

**The University of Texas at San Antonio
Student Government Association
By-Laws**



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Updated April 14th, 2016

By-Law I: Elections

Section 1: Executive Officer Elections

- A. Executive Officers will be elected through a campus-wide election following procedures outlined in the SGA Election Code, with the exception of the Speaker of the Senate.
- B. The candidate who receives the majority of the votes cast for each position will be declared the winner. If no candidate receives a majority, the two candidates with the highest votes will be placed in a run-off election.
- C. The Judicial Commission will be responsible for coordinating the election.

Section 2: Senator Elections

- A. The Judicial Commission will be responsible for coordinating the election.
- B. Senators shall be elected by their respective constituencies.
- C. The candidate(s) who receives a plurality of the votes cast for each position will be declared the winner.
- D. A General Spring Election shall be held for all Senator positions, except for those in the Freshman Class.
- E. A General Fall Election shall be held to fill the Freshman Class Senator positions and any vacancies.
- F. In the event there are vacancies after the Fall Elections, these seats will be filled following a process similar to the Speaker of the Senate elections outlined below, as long as the vacancies have been announced for at least two weeks.
- G. Any other polling stations on campus set up by independent organizations cannot be staffed with current SGA members unless approved by the Judicial Branch

Section 3: In House Elections

- A. In House elections shall occur when a student files for any vacant Senator position.
- B. The student election shall occur no sooner than seven (7) days after a student files for the Senator position and must be announced at an officer meeting during the week of the election before the election occurs.
- C. A majority vote of the General Assembly shall be required to elect a Senator In House.

Section 4: Speaker of the Senate Elections

- A. Elections shall be held during a regularly scheduled General Assembly meeting.
- B. Any Senator is eligible to be a candidate.
- C. The following steps and rules shall be enforced for all Speaker of the Senate elections.
 - 1. A written candidate statement for the office must be made in advance to the SGA Vice President. A candidate must either be present at their elections or have notified the SGA Vice President of their expected absence at least one week in advance of said election in order to be eligible to run.
 - 2. Each candidate will be invited to address the General Assembly, in a speech

limited to three (3) minutes, in order by random drawing. If the candidate is absent, he/she may designate someone to speak on their behalf.

3. Following each presentation, the members of the General Assembly may ask questions of the candidate. A time limit of ten (10) minutes is set by the SGA Vice President (or designee), with an option to extend.
4. After all candidates have made presentations; general discussion of the candidates will begin.
5. A majority vote is necessary for election.
 - i. If no candidates receive a majority, a run-off will be held immediately among the top-two candidates, whereby a simple majority is all that will be needed to win the office.
 - ii. If no confidence receives a majority, the General Assembly may resume debate, vote again, or leave the office vacant until another candidate can be identified.
 - iii. If the vote ends in a tie, the Vice President shall cast a vote.

Section 5: Times for Elections

- A. Executive Officer Elections shall be held in the spring, prior to the SGA Banquet.
- B. Senator Elections for all positions will be held in the spring along with Executive Officer elections. Freshman Senator Elections and elections for any vacant seats will be held in the fall by the end of the fifteenth day of class.
- C. Speaker of the Senate elections will be held within two (2) weeks following the Spring Banquet.
- D. The General Assembly Committee Chairs and Program Directors will be appointed in the spring following elections. Vacancy appointments will occur whenever a vacancy arises.

Section 6: Amendments to this By-Law

- A. No amendments to this By-Law may be passed less than two (2) weeks prior to, or during any scheduled elections.

By-Law II: Election Code

Section 1: Election Responsibility

- A. The Judicial Branch shall create, interpret, execute, and enforce all election rules provided in the Student Government Constitution and this Code in a manner consistent with University policy unless an Election Commission is established by the President and approved by the General Assembly with a two-thirds vote.

Section 2: Election Supervision

- A. The Judicial Branch shall supervise the operation of all polling places on days of elections. The Judicial Branch will have the ability to recruit and deputize individuals to run polling stations and serve as polling site assistants in order to reach more students and to increase voter turn-out.

Section 3: Candidate Debates

- A. The Judicial Branch, or their designees, shall organize and coordinate one candidate debate between the prospective Presidents, Vice Presidents and any other elected Executive Officers as they deem fit. The debate will take place after the candidate seminar and filing deadline, but before the election polls open.

Section 4: Election Timetable and Procedures

- A. The Judicial Branch shall advertise an official list of all polling location at least seven (7) days prior to a General or Special Election, or the week of a Runoff Election.
- B. The polls shall be open for at least 48 hours.
- C. Poll hours for any runoff election shall be the same as regular elections.
- D. Election officials may neither campaign nor in any way express their opinion while operating the polls. A candidate or any of their campaign volunteers/workers may not serve as an election official during the election for which the candidate is on the ballot, or for any associated runoff election.
- E. Each student may cast one (1) vote for each of the Executive Officer positions, one (1) vote for each available seat for their respective college in the General Assembly, and one (1) vote for each available class seat in the General Assembly.
- F. Candidate information on the ballot shall include the candidate's name, position sought, and other information pertinent to voting procedure. Candidates may be allowed to provide certain information on a Candidate Statement that can be added to the ballot question. Candidates may provide a photo for the candidate statement.
- G. The Judicial Branch shall utilize a software program for tabulating votes. The Judicial Branch will review and certify the election results. No candidate for any SGA office or position shall participate in vote certification.

Section 5: Remedies and Sanctions

- A. All campaign materials should be removed within twenty-four (24) hours after the election results are posted. A candidate involved in a runoff or recall election may leave the campaign material posted, but should remove it within 24 hours after the runoff or recall election results are posted. Failure to do so will result in a nonmonetary action as deemed appropriate by the Justices
- B. The Judicial Branch will determine appropriate remedies and sanctions for violations of the election code. Actions of the judicial branch in the process of reconciling violations of this by-law are final. The judicial branch may make but is not limited to the following actions:
 - 1. Disqualification of a Candidate; should the Judicial Branch determine that a violation is egregious and not able to be fairly remedied in any other way, a candidate can be disqualified. Disqualification should only be used when there is unanimous consent with all justices.
 - 2. Subtraction of a certain number or certain percentage of votes; the Branch may determine that a certain percentage or certain number of votes be subtracted from the overall total of votes received. The subtraction of votes should attempt to reflect the votes that were potentially impacted.
 - 3. Restrictions; the Judicial Branch can place restriction on candidates including but not limited to advertising, campaigning, or participation in election events such as a debate, or future elections. Restrictions from running in future elections should only be used when there is unanimous consent for all justices. The timeline of restriction shall last no longer than one academic year.
 - 4. Other remedies as needed; the Judicial Branch may determine additional remedies and sanctions with the exception of monetary fines.

Section 6: Candidate Rights and Duties

- A. All candidates must adhere to the qualifications set forth in the Student Government Association Constitution, this Code, University policies, and all statutes enforceable by the Judicial Branch.
- B. The Judicial Branch shall set and advertise the dates for filing along with a list of the contestable positions at least five (5) days prior to the opening of the filing period. The filing deadline shall be no later than 12:00 PM, three (3) business weeks prior to the first day of the election. All candidates seeking to run for office in the Student Government Association must file the appropriate documents, as outlined in this Code, no later than the filing deadline. In the event that no one files for an office, the Judicial Branch may extend the filing deadline for that particular office.
- C. Candidates and their campaign staff are subject to governance by this Code both before and after they have filed for candidacy.
- D. The appropriate documents that all candidates seeking to run for office in the Student Government Association must file are:
 - 1. A typed statement announcing the intention of the candidate to run for a particular office.

2. An election filing form signed by the candidate, which gives permission to the Judicial Branch to verify the requirements for the appropriate office, in accordance with the Student Government Association Constitution and By-Laws.
3. Candidates may file to run for only one (1) elected Student Government Association office per election cycle.
4. At the time of filing, candidates shall be informed of the Candidate Seminar and the advantages of attending.
5. At the time of filing, upon request of the Secretary or Justices, candidates shall be provided one (1) free copy of this code, the SGA Constitution and the By-Laws.

Section 7: The Candidate Seminar

- A. A Candidate Seminar shall be held at least two weeks prior to the election. The exact time and place of the seminar shall be set by the Judicial Branch and shall be announced on RowdyLink and/or any other means as determined as appropriate.
- B. The Judicial Branch shall set the agenda for the Candidate Seminar. The agenda must include ballot positions, explanations of this Code, candidate photographs, and answering of candidate questions. Candidates should make every effort to attend the Candidate Seminar. If for some reason a candidate can't attend the seminar, he/she may send an authorized agent, but should notify the Judicial Branch in advance.
- C. Failure to attend this seminar shall not be an acceptable excuse for violating this Code.
- C. Ballot positions for all candidates shall be randomized according to the software that is used for elections. If the election is conducted by using paper ballots, either the Justices or an Election Commission will randomize the ballots.
- D. The Judicial Branch will certify each candidate's eligibility before the Candidate Seminar. Candidates who fail to meet eligibility requirements will be disqualified immediately and notified of this action and sent an e-mail of note with return-receipt requested.
- E. No distribution of unsolicited campaign material, including but not limited to literature, flyers, email, or social media will be allowed prior to 12:01 AM on the day following the Candidate Seminar. This prohibition includes posting of banners or posters. Candidates are not prohibited from organizing their campaign.
- F. Organizing a campaign shall be defined as gathering volunteers/workers to help with a campaign, creating publicity for a campaign, announcing your intent to run, and scheduling meetings with people about your campaign.

Section 8: Campaign Provisions and Procedures

- A. All posted campaign materials must be stamped and placed on file by Student Activities, with the stamp "Approved for Posting." The Judicial Branch and/or Student Activities Staff reserve the right to remove unauthorized or improperly posted items.
- B. No candidate, or their agents or volunteers/workers, shall make use of any University mails (including email and Blackboard) for campaign purposes. Please note that University e-mails are those with an .edu extension or any e-mail that is controlled by any

- office or department at UTSA.
- C. On election days, no campaigning shall be permitted within twenty-five (25) feet of the SGA Office.
 - D. No campaigning or distribution of campaign materials shall be permitted in classrooms while class is in session.
 - E. Candidates and their agents may not claim the endorsement of any student organization unless the highest-ranking Officer of that organization signs an endorsement form. All endorsements must be filed in Student Activities.

Section 9: Appeals

- A. Any individual wishing to challenge election results must submit a written appeal to the Judicial Branch within twenty-four (24) hours after the election results are posted.
- B. The appeal must:
 - 1. Describe the nature of the alleged infraction(s);
 - 2. Describe how the alleged infraction(s) may have adversely affected the outcome of the election;
 - 3. If known, provide the date, time and location of the alleged infraction(s)
 - 4. Include signed witnesses' statements, complete with the last four digits of the student Banner ID number, describing the allegations and the infractions.
- C. The Judicial Branch will investigate the alleged infraction(s) and provide a written response containing the findings of the investigation within two (2) weeks.
- D. The decision of the Judicial Branch may be appealed in writing to the General Assembly within fourteen (14) class days of the written response being delivered to the appellant.
- E. The General Assembly will review the documentation and findings related to the investigation of the alleged infraction(s) and will provide a written decision within two (2) weeks of the appeal.
- F. The results of the election will remain in effect throughout the appeals process.

By-Law III: Vacancies

Section 1: Vacancies

- A. Individuals wishing to vacate their positions shall give notice in the form of a letter of resignation to the SGA Secretary. The letter of resignation shall include the effective date of resignation. Upon receiving the letter of resignation, the President shall notify the General Assembly at the next General Assembly after the receipt of the letter.
- B. Individuals not meeting the eligibility criteria set forth in the Constitution and By-Laws shall immediately tender their resignation, effective immediately.
- C. If the individual is an Executive Officer, a special election shall be held within two (2) weeks after the General Assembly is notified of a resignation.
- D. Special Elections can be called for Executive Officer Elections only. Any other elections, other than In House, must take place with the regularly scheduled SGA fall or spring Elections or end of the present semester; whichever comes first.

By-Law IV: LeaderFund

Section 1: Purpose

- A. LeaderFund is a system set up by UTSA to reimburse organizations for improving the quality of campus life.
- B. LeaderFund is dispersed by SGA.

Section 2: Budget

- A. LeaderFund's budget is separate from SGA's operating budget.

Section 3: Approval

- A. LeaderFund is approved by the Treasurer with input from Officers and Advisors.

Section 4: Process

- A. A LeaderFund application is submitted by a student organization registered at UTSA to the Treasurer.
- B. The application is then reviewed at the next meeting of the Executive Board and is approved or denied.
- C. A status update on approved or denied LeaderFunds must be given at the next General Assembly meeting after they are approved or denied. LeaderFund updates must also be given at General Assembly meetings if the application process takes longer than one (1) week.
- D. The Treasurer must follow up with the organization to ensure that any allocated funds are received by the organization.

Section 5: Resubmission

- A. In the event of an incomplete or insufficient submission, the application process shall start over again.
- B. These resubmissions must be immediately reviewed by the Treasurer.

By-Law V: Programs

Section 1: Appointment

- A. SGA Programs and Program Directors are appointed by the President. Program Directors may not serve as Executive Officers or Standing Committee Chairs. Program Directors have a voice, but do not have a vote in the General Assembly unless they are a senator.

Section 2: Qualification for Program Directors

- A. Program Directors must be currently enrolled students at UTSA.
- B. Program Directors must have a minimum cumulative GPA Requirement, prior to the first day of each semester.
 - 1. Undergraduate must have a 2.00 GPA
 - 2. Graduate Students must have a 3.0 GPA
- C. Program Directors must remain in good standing, as defined in the Student Code of Conduct, with the University.

Section 3: Duties

- A. Program Directors shall:
 - 1. Assist the President in carrying out their platform.
 - 2. Attend General Assembly meetings.
 - 3. Attend mandatory SGA events determined by the President.
 - 4. Must provide a report to the President when requested.
 - 5. Protect, defend and uphold the SGA constitution.
 - 6. Make opportunities available for General Assembly members to share opinions and viewpoints.
 - 7. Represent SGA or the SGA President on University Committees as appointed.
 - 8. Have the ability to author legislation
 - 9. Have the ability to serve as a chair of an ad-hoc committee.

Section 4: Accountability

- A. Should a Program Director's actions come in to question, the SGA President shall be contacted immediately so the President may be aware of the concern, in addition, the person holding the concern should meet with the Director to rectify the matter.
- B. The President shall have the ability to remove a Program Director if they fail to fulfill their assigned duties or the expectations of being a member of SGA.
- C. Program Directors shall have the same absence policy as Senators.

Section 5: Vacancies

- A. If a Program Director's position is not filled then the President can either find a replacement or reallocate the assigned duties to other positions as necessary.

Section 6: Chief of Staff

- A. Protect, Defend and Uphold the SGA Constitution and By-Laws.
- B. Appointed by President with input from other Executive Officers
- C. Manage internal day-to-day operations of the SGA
- D. Facilitate communications between Committee Chairs, Directors, and appointed SGA Representatives.
- E. Keep a record of SGA Activities.
- F. Meet Weekly with the SGA Advisor(s).
- G. Other duties include but are not limited to scheduling meetings on behalf President and Vice President, scheduling and conducting interviews for appointed positions, appointing event directors and any other duties assigned by the President and Vice President.
- H. The Chief of Staff may be classified as an Executive Officer with a two-thirds vote of the General Assembly.

Section 7: Public Relations Director

- A. Gathers information on SGA events and activities to publicize via necessary channels.
- B. Develops methods to inform the student body on SGA process and how to voice concerns.
- C. Improves and maintains SGA's image around campus.
- D. Decorates and maintains SGA bulletin boards.
- E. Develops a plan to be approved by the SGA President and implemented by the Director to advance SGA awareness.

Section 8: Legislative Affairs Director

- A. Develop and lead Voter Registration campaigns and outreach
- B. Invite local multi-partisan candidates to come speak at SGA events.
- C. Develop and lead any other events that are deemed necessary.
- D. When the Texas Legislature is in Session:
 - 1. Develop a calendar of all events during the summer that SGA will be involved with.
 - 2. Serve as main liaison between student body and Legislature.
 - 3. Work with External Affairs for advocating UTSA's interests.
 - 4. Help organize UTSA Day at the Capitol.

Section 9: University Life Awards/Recognitions Director

- A. Chooses theme and makes arrangements for decorations and entertainment.
- B. Makes room reservations and catering arrangements
- C. Adequately publicizes the nomination process and procedures.
- D. Chooses the ULA Selection Committee.
- E. Coordinates all planning and evaluation of the event.

Section 10: Website Director

- D. Responsible for maintaining SGA website and email accounts.
- E. Responsible for maintaining SGA's Rowdylink page.
- F. Responsible for coordinate with Marketing and Public Relations in order to integrate social networks within the website.

By-Law VI: Oath of Office

Section 1: The Oath of Office

- A. Candidates elected to any position in the Student Government Association shall take the following Oath of Office:
1. I, (State Your Full Name), / knowing the duties of my office / as set forth in the Constitution / of the Student Government Association / of the University of Texas at San Antonio, / do hereby swear / to execute faithfully / the duties of my office. / To the best of my ability, / I will responsibly represent my constituents, / remembering that / with the privileges of my position / comes responsibility. I will embody teamwork / and work in concert with my fellow SGA members. / I will protect and defend / the Constitution / of the Student Government Association / of the University of Texas at San Antonio.

By-Law VII: Accountability

Section 1: General Assembly

A. An absence is considered unexcused if/when a Senator or Officer fails to advise the Secretary that they will not be attending a regularly scheduled General Assembly meeting. The Secretary must be contacted at least one (1) day prior to the meeting by phone or email.

B.

Section 2: Committees

A. An absence is considered unexcused if/when a Senator fails to advise the Committee Chair that they will not be attending a regularly scheduled Committee meeting. The Chair must be contacted at least one (1) hour prior to the meeting by phone or email.

Section 4: Retreats and Training Sessions

A. All elected and appointed members of SGA shall be required to attend the Fall Leadership Conference and Retreat, the Spring Retreat, Officer Training Sessions, University Life Awards, SGA Banquet.

Section 5: Event Commitment

A. If an elected or appointed member fails to attend an event that they have committed to they will take an unexcused or excused absence as determined by the Secretary.

Section 6: Excused Absences

A. All elected and appointed members of SGA shall be limited to six (6) excused absences per semester. If a member of the assembly fails to attend six (6) mandatory meetings (excused absences) in any semester, that member shall lose their position in the General Assembly.

By-Law VIII: Meeting Notices and Agenda Posting Locations

Section 1: Official Posting Location

- A. The official posting locations for meeting notices and agendas will be the SGA bulletin board in the University Center, the official SGA website, and the Durango Building Student Activities Center on the Downtown Campus.

By-Law IX: Executive Officer Stipends

Section 1: Stipend Amounts

- A. The Executive Officers of SGA are paid a stipend based on their fulfillment of their elected duties and completion of regular office hours. The minimum amount allotted for each Officer is:
- | | |
|--------------------------|------------------------|
| 1. President | \$1500.00 per semester |
| 2. Vice President | \$1250.00 per semester |
| 3. Treasurer | \$500.00 per semester |
| 4. Secretary | \$500.00 per semester |
| 5. Speaker of the Senate | \$500.00 per semester |

Section 2: Stipend Disbursement

- A. Stipends will be determined annually in accordance with university and organization budget, but the total budget for stipends should not exceed twenty five percent (25%) of the Student Government Budget. Each Officer is required to maintain a minimum number of hours per week in the SGA office. Recorded office hours will be used to submit payment requests via the UTSA payroll system. All Officers must serve two (2) office hours per week.

By-Law X: Procedure for Approving the Minutes

Section 1: Procedural Guidelines

- A. After the General Assembly approves the minutes from previous meetings, a single hard copy is to be produced. This hard copy is to have signature spaces, and be signed by at least three Student Government officials. Two of these officials are the Secretary and the Speaker of the Senate.
- B. In order to sign the approved minutes the official would have to be present during the vote, with the exception of the Secretary whose signature only represents their word that the minutes are accurate to the best of their ability.
- C. Substitutions: The Speaker of the Senate's signature can be replaced by another Senator who was present during the vote. If there is a dispute as to who is to sign, the candidate will be determined by a simple majority of the Senate.
- D. After being signed the document shall be scanned and uploaded to the SGA website in PDF (or another non-editable form) upon the request of a majority of the General Assembly. In addition, the hardcopy of the minutes shall be placed in an appropriate binder within the SGA office and cataloged so that anyone at any time can readily access official minutes.
- E. The minutes must be signed at least three (3) days after the meeting which they were approved.

By-Law XI: Procedure for Defining the Authorization of Legislation

Section 1: Authority of Legislation

- A. When in the process of formally submitting legislation or an Executive Decision, the legislation or order must state within the text in what Constitutional Article(s) and/or By-Law(s) it received the authority for its course of action.
- B. Such statement will be required on all Executive Decisions and on all legislation excluding Constitutional or By-Law Amendments.
- C. Disputes over constitutional interpretation(s) and its applied authorization(s) of power shall be submitted to the Judicial Branch for a proper ruling.

By-Law XII: San Antonio Higher Education Representatives Association

Section 1: Purpose

- A. The Student Body President of the University of Texas at San Antonio shall be required to attend all meetings of the San Antonio Higher Education Representatives Association (SAHERA).
- B. If the President cannot attend, they may send a representative in their place with the already assigned delegate.
- C. The President must give a report at the next General Assembly after each SAHERA meeting that summarizes the meeting.

By-Law XIII: Limitations of Legislation

Section 1: Period of Legislation

- A. Items identified as Legislation in the Constitution and By-Laws shall be binding until amended or rescinded.