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## **SB [S] 55-006 Clarifying Definitions Act SIGNED**

Abdool Aziz

*University of South Florida, Student Government Senate, aaziz2@usf.edu*

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## University of South Florida Student Government Senate

SB [S] 55-006  
Clarifying Voting Definitions  
55<sup>th</sup> Term  
Spring 2014



Form

*The intent of this legislation is to clarify voting definitions in Title I.*

### 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

103

### Definitions of Terms in the Student Government Statutes

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- 103.1** When a Senate Bill introduces new terminology to the Statutes, appropriate definitions shall be attached to the Senate Bill. Once the Senate Bill passes, the definitions shall be added alphabetically to the section below.
- 103.2** **Abuse of Power**- The use of one's power to coerce or unjustifiably influence any fellow member of Student Government.
- 103.3** **Accountable Officer**- Any individual with purchasing authority or financial responsibility over any Activity and Service Fee funded entity. This definition shall also be applicable to the term "Financial Officer."<sup>1</sup>
- 103.4** **Ad-Hoc Committee**- A Senate Committee not established in the Senate Rules of Procedure, which is created by the Senate President for a specific purpose, after which it shall be dissolved, and which may be comprised of both Senators and other students.

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<sup>1</sup> SB 50-046, Adds this definition

- 103.5 **Agency**- An organization that receives its operating revenue directly from allocation within the Activity and Service Fee Budget and whose duties, composition, and responsibilities are outlined in Statute. An Agency shall provide direct service to the student body.
- 103.6 **Alternate Senator**- A Senator that temporarily serves in place of an elected Senator who is not serving during any of the Summer Semesters.
- 103.7 **Articles of Impeachment**- An instrument which, in cases of impeachment, is used, and performs the same purpose as an indictment in a common criminal case. These articles do not usually pursue the strict form and accuracy of an indictment. They are sometimes quite general in the form of the allegations, but always contain, or ought to contain, so much certainty, as to enable the party to put himself on the proper defense, and in case of an acquittal, to avail himself of it, as a bar to another impeachment.
- 103.8 **Branch Campuses**- A separate organizational and budgetary entity from the University of South Florida, Tampa Campus
- 103.9 **Board of Trustees, University**- The public Stewards of matter of the University of South Florida.<sup>2</sup>
- 103.10 **Budget Authority**-The ability granted by the Student Senate to an entity to spend Activity and Service Fee cash within a set of defined categories.<sup>3</sup>
- 103.11 **Bureau**-An entity of Student Government, that is professionally staffed by Student Affairs personnel, and is accountable to the Division of Student Affairs but governed by Student Government statutes.<sup>4</sup>
- 103.12 **Business Day**- The days of the week between and including Monday to Friday, upon which the University of South Florida is open for business.<sup>5</sup>
- 103.13 **Campus Recreation Center**- The facilities on campus that are directly managed by the Campus Recreation Department.<sup>6</sup>
- 103.14 **Candidate for Student Government Office**- Any person running or applying to become a Student Government Officer.
- 103.15 **Capital Outlay** - Any expenditure identified by Student Government or the University which includes equipment, fixtures, and other tangible property of a non-consumable nature.<sup>7</sup>
- 103.16 **Coercion**- The use of force or threats to compel a person to commit an act.

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<sup>2</sup> SB 50-013, Addition of Board of Trustees, University definition

<sup>3</sup> SB [S] 50-003, Addition of Budget Authority definition

<sup>4</sup> SB [S] 50-003, Addition of Bureau definition

<sup>5</sup> SB [S] 51-019, Addition of Business Day definition

<sup>6</sup> SB [S] 50-013, Addition of Campus Recreation Center definition

<sup>7</sup> SB [S] 54-006, Modifies this definition

- 103.17 Critical Reserve**- The emergency fund that the Activity and Service Fee Recommendation Committee allocates from the general Activity and Service Fee fund. The fund may only be used in the event of a catastrophic situation as approved by the combination of the Student Body President and the Senate President.<sup>8</sup>
- 103.18 Custodian of Public Records**- the person charged with the responsibility of maintaining the office having public records, or his or her designee.<sup>9</sup>
- 103.19 Declaratory Judgment** – A conclusive and legally binding opinion given by the Declaratory Judgment Panel of the Student Government Supreme Court regarding the clarification of a Student Government Statute.<sup>10</sup>
- 103.20 Department**- An entity of the Executive Branch that assists the President and Vice-President in the execution of their duties, initiatives and projects. A department shall report directly to the President through the Executive Cabinet.<sup>11</sup>
- 103.21 Division of Student Affairs**- The corporate division of the university charged with the management of all matters concerning student development, housing and wellness. Student Government's professional workers are a part of Student Affairs. Student Government officers are a part of Student Government Association State Agency.<sup>12</sup>
- 103.22 Door Prizes**<sup>13</sup> – Something of value awarded via a random drawing, raffle, or lottery to one or more individuals at an event.
- 103.23 Due Process**<sup>14</sup> – The conduct of any proceeding wherein there is fair treatment to all parties involved. This includes given notice and an equal opportunity to be heard.
- 103.24 Employee of Student Government**- Any person receiving remuneration from Student Government accounts who is not a Student Government Officer.
- 103.25 Engineering Expo**- the series of events held by the College of Engineering to showcase engineering departments and clubs.<sup>15</sup>
- 103.26 Executive Administrative Code** – The Executive Administrative Code shall serve to detail the internal procedures and policies of the Executive Branch and shall not conflict with the Student Government Constitution and Statutes. This document shall be authored and adopted by the Executive Branch and shall not be attached with the Student Government Constitution and Statutes.

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<sup>8</sup> SB [S] 50-046, Addition of this definition

<sup>9</sup> SB [S] Addition of Custodian of Public Records

<sup>10</sup> SB [S] 52-005, Addition of this definition

<sup>11</sup> SB [S] 50-002, Modifies this definition.

<sup>12</sup> SB [S] 50-013, Addition of Division of Student Affairs definition.

<sup>13</sup> SB [S] 52-019, Addition of Door Prizes

<sup>14</sup> SB [S] 54-006, Addition of Due Process definition

<sup>15</sup> SB [S] 50-013, Addition of Engineering Expo definition

- 103.27 Executive Appointees**- Any appointment made by the Student Body President for purposes of serving on or in conjunction with the Executive Branch.<sup>16</sup>
- 103.28 Executive Cabinet of the President**- The entity to which all Executive Departments shall report to. The Executive Cabinet shall report directly to the Student-Body President.
- 103.29 Executive Office of the President**-An entity that directly reports to the Student-Body President. Executive Offices of the President shall assist the President and Vice-President with direct support, policy and legal analysis, budget and finance, direct management of the Executive Branch, and anything necessary prescribed to it by the President and Vice-President.
- 103.30 Executive Order**-A written edict or proclamation from the Student Body President, that establishes or enacts the following: policies, taskforces, departments, offices, or commissions; enforces Statutes or Constitutional provisions; and/or carries out any other acts that are necessary and proper for the Student Body President to carry out his or her duties as prescribed in the Student Body Constitution and Statutes. Executive orders are considered binding and standing unless reversed by the Student Body President, explicitly stated to have an expiration date within the written document or overturned by the Student Supreme Court.<sup>17</sup>
- 103.31 Ex-Officio**- Any person that is a member of a collegial body by virtue of their position. Ex-Officio members are non-voting.<sup>18</sup>
- 103.32 Faculty Senate**- The collegial representative body of faculty that represents issues of concern before the administration of the university.<sup>19</sup>
- 103.33 Fee Increase Committee**- The student half of the committee required by State Law to raise the Athletics Fee, Health Fee, and/or the Activity and Service Fee.
- 103.34 Financial Officer**- An individual of an A&S funded entity who is directly responsible and accountable for the respective entity's budget, transactions and financial operations.<sup>20</sup>
- 103.35 Fiscal Irresponsibility**- The propensity of any A&S funded entity to abuse and misuse A&S monies.<sup>21</sup>
- 103.36 Florida Law**- Any Statute, Executive Order, Injunction, or otherwise officially recognized legal standing issued from the State of Florida Government.

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<sup>16</sup> SB [S] 50-013, Addition of Executive Appointee definition

<sup>17</sup> SB [S] 50-002, Insertion of 103.12 through 103.15

<sup>18</sup> SB [S] 50-013 adds the Ex-Officio definition.

<sup>19</sup> SB [S] 50-013 adds the Faculty Senate Definition.

<sup>20</sup> SB [S] 50-003 adds the Financial Officer Definition.

<sup>21</sup> SB [S] 50-003 adds the Fiscal Responsibility Definition.

- 103.37 Florida Student Association**- The association of affiliated Florida Public School SGA's created to serve its member organization and its respective student they represent.<sup>22</sup>
- 103.38 General Business/Body Meeting**- Any meeting that has as its primary purpose to plan future events, to discuss general business of the organization, or to elect officers.<sup>23</sup>
- 103.39 Homecoming Activities**- Any event held in conjunction with the homecoming steering committee.<sup>24</sup>
- 103.40 Incompetence**- Lack of qualification, inadequate qualification, or lack of the qualities necessary to fulfill the duties of a position.
- 103.41 ICOFA Categories**- All account and budget categories as stated by the Florida Board of Governors Inter-Institutional Committee on Finance and Accounting Financial Statement's Manual (newly revised).<sup>25</sup>
- 103.42 Judicial Capacity**- Of or related to the duties of the Student Government Supreme Court as outlined in Title 5.
- 103.43 Judicial Ethics Act**- The code establishing standards of conduct for Supreme Court Justices on and off of the bench.
- 103.44 Judicial Recusal**- The removing of oneself from a Supreme Court proceeding due to a conflict of interest with the pending matter.
- 103.45 Judicial Review Committee**- A committee called subsequent to impeachment of a justice as outlined in Chapter 212.
- 103.46 Judicial, Senate, and Executive Committee (JuSenEx)**- committee comprised of the Student Body President, Student Body Vice-President, Senate President, Senate President Pro Tempore, Chief Justice of the Supreme Court, Senior Justice of the Supreme Court, and one advisor serving ex-officio.
- 103.47 Maintain**- To keep in an appropriate condition; to keep current as per timelines further outlined in statutes<sup>26</sup>
- 103.48 Majority Vote**- A majority vote shall be defined as a vote of at least greater than fifty (50) percent + 1 of those present at a meeting who have voting rights.
- 103.49 Malfeasance**- Commission of a wrongful or unlawful act involving or affecting the performance of one's duties.

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<sup>22</sup> SB [S] 50-013 adds the Florida Student Association definition.

<sup>23</sup> SB [S] 54-012 adds the General Business/Body Meeting definition.

<sup>24</sup> SB [S] 50-013 adds the Homecoming Activities definition.

<sup>25</sup> SB [S] 50-003 adds the ICOFA Categories definition.

<sup>26</sup> SB [S] 51-019, Addition of Maintain definition

- 103.50 Meeting Disruption**- The state in which a meeting of Student Government cannot function under normal operations because of an external or internal distraction or exogenous variable.<sup>27</sup>
- 103.51 Misfeasance**- Performance of a lawful action in an illegal or improper manner or with an improper or corrupt motive.
- 103.52 Nonfeasance**- Failure to perform an act that is either an official duty or a legal requirement.
- 103.53 Nonpublic Information**- Information that would be considered confidential under Florida Law.
- 103.54 Office of Budget and Policy Analysis**- The office or its current equivalence which is responsible for generating and calculating the university's expected cash flow for each fiscal year.<sup>28</sup>
- 103.55 On Campus**<sup>29</sup> – Anywhere on the USF Tampa Campus, USF Riverfront Park, USF Health Center for Advanced Medical Learning and Simulation, the USF Lehigh Valley Campus, USF Marine Science Laboratory, or any venue where a USF Athletics sponsored event is being held.
- 103.56 Political Campaign(s)** – Any person or party running for any position in:
- 103.56.1** Student Government Election/ Any Campus Election
  - 103.56.2** Local Elections
  - 103.56.3** State Elections
  - 103.56.4** National Elections
- 103.57 Promotional Materials** – Merchandise or materials distributed for the purpose of furthering organization awareness.
- 103.58 Public Records**- Any records made or received in the course of transacting official Student Government business except those records exempt in Chapter 119 of the Florida Public Records Act.<sup>30</sup>
- 103.59 Regular Amendment**- A proposed amendment to Statutes or Senate ROP that involves only one title and one chapter of that title, except in the manner of a name change, then it may concern all appropriate titles. Such an amendment shall require two (2) readings before the Senate.
- 103.60 Select Committee**- A Senate Committee, created by either the Senate President or by a majority vote of the Senate for a specific task, after which it shall be dissolved, and on which any Senator is eligible to serve.

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<sup>27</sup> SB [S] 50-023, Addition of Meeting Disruption

<sup>28</sup> SB [S] 50-013, Addition of Office of Budget and Policy Analysis definition.

<sup>29</sup> SB [S] 52-019 Addition of On Campus, Political Campaign, Promotional Materials

<sup>30</sup> 50<sup>th</sup> Term Senate, Addition of Public Record



**103.61 Senate Rules of Procedure-** The Rules of Procedure (ROP) of the Senate shall be a separate document of the Student Government Statutes, to be amended by the same procedure as the Student Government Statutes, with the exception that the ROP are not subject to Executive veto. The Senate ROP shall serve to detail internal procedures and policies of the Senate and shall not conflict with the Student Government Constitution and Statutes.

**103.62 Simple Majority-** A simple majority vote shall be defined as a vote of greater than fifty (50) percent of those present at a meeting who have voting rights.

~~103.61-~~

~~103.62~~**103.63 Special Amendment-** A proposed amendment to Statutes or Senate ROP that involves more than one title and/or more than one chapter of one title. Such an amendment shall require three (3) readings before the Senate.

~~103.63~~**103.64 Spring Commencement-** The matriculation ceremony conducted at the end of the spring semester by the Office of Commencement Ceremonies.<sup>31</sup>

~~103.64~~**103.65 Standard Operating Procedure (SOP)-** An unofficial guide detailing the inner workings of a Student Government entity.

~~103.65~~**103.66 Standing Committee-** A Senate Committee established in the Senate Rules of Procedure.

~~103.66~~**103.67 Strategic Planning Fund-** the fund that shall only be used for long term strategic goals of Student Government.<sup>32</sup>

~~103.67~~**103.68 Student Body-** All enrolled students of the University of South Florida, Tampa Campus.

~~103.68~~**103.69 Student Counselors-** Students representing other students before the Student Government Supreme Court.

~~103.69~~**103.70 Student Government Meeting-** Any meeting of two or more officers of the same collegial body to discuss a future action that will be taken, within the respective body's current or future business items.<sup>33</sup>

~~103.70~~**103.71 Student Government Officer-** Any member of the Student Government who is elected by the student body or confirmed by the Senate.

<sup>31</sup> SB 50-013, Addition of Spring Commencement definition

<sup>32</sup> SB 50-013, Addition of Strategic Planning Fund definition.

<sup>33</sup> SB 50-023, Modification of Student Government Meeting



- | ~~103.74~~**103.72** **Student Government Records**- All material, regardless of physical form or characteristics, made or received pursuant to law or in connection with transaction of official business by any committee, agency, or branch of Student Government.
- | ~~103.72~~**103.73** **Student Government Special Project's Account**- The financial account that the CFO of Student Government oversees that is responsible for funding Student Government wide projects and initiatives.
- | ~~103.73~~**103.74** **Student Representative**- Any student appointed by the Student Body President to serve on a University Wide Committee.
- | ~~103.74~~**103.75** **Supermajority Vote**- A supermajority vote shall be defined as a vote greater than or equal to two-thirds (2/3) of those present at a meeting who have voting rights.
- | ~~103.75~~**103.76** **Term**- A year of Student Government business which shall directly correspond with the University academic year. A Student Government Term shall begin at midnight on the Monday after Spring Commencement and end corresponding to the termination of the Spring Commencement ceremonies.<sup>34</sup>
- | ~~103.76~~**103.77** **Travel**- Any trip made by a Student Organization with an off-campus destination that furthers the purpose of the organization's mission.<sup>35</sup>
- | ~~103.77~~**103.78** **Unallocated Cash**- Any A&S fee's that are generated or received between budget cycles or any balance of A&S fees swept from a previous fiscal year will be swept into the current year's fiscal account and designated Unallocated Cash.
- | ~~103.78~~**103.79** **USF Student Code of Conduct**- The code of rules and regulations generated by the University Board of Trustees for how students should conduct themselves while being a student at the university.<sup>36</sup>
- | ~~103.79~~**103.80** **University Regulations and Policy**- Any set code or policy generated by the University Board of Trustees or President.<sup>37</sup>
- | ~~103.80~~**103.81** **University Wide Committee**- A committee established by University Policy as a University Wide Committee.
- | ~~103.81~~**103.82** **Vote of Reconsideration**- A vote held in order to reassess any prior vote conducted within the current meeting.<sup>38</sup>
- | ~~103.82~~**103.83** **Writ of Mandamus**- An order by the Supreme Court to force a Student Government Officer to perform his or her duties as outlined in statutes.

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<sup>34</sup> SB 50-013, Addition of Term definition.

<sup>35</sup> SB 52-020, Addition of Travel definition.

<sup>36</sup> SB 50-013, Addition of USF Student Code of Conduct definition.

<sup>37</sup> SB 50-013, Addition of University Regulations and Policy definition.


<sup>38</sup> SB [S] 54-006 Modifies this definition.

| ~~103.83~~[103.84](#) **Yearly Budget Allocation-** The annual A&S budgetary authority a bureau, agency, office or department receives for its operations.<sup>39</sup>

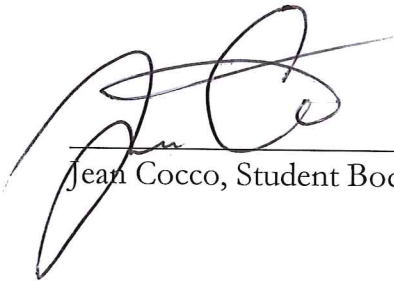
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<sup>39</sup> SB [S] 50-013, Addition of Yearly Budget Allocation definition.



  
\_\_\_\_\_  
Andy Rodriguez, Student Body Senate President

6/25/14  
Date

  
\_\_\_\_\_  
Jean Cocco, Student Body President & Trustee

6/25/14  
Date

SB [S] 55-006

Author: Ali Antar, Chair of the Committee on Rules

Sponsor: Michael Malanga, Vice Chair of the Committee on Rules

Committee Action: Passed

First Reading: June 24<sup>th</sup>, 2014

Second Reading: June 24<sup>th</sup>, 2014

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