeded their spending limit. Once a claimant initiates such a claim, the claimant must first make a good cause showing to the Election Commissioner, and only if the Election Board of Supervision has determined that good cause in fact exists shall the claim proceed. If a claim proceeds beyond the Election Board of Supervision, the candidate shall be afforded ample opportunity to present evidence to the Supreme Court that the material or service was proper.

#### CHAPTER 617: BALLOTING AND TABULATION

617.1 Every member of the University of Kentucky Student Body shall be allowed to cast one (1) ballot in an election.

617.2 Each ballot shall allow for one (1) vote for each of the constitutionally prescribed positions, which the student is eligible to cast a vote for.

617.3 Each ballot shall be designed to allow for voters to rank each candidate by preference using cardinal numbers, if the election for said position is contested by two or more candidates. Voters may rank their preferences for as few or as many candidates in each contest as the voter wishes. All candidates not ranked by a voter are to be considered as “no support” for that candidate.

617.4 An explanation of the election methodology shall be included on the ballot in an obvious manner (bold, large font heading, or other obvious nature). Further, all UKSGA communication methodologies shall communicate the ranked choice voting methodology.

617.5 Members may abstain from voting in any contested or uncontested race.

617.6 Write-in votes may be considered valid only if notice of a write-in campaign has been filed with the UKSGA Elections Commissioner.

617.7 Before votes are tallied as prescribed in Code 616.9, an accurate number of ballots cast shall be determined.

617.8 Votes shall be tallied separately in each individual contest. The contests shall be counted in the following order: President and Vice President, College Senators, Graduate At-Large, Undergraduate At-Large. A result must be declared in a preceding contest before the ballots can be counted for the next contest.

617.9 Votes in each contest shall be counted using the ranked-choice methodology, also known as “instant runoff,” using the following procedure:

- a. The Elections Board shall sort ballots or spreadsheet data into stacks, or filter by cell value for each candidate from lowest to highest, based upon the first-preference vote and then count the number of ballots in each stack. Each stack or excel data should be counted separately by at least two (2) committee members to ensure accuracy.
- b. The first-preference vote result for each candidate shall be made visible to all parties in the room. If a candidate has received a majority of the votes cast, fifty percent (50%) plus one (1) in Executive Elections and College Senatorial Elections, the candidate shall be declared the winner. In Senator At-Large elections, the process must continue until the number of candidates prescribed by the Governing Codes and Constitution are filled, unless there is a shortage of candidates who ran for the positions.
- c. If no candidate has received a majority of the votes cast, the candidate with the fewest votes shall be eliminated and the ballots transferred based upon the voters next highest



preference. If tellers cannot determine the voter's next highest preference in a contest, the ballot is deemed "exhausted" for that contest only and will not be counted or transferred in subsequent rounds of that contest.

- d. If two (2) or more candidates are tied with the fewest votes, then each of those candidates shall be eliminated in the same round. All votes for eliminated candidates shall be transferred to the remaining candidates based upon voter's preference rank.
- e. Once ballots of eliminated candidates have been transferred to the remaining candidates, the transferred votes will be added to the respective candidates' tally. The result of the transfer shall be made visible to all parties in the room.
- f. The committee shall repeat subsections (c) through (e) until one candidate has received a majority of the votes cast that have not been exhausted. This candidate shall be declared the winner of the contest.

617.10 In the event a technology exists which tabulates votes cast pursuant to the methodology described in 616.9, the software's process shall be relied upon for tabulation.

617.11 If an observer has an objection during the vote count, the Elections Board must note the objection as soon as reasonable. All objections regarding the conduct of an Elections Board member must be resolved before the next round of tabulation begins.

617.12 Upon completion of the tabulation, the applicable parties shall be informed of the results and the ballots shall be destroyed or disposed.

617.13 Runoff elections are not required if the vote is conducted by ranked-choice ballot, since one (1) candidate receives a majority of votes in all but one scenario. In the unlikely event that two (2) or more candidates are still tied after all preferences are exhausted, the Election Committee shall consult with the Student Body President and Operations and Evaluations Committee Chair and Vice-Chair to decide how the tie will be broken. This may be completed by drawing of lots or by holding a runoff election.

617.14 In the event a ticket or candidate withdraws or is disqualified prior to the tabulation of ballots, all preferences ranking the candidate shall be disregarded and tabulation continues with the ballots next preference.

617.15 Results shall be announced via all UKSGA media platforms upon certification of the results by the UKSGA Supreme Court.

617.16 The tabulation and certification process shall be open to the general public.

#### CHAPTER 618: ACTIVE MEMBER RECALL

618.1 Any member who wishes to initiate a Recall Election shall submit a written petition requesting a recall to the Attorney General, President and Vice President, and Senate Chair. This petition shall contain all of the required criteria described herein for the petition to be deemed valid.

618.2 The petition shall be accompanied by a written document that contains:

- a. The specific Constitutional Officer to be recalled
- b. A brief statement explaining the reason for the petition
- c. The proper number of signatures, which shall be greater-than or equal-to ten (10) percent of the appropriate constituency, or one hundred fifty (150) signatures of the appropriate constituency, whichever is lower.
- d. At least one replacement nomination. All replacement members shall not be currently serving in an elected position in UKSGA.

618.3 A copy of the obtained signatures shall be presented to the Attorney General, which shall Senate Chair, acting Student Body Vice-President, and acting Student Body President.

618.4 UKSGA shall have seven (7) days to deduce the validity of the petition's signatures and to notify the petitioning body whether or not they have a valid petition.

618.5 Upon the petition being deemed valid, the Constitutional Officer whom is being recalled shall be informed immediately by the acting Attorney General. A failure to notify the member(s) shall deem the recall attempt invalid, and the attempt shall be denied.

618.6 A meeting shall be arranged with the party who initiated the recall, the replacement nominations, the acting Constitutional Officer(s) for which the recall is being initiated, the Attorney General, and Elections Commissioner to explain the recall electoral process. This shall take place during the seven (7) day period following the determination of the validity of the petition. This meeting shall be open to the public.

618.7 The Recall Election must take place within fourteen (14) days of the petition being deemed valid. The Recall Election shall not take place sooner than seven (7) days from the validation of the petition. The election shall not take place on a Friday or on any day immediately preceding an academic break.

618.8 The Recall Election shall have a minimum of two (2) candidates, one of which shall include the incumbent member.

618.9 A short description of what a recall election is, as defined in the UKSGA Constitution, shall be included at the top of the ballot.

618.10 The incumbent member shall automatically be placed on the ballot and shall be denoted with an "(I)" beside their name, signifying they are the member being recalled. The proposed replacement member or members shall be placed on the ballot as well.

618.11 A copy of the petition and reasons for the recall election shall be available to voters at each polling location. These copies available shall not include the signatures from the original petition, nor the name of the party who initiated the petition.

618.12 The Elections Board of Supervision shall follow all procedures required of an election as

outlined further in the governing codes. This includes the ranked-choice tabulation procedures.

618.13 In the event of an unsuccessful recall election or a recall election that does not remove the active member, the current member shall continue in their duties as outlined by their position.

618.14 In the event of a recall election that removes the active member, the recalled member shall finish seven (7) days worth of UKSGA duties. During this time period, the replacement member as shall meet with the acting Attorney General to discuss the responsibilities associated with their new position

618.15 After this period has elapsed, the replacement member shall take over the responsibilities of the recalled position and the former member shall no longer be responsible for the duties associated with the position.