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Senate Bill (S) 54-009 The Hiring Procedure Clarification Act

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UNIVERSITY OF SOUTH FLORIDA
STUDENT GOVERNMENT
Office of the Senate President Pro Tempore

Explanation of the Status of SB [S] 54-009

Attached below is Senate Bill [S] 54-009, The Hiring Procedure Clarification Act. The bill was introduced in the Senate on October 22nd, 2013, and was passed by a vote of 39-4-1. The bill was signed by Senate President Shyam Patel, and handed over to Student Body President William Warmke for review and approval. It was returned to the Senate President Pro Tempore on November 5th, 2013, at roughly 7:00 PM, and was vetoed. It was accompanied by a memorandum, Executive Memorandum 54-040, which stated the reasoning for vetoing SB [S] 54-009.

However, both the date of the memorandum and the date of veto were on November 5th, and the bill was returned to the Senate President Pro Tempore at roughly 7:00 PM, two hours after business hours had ended, with no time-stamp included. In Student Government Statute 301.2.5, it says, "Sign or Veto within ten (10) business days, all legislation passed by the Senate, with exception to changes of the Rules of Procedure of the Senate. Failure to act within this time period shall be deemed as approval of such legislation." From October 22nd, the tenth business day fell on November 5th, 2013, and due to the submission of the returned document to the Senate President Pro Tempore at roughly 7:00 PM, the submission was not able to be accepted until the next business day, Wednesday, November 6th, 2013, eleven (11) business days after the bill had been passed. Therefore, by Student Government Statute 301.2.5, since no action was received within ten (10) business days of its passage by the Senate, Senate Bill [S] 54-009 has been approved into law.

Adam Aldridge
Senate President Pro Tempore



University of South Florida Student Government Senate



SB [S] 54-009 The Hiring Procedure Clarification Act 54th Term Fall 2013

The intent of this legislation shall be to clarify the formation of the hiring teams and to enhance the rules with regard to Supreme Court nominations.

A SENATE STATUTORY AMENDMENT

Be it enacted by the Senate of the University of South Florida Student Government assembled, that the following changes be made to the Student Government Statutes:

Chapter

215

Student Government Hiring Procedure

215.1 The following statutes shall serve as the primary regulations in regard to the hiring of all Student Government positions. These regulations shall only apply to student-held positions. Additional regulations may be adopted so long as they do not conflict with the below stated statutes.

215.1.1 This Chapter shall apply to all Executive, Judicial, and Legislative Branch positions, Agency Director and Assistant Director positions, and Student Bureau Director and Student ~~Assistant~~ Bureau Assistant Director positions.

215.2 A reasonable effort must be made to advertise for all open positions. A reasonable effort shall be defined at a minimum as both informing members one~~of~~ the SG mailing list of the vacancy, and a minimum of five (5) Business Days of advertising for said vacancy on both the University of South Florida Employment website and the Student Government website. A specific section of the site shall be reserved for the purpose of regularly advertising for available positions.

215.2.1 The Job Application, Job Description, and necessary qualifications to perform the job shall accompany the advertisement on the website.

215.3 A Hiring Team shall be formed for each vacancy which shall include at a minimum the following individuals:

215.3.1 ~~†~~The individual whom the vacant position will report to, a member of the Branch ~~hiring~~ advertising the position.

215.3.1.1. Any Supreme Court vacancy is exempt from this requirement.

215.3.2 A member of the Student Government Advising, Training and Operations Bureau, ~~who~~ shall serve as a non-voting member of the hiring team.

215.4 The head of the branch advertising the vacant position shall be responsible for creating the Team and appointing a Chair. The Chair shall only vote in the case of a tie.

~~215.3~~ ~~No person applying to the position may be a member of the Hiring Team, observe the meetings of the Hiring Team, or attempt to influence the Hiring Team.~~

~~215.3.1~~215.4.1 For the purposes of appointing a Justice (~~including~~ excluding the Chief Justice), the hiring team shall be composed of the Student Body President as chair, ~~two members~~ one other member of the Executive Branch, and the Chief Justice, ~~and a member of the Student Government Advising, Training and Operations Bureau as a non-voting member.~~

215.4.2 For the purposes of appointing the Chief Justice, the hiring team shall be composed of the Student Body President as chair, one other member of the Executive Branch, and one member of the Senate.

~~215.3.2~~215.4.3 For the purposes of appointing an Executive Branch Chief of Staff, no hiring ~~committee~~ team is required. All other procedures and regulations outlined within statutes shall remain in effect.

~~215.3.3~~215.4.4 For the purpose of appointing the Attorney General, Solicitor General, and the Chief Financial Officer, the hiring committee shall ~~consist of the individual whom the vacant position will report to,~~ also include one other member of the Executive ~~Branch,~~ and one member of the Senate, ~~and a member of the Student Government Advising, Training, and Operations Bureau who shall serve as a non-voting member.~~

~~215.3.4~~215.4.5 The head of the branch making the appointment may not serve on the hiring committee except if the advertised position reports directly to them or in Supreme Court vacancies in which case they may serve on the hiring committee in the capacity of Chair.

~~215.3.5~~215.4.6 The head of the branch making the appointment may observe the applicants interviews and may hold additional meetings with the applicants.

215.5 ~~No person applying to the position may be a member of the Hiring Team, observe the meetings of the Hiring Team, or attempt to influence the Hiring Team.~~

215.6 The Hiring Team shall interview the top ~~three (3)~~ five (5) applicants for the position and make a non-binding recommendation to the head of the respective branch making the appointment. If the total number of applicants is less than ~~three (3)~~ five (5), the position shall be re-advertised for an additional five (5) Business Days.

~~215.4~~215.6.1 In the event that the total number of applicants is less than ~~three (3)~~ five (5) following the second advertising cycle, the team may move onto interviewing the total number of applicants.

~~215.4.1~~ In the event that the total number of applicants is less than three (3) following the second advertising cycle, the team may move onto interviewing the total number of applicants.

~~215.5~~215.7 The Hiring Team shall make its recommendation based upon the qualifications of the candidate as set forth by the position Job Description.

215.8 The Head of the respective Branch shall be responsible for making the final appointment to the position and notifying the appropriate relevant parties of their selection by creating a hiring memo.

~~215.6~~215.8.1 For all Supreme Court nominations, the Student Body President shall be responsible for making the final appointment to the position and notifying the appropriate relevant parties of their selection.

~~215.7~~215.9 The deliberations of the Hiring Team shall be closed to the public; however, recommendations of the team shall be considered a Public Record.

~~215.8~~215.10 In accordance with Florida Law, the Hiring Team may not base their decision based on the applicant's age, race, sex, religion, national origin, disability, or sexual orientation.

~~215.9~~215.11 Student Government Hiring Procedures shall also be governed by all applicable Federal and State Law(s) and University Policy.

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Shyam Patel
Shyam Patel, Student Senate President

October 25th 2013
Date

VETO

William Warmke
William Warmke, Student Body President

11/5/13
~~10/25/13~~
Date

Approved - No Action Taken Within 10 Business Days

SB [S] 54-009

Author: Adam Aldridge, Senate President Pro Tempore
Sponsor: Adam Aldridge, Senate President Pro Tempore
Committee Action: (2-0-1)
First Reading: October 22nd, 2013
Second Reading: October 22nd, 2013
Final Vote Count: 39-4-1