

THE
BYLAWS AND
OPERATIONAL CODE
of
THE UNIVERSITY PARK
UNDERGRADUATE
ASSOCIATION



Date of Origin: January 2007

Amended: March 18th, 2020

The Bylaws and Operational Code

of

The University Park Undergraduate Association (UPUA) Assembly of Student Representatives

Date of Origin: January 2007

Amended: February 26th, 2020

Article I

Authorities and Definitions

§1.1 These Bylaws shall serve as a supplement to the University Park Undergraduate Association (UPUA) Constitution and Modern Rules of Order. They shall not conflict with the UPUA Constitution, but may clarify it on matters not covered by the Constitution. The procedures as outlined in this document are entirely intended for the organization and operation of the UPUA Assembly of Student Representatives, henceforth called the UPUA. Exceptions to this are when specific actors or officers of another entity within the UPUA are mentioned for a task or reasonable duty. Such mention shall be considered a binding Policy and thus an Act under Article V of the UPUA Constitution.

§1.2 Definitions:

§1.2.1 The UPUA shall be considered the collection of all Representatives, which shall include all persons with general voting rights in the Association along with all appointed liaisons from organizations including the Graduate and Professional Student Association (GPSA), the Council of Commonwealth Student Governments (CCSG), the Off-Campus Student Union (OCSU), the State College Borough Council Representative, the University Park Allocation Committee (UPAC), the Association of Residence Hall Students (ARHS), International Student Council (ISC), and the Reserve Officers Training Corps (ROTC).

§1.2.2 All voting requirements are strictly based on voting members present and voting unless specifically mentioned otherwise.

§1.2.3 The UPUA is vested with all fundamental decision-making authority, but recognizes that certain individuals given their position or office are best suited to present the student body subject to the approval and oversight of the UPUA.

§1.2.4 The UPUA, for the purpose of legislating, shall have two sessions. The first session shall be the Fall Academic Semester and the second session shall be Spring Academic Semester. April of the Spring semester shall be reserved for the next Assembly

and shall be considered part of that Assembly's Fall session. This year shall be referred to as the Assembly year.

§1.2.5 Academic Units: The following Colleges shall be considered Academic Units: College of Agricultural Sciences, College of Arts and Architecture, Smeal College of Business, Donald P. Bellisario College of Communications, College of Earth and Mineral Sciences, College of Education, College of Engineering, College of Health and Human Development, College of Information Sciences and Technology, College of the Liberal Arts, Eberly College of Science, College of Nursing, Schreyer Honors College, and the Division of Undergraduate Studies.

§1.2.6 Community Groups: The Community Group that will have representation in the UPUA Assembly shall be determined by the Judicial Board, with Assembly Confirmation (2/3rd vote), via the procedure stipulated in Section §9.5 of the Bylaws and Operational Code.

§1.2.7 An affiliate shall be defined as an appointed person from another organization who may be granted the privilege of speaking on the Assembly floor on behalf of their 54 organization, but will not be allowed to hold a position, vote, either in Committee 55 or in the General Assembly meetings, will not be allowed to hold membership in 56 any Committee, and shall not be granted the privilege of making motions or 57 presenting or signing legislation. New affiliate positions must fulfil the following 58 criteria:

cl. i Permanent affiliates shall be instated by a Bylaws amendment or appointed at will by the Speaker and confirmed by the Steering Committee and General Assembly.

cl. ii Overarching organizations that either govern some portion of the student body or those that have a significant impact on the student body.

cl. iii These organizations must prove that their voice on the UPUA is of positive impact to the undergraduate student population and is mutually beneficial to both the UPUA and the organization in question.

cl. iv A liaison is a full-year position. Exceptions may be determined at the discretion of the Steering Committee by a majority vote.

cl. v Organizations that are political in nature may not receive affiliate positions.

cl. vi Affiliates shall, unless with a reasonable excuse, attend meetings under the Department of Outreach and maintain contact with the Director of Outreach.

pt. a Affiliates may give reports during General Assembly meetings.

cl. vii These positions shall all be evaluated for effectiveness at the beginning of each new Assembly by the Steering Committee in order to retain the seat.

Article II

Officers and Duties

- §2.1 The UPUA shall elect the following officers from its membership:
- §2.1.1 An overall Chair, referred to as the Speaker of the Assembly.
 - §2.1.2 A Chair for each Critical for Operations, Research, and Execution (CORE) 80 Committee.
- §2.2 The Speaker of the Assembly shall be empowered to appoint, with majority approval of the UPUA, the following positions which may not be held by a Representative.
- §2.2.1 A Parliamentarian
 - cl. i Provide advice to the General Assembly on matters concerning parliamentary procedure.
 - §2.2.2 A Secretary Pro-Tempore
 - cl. i Refer to Article II §2.3.4.
 - §2.2.3 Liaisons from the UPUA to other organizations
- §2.3 Officers shall have the following duties:
- §2.3.1 The Speaker of the Assembly shall:
 - cl. i Be the recognized voice of the Assembly.
 - cl. ii Work in collaboration with the President and Vice President to develop goals and tasks for the committees.
 - cl. iii Set the Agenda of the Assembly and compile the reports that pertain to it.
 - cl. iv Chair the General Assembly Meetings in the absence of the Vice-President.
 - cl. v Appoint the positions listed in §2.2.
 - cl. vi Serve as a non-voting, ex-officio member of all other UPUA CORE Committees.
 - cl. vii Authorize the cumulative expenditure of up to three (3) percent of the unrestricted account per Assembly year for purposes relating to business of the UPUA, provided this expenditure is reported at the next scheduled Assembly's meeting.

pt. a This privilege may be revoked by a two-thirds vote of the UPUA.

pt. b This privilege may be reinstated by a two-thirds vote of the UPUA.

cl. viii Ensure full membership of the UPUA General Assembly.

cl. ix Have the reasonable discretion to adjust meeting times with the advice and consent of the President provided twenty-four (24) hours' notice via email to the UPUA.

cl. x Be required, unless with a reasonable excuse, to attend Executive Board meetings.

cl. xi Serve as the UPUA Student Representative to the Faculty Senate in such cases where the Academic Affairs Chair is already a Faculty Senator.

pt. a In the case that both the Speaker of the Assembly and the Academic Affairs Chair are Faculty Senators, the Speaker shall appoint a designee that must be approved by a majority of Steering that shall fill the position.

cl. xii Oversee the attendance record held by the Secretary to ensure Representatives' compliance.

cl. xiii Move to expel members as defined by Article VI.

cl. xiv Maintain an accurate and complete transition materials will provide historical testament to the UPUA's research, investigations, programs, and works.

cl. xv Coordinate the UPUA's Support Staff.

pt. a Process the UPUA's Support Staff Applications, which includes, but not limited to the Clerk and Staffers

pt. b Be empowered to appoint and remove Staffers with reasonable discretion.

pt. c Act as the liaison between the Support Staff and the UPUA.

§2.3.2 Committee Chairs shall:

cl. i Be the recognized voices of their respective committees.

cl. ii Work in collaboration with the President, Vice President, and Speaker to develop goals and tasks for their committee.

cl. iii Chair their respective committees.

pt. a Present any necessary Standing Rules to be approved by their committee within two weeks as instatement as Committee Chair.

pt. b Organize and coordinate committee meetings.

- pt. c Present agendas to members.
- pt. d Conduct fair, honest, and in-depth research.
- pt. e Be a fair arbiter and follow parliamentary procedure as pertain to the Committee's Standing Rules.
- cl. iv Establish weekly meeting times
 - pt. a Reserve a room suitable for the conduct of a meeting
- cl. v Submit weekly written reports on the progress of the committee's work and other documents to the Speaker of the Assembly, for distribution to the Assembly to the Executive Board via the weekly Agenda.
- cl. vi One member of each Standing Committee shall be the chair of the committee and one member shall be the vice chair. Committee Chairs shall be elected by a majority of non-vacant Representative seats of the Assembly. The Vice Chairs will be elected internally within each committee as prescribed by the rules of that committee.
 - pt. a In the event that a CORE committee chair is absent the Vice Chair assumes the responsibilities of that respective chair.

§2.3.3 Representatives shall:

- cl. i Fulfill their Constitutional required obligations.
- cl. ii Work towards the betterment of student life.
- cl. iii Attend Assembly and their committee meetings contribute actively to both.
- cl. iv Attend a minimum of two (2) external functions within every four (4) academic weeks.
 - pt. a External functions are defined as events in the community sponsored or hosted by an outside organization or entity.
 - pt. b External functions will be distributed through an electronic system. This electronic system shall be updated with events no less than two (2) weeks prior to the start of any academic week by the Steering Committee, or their designee.
- cl. v Research matters and propose solutions to university problems.
- cl. vi Actively promote the UPUA and its events/programs, by means of word-of-mouth and electronic word-of-mouth.
- cl. vii Abide by any and all charges passed within legislation.

cl. viii Accomplish the tasks assigned by the leadership of the Assembly, including the Chairs and Speaker.

cl. ix Actively seek initiatives and new projects for consideration and collaboration.

cl. x Hold an open line of communication with the Chair(s) of the committee(s) on which the Representative sits.

cl. xi Provide weekly updates to the Chair(s) of the committee(s) on which the Representative sits, noting the progress of initiatives, meetings, and all work pertaining to the UPUA.

cl. xii Notify and explain to the leadership of the Assembly if they are not able to accomplish the above duties and responsibilities.

§2.3.4 Community Group Representatives shall:

cl. i Fulfill UPUA's Constitutionally required obligations.

cl. ii Fulfill the Representative responsibilities listed in §2.3.3 of the Bylaws and Operational Code.

cl. iii Fulfill the obligations listed in the Governing Documents for the organization they represent.

cl. iv Represent and speak on behalf of the specific organization they are elected by.

pt. a Representatives may not be charged by the organization which they represent, or any organization, to vote for or against any matter during committee nor Assembly.

cl. v Be in direct communication with the highest governing board of the organization they represent.

cl. vi Be an ex-officio member or full member of the highest governing board of the organization they represent and actively attend the meetings of that organization's highest governing board.

pt. a Organization Secretary must email the monthly attendance to the Speaker of the Assembly.

cl. vii Give weekly reports on behalf of the UPUA to their organization, when necessary.

cl. viii Not be removed by their respective Community Group organization unless they have been shown to have violated the obligations of their Office as outlined in this section.

§2.3.5 The Secretary, or a delegate to be chosen by the Speaker of the Assembly, shall:

cl. i Keep extensive public minutes of all General Assembly and Committee of the Whole meetings.

pt. a The record shall contain a transcription of presentations and debate.

pt. b Reports or speeches made at a meeting can be supplemented by a written statement to be entered into the record.

pt. c The record shall also contain all main motions in full text and their votes.

cl. ii Release to Representatives the minutes within four (4) academic days after a meeting.

cl. iii Release all minutes to the public one (1) academic day after approval of the past General Meeting minutes.

cl. iv Keep attendance to General Meetings of all Assembly members.

cl. v Update and publicly publish legislation based upon motions and actions of the Assembly.

§2.3.6 Designated Members shall:

cl. i Serve as the primary connection and source of communication between standing CORE committees, in order to continually foster collaboration and organizational awareness.

cl. ii Be elected internally within each committee as prescribed by the rules of that committee.

pt. a Each committee will elect a Designated Member for each of the CORE Standing Committees.

pt. b Members of the Freshmen Council are eligible to be elected to serve as a Designated Member for a Committee.

cl. iii Act as a resource and provide information surrounding the current projects and activities of their relevant committee.

Article III

Meetings

§3.1 Initial Meetings

§3.1.1 The first meeting of any incoming Assembly shall be considered the Initial Meeting. All other meetings shall follow the format of a General Meeting and be one of the three (3) meeting types established below:

cl. i During the Initial Meeting, the Assembly will be required to establish holders of all offices of the Assembly. Refer to Article V for the procedure for electing committee chairs and method of committee assignment.

§3.2 General Meetings

§3.2.1 The Assembly shall convene for the transaction of business every Wednesday during the Fall and Spring Semesters at 8:00PM EST. These proceedings shall be considered General Meetings.

§3.2.2 Quorum for meetings of the General Assembly shall be set at fifty percent plus one (50% +1) of the General Membership.

cl. i If quorum is not met during the Call to Order, the General Assembly cannot convene or conduct business until quorum is met.

§3.2.3 The Agenda shall be set by the Speaker of the Assembly and published by the Secretary for public viewing at least two (2) academic days in advance of a General Meeting. The Agenda shall consist of:

cl. i Call to Order, Opening Roll Call, and Announcement of Quorum.

cl. ii Adoption of the Agenda.

cl. iii Adoption of the past General Meeting minutes.

cl. iv Special Presentations.

cl. v Open Student Forum.

cl. vi Report by the President.

cl. vii Report by the Vice President.

cl. viii Liaison and Affiliate Reports.

cl. ix Old Business.

cl. x Caucus Breakout.

cl. xi New Business.

pt. a Elections/Appointments/Nominations/Swearing-In.

- pt. b Policies
- pt. c Bills.
- pt. d Resolutions.

- cl. xii Report by the Chief Justice of the Judicial Board.
- cl. xiii Report by the Chief of Staff and Executive Directors.
- cl. xiv Report by the Speaker of the Assembly.
- cl. xv Committee Reports.
- cl. xvi Comments for the Good of the Order.
- cl. xvii Closing Roll Call and Adjournment.

§3.2.4 The Agenda shall further include written reports from each Standing Committee, appropriate contact information, and the date, time and location of the next meeting.

§3.2.5 The Agenda must be distributed to the public and General Assembly a minimum of forty-eight (48) hours in advance of the start of the General Assembly meeting.

§3.2.6 Limits on Floor Use

- cl. i Open Forum: Use of the Floor for presentation is limited to five (5) minutes per speaker or group. Representatives may ask questions for five (5) minutes after presentation.
- cl. ii Reports: Each period of reporting shall be ten (10) minutes for review of each report and questioning of appropriate persons.
- cl. iii Caucus breakouts: Either five (5) or ten (10) minutes as decided by the presiding officer of the meeting.
- cl. iv Comments for the Good of the Order: Limited to two (2) minutes per member.
- cl. v Members may not speak to a specific issue or motion more than two (2) times per piece of legislation. Motions, amendments, and other parliamentary activities are not counted against this limit.
- cl. vi All established time limits may be extended by a simple majority.

§3.3 Town Hall Meetings

§3.3.1 Town Hall meetings may be scheduled by a vote of the Assembly at a General Meeting.

§3.3.2 The agenda for a Town Hall Meeting shall contain the same provisions as a General Meeting with the following modifications:

cl. i Limits on Floor Use

pt. a Town Hall Open Forum: Groups or speakers will present in the order they queue. No speaker or group should be denied the right to speak for any reason.

pt. b Use of the Floor for presentation is limited to five (5) minutes per group or individual speaker.

pt. c Representatives may ask questions for five (5) minutes after the presentation.

pt. d Representatives may move to extended time of discussion.

§3.4 Work-Session Meetings

§3.4.1 The assembly may schedule a “work-session” meeting by a vote on the floor wherein the standing committees will meet at the specified time to allow for additional time to complete projects and collaborate.

§3.5 Committee of the Whole Meetings

§3.5.1 The assembly may schedule a “Committee of the Whole” Meeting by a vote on the floor wherein the representatives will meet at the specified time to allow time to collaborate as an entire body.

§3.5.2 In cases where the UPUA convenes in Committee of the Whole, any attempts to vote on non-procedural decisions shall be grounds for immediate adjournment.

cl. i The item of discussion for a meeting of the UPUA as a Committee of the Whole shall be prescribed by the motion to convene in such a format.

§3.6 Special Meetings

§3.6.1 The Speaker of the Assembly may call a Special Meeting if circumstances require it.

cl. i Quorum of the General Membership must be intact.

§3.7 Summer Session Meetings

§3.7.1 Assembly Officers’ Meetings

cl. i The Assembly Officers may meet in limited form during the summer session for the transition and coordination of business.

cl. ii Meetings of said type will require a majority of officers for quorum either by physical or electronic presence.

cl. iii The Officers may issue Assembly Standing Orders that can authorize all actions in the name of the Assembly to provide necessary guidance and to authorize necessary immediate actions in the interest of the UPUA.

pt. a Such Standing Orders must be reported at the next general meeting and disposed of as normal legislation being considered brought to the floor by two-thirds (2/3rds).

pt. b All Standing Orders will expire after the conclusion of the next general meetings of the Assembly.

pt. c All Standing Orders, unless internal to the operation of the Assembly, shall be considered legislation and must be approved by the President according to Article VI §2.2.2 of the UPUA Constitution.

pt. d Standing Orders cannot amend or repeal any previously passed legislation, bylaws nor amend the UPUA Constitution.

pt. e Standing Orders may not disperse any funds.

§3.7.2 Summer General Assembly Meetings

cl. i The Assembly may convene during the summer session electronically or physically for the transaction of normal business by either a motion calling for such action on a specific date or on a date specified by the Chair.

pt. a One (1) weeks' notice will be required for such meetings.

pt. b Quorum shall be two-thirds (2/3rds) of Representatives.

§3.8 Closed UPUA Meetings

§3.8.1 All UPUA meetings will be open to the public and have meeting times established and available prior to each meeting.

cl. i Suspension of the above bylaw is only permitted with two-thirds (2/3) consent of the appropriate voting members of the UPUA Assembly present at any meeting where the suspension will occur. This suspension must fall under one of the following exemptions, with no additional reasons being considered germane:

pt. a Privileged or confidential discussions of finances, information, and contracts.

pt. b Interviews for the appointments of Representatives and other officials.

1. Discussion pertaining to the aforementioned interviews will always occur in closed session.

2. Interviews and discussions pertaining to the appointments and other officials within committees will be closed at the request of one voting member of the committee.

pt. c Suspension shall be immediately dissolved upon completion of discussion of the exempted topic.

pt. d For the aforementioned motion to be considered germane, the reason for suspension (pt. a or b) must be included in any motion to close a UPUA meeting.

Article IV

Committees

§ 4.1 All Standing Committees are required to include at least seven (7) Representatives, including the Committee Chair and Vice Chair.

§4.2 One member of each Standing Committee shall be the Chair of the Committee and one member shall be the Vice Chair. Committee Chairs shall be elected by a majority of non-vacant Representative seats of the Assembly. The Vice Chairs will be elected internally within each committee as prescribed by the rules of that committee.

§4.3 The Assembly shall retain the following Standing Committees:

§ 4.3.1 Student Life

cl. i Have jurisdiction to identify and address issues within the realm of housing and food services, safety, event planning and management, residence life, off-campus living, Counseling and Psychological Services, student health, student recreational services, athletics, student conduct, and sexual violence awareness and prevention.

cl. ii Have jurisdiction to identify events and programs that may be of importance to the student body.

cl. iii Organize and plan informational student events and programs that are necessary and beneficial to the student public.

cl. iv Retain the Assembly-elected Movin' On Spring Music Festival Liaison as a voting member of the committee.

cl. v Have jurisdiction to identify and address issues within the realm of external fee boards, including the University Park Fee Board.

cl. vii Have jurisdiction to identify and address issues within the realm of University Strategic Planning, the Board of Trustees issues, University contracts, and fee boards and committees as relevant to the committee responsibilities as described above in §4.3.1.

cl. vii Be charged with developing and working on initiatives in a manner that is cognizant of environmental, social, and economic sustainability.

§ 4.3.2 Facilities

cl. i Have jurisdiction to identify and address issues within the realm of Housing and Food Services, capital expenditures, permanent structures, transportation and parking, University facilities, and the Office of the Physical Plant.

cl. ii Have jurisdiction to identify and address issues within the realm of external fee boards, including the University Park Fee Board, the Student Technology Advisory Committee, and the Student Sustainability Advisory Committee.

cl. iii Have jurisdiction to identify and address issues within the realm of University Strategic Planning, the Board of Trustees membership and structure, University contracts, and fee boards and committees as relevant to the committee responsibilities as described above in §4.3.2.

cl. iv Have jurisdiction to identify and address issues that are related to environmental, economic, and social sustainability relevant to the committee responsibilities.

§4.3.3 Governmental Affairs

cl. i Have jurisdiction to identify and assess issues within the realm of the federal government, state government, and local government, as well as civic engagement.

cl. ii Establish and maintain working relationships with pertinent figures in the federal, state, and local governments for the purposes of legislative outreach and petition.

cl. iii Coordinate relations with other governing entities affecting students at University Park by: Investigating laws, procedures, rules, or policies having effects on students.

cl. iv Plan and organize, with the appropriate Directors of the Executive Board, events related to tuition, voter registration and mobilization, and other governmental matters.

cl. v Retain the internally elected and Borough-appointed Non-Voting Student Representative to the State College Borough Council as a voting member of the Committee.

cl. vi Have jurisdiction to identify and address issues within the realm of University Strategic Planning, the Board of Trustees membership and structure, University contracts, and fee boards and committees as relevant to the committee responsibilities as described above in §4.3.3.

cl. vii Be charged with identifying and understanding long-term implications of the work relevant to the committee's responsibilities

cl. viii Strive to integrate considerations for environmental, social, and economic sustainability into their advocacy.

§4.3.4 Academic Affairs

cl. i Have jurisdiction over all matters academic.

cl. ii Maintain through committee membership at least one representative from all of the Degree-Conferring Academic Colleges, the Division of Undergraduate Studies, and the Schreyer Honors College, as well as delegates as determined by the Committee in conjunction with the body which they are representing.

cl. iii Retain a committee chair who sits on the University Faculty Senate Committee on Education, the Administrative Council on Undergraduate Education (ACUE), and the University Advising Council (UAC), as prescribed in the governing policies of each body.

cl. iv Serve as a forum to focus student concerns regarding academics and relay those concerns to the academic councils, deans, administration, and University Faculty Senate.

cl. v Have jurisdiction to identify and address issues within the realm of University Strategic Planning, the Board of Trustees issues, University contracts, and fee boards and committees as relevant to the committee responsibilities as described above in §4.3.4.

cl. vi Be charged with establishing and maintaining sustainable organizational relationships, ensuring the committee's continued capacity to accomplish delegated responsibilities and advocate on behalf of students within the UPUA's constituencies.

§4.3.5 Justice and Equity

cl. I Have jurisdiction to address and identify issues within the realm of disability services, educational equity and instances of bias and discrimination.

cl. ii Have jurisdiction over all university issues that affect, but are not limited to, the protected classes defined by the University as well as international students.

cl. iii Retain the Director of Outreach as a non-voting member of the committee.

cl. iv Be charged with outreach to and development of positive relationships with Registered Student Organizations (RSOs) considered International/Multicultural, Religious/Spiritual, or Residence Hall Special Living Options by the University.

cl. vi Have jurisdiction to identify and address issues within the realm of University Strategic Planning, the Board of Trustees issues, University contracts, and fee boards and committees as relevant to the committee responsibilities as described above in §4.3.5.

§4.3.6 Steering

cl. i Have jurisdiction over the business of the General Assembly.

cl. ii Be charged with identifying and considering the long-term implications of the UPUA's actions and business.

cl. iii Be chaired by the Speaker of the Assembly.

cl. iv Be composed of all Standing CORE Committee Chairs.

pt. a The President, Vice-President, Secretary, Director of Communications, Director of Outreach, Chief of Staff, and Chief Justice shall be considered non-voting members with floor privileges.

cl. v Have jurisdiction to analyze the UPUA's internal diversity, equity, and inclusion; and propose new best-practices to improve the organization in these areas.

cl. vi Be required, at its first meeting, to assign all Representatives to CORE committees based on the following procedure:

pt. a Each Representative's name shall be read and then discussion of the qualifications of the Representative for service on committees based on their priority(s) shall begin.

pt.b A motion for assignment for a specific committee shall be made and then debated. This shall continue until a vote passes by majority, and then the next Representative shall be reviewed.

pt .c Every Representative shall be assigned to one committee before any Representative is assigned to two committees.

cl. vii Be required to recommend to the General Assembly, an individual to fill each vacant Assembly seat, after a thorough screening and interview per §6.8.

cl. viii Act on all questions concerning the Assembly by coordinating the Assembly's actions and Business.

cl. ix Review all legislation for grammar and formatting, as well as make all necessary amendments to reflect the most accurate facts and data available excluding changes in monetary value, and to ensure the legislation is in compliance with University and UPUA policies.

pt. a Any amendment made by the Steering Committee must be explicitly outlined and explained when the legislation is being introduced on the Assembly floor.

pt. b The Steering Committee may not make any amendment that would change or alter the spirit of the legislation.

pt. c The Speaker of the Assembly shall have the power to re-number legislation, when appropriate.

cl. x The Steering Committee may recommit legislation back to the committee of origin with a three-fourths (3/4) vote of the Steering Committee.

pt. a The Steering committee must provide a written explanation of specific grievances or inaccuracies to the Chair of the Committee of origin to be forwarded to all committee members within 24 hours of the vote to recommit.

pt. b Legislation that has been recommitted to its Committee of origin by the Steering Committee may still be brought to the floor of the General Assembly by two-thirds.

pt. c The Steering Committee may not recommit a piece of legislation based on the spirit of the legislation excluding contracts of obligation.

cl. xi Be required to commit the proposed legislation to the appropriate committee of the Assembly, at which time it shall be considered pending business of that Committee. If the Steering Committee cannot decide what committee the proposed legislation is to be committee to, then it shall be introduced to the Assembly under new business at the next General Meeting.

cl. xii Retain the authority to review and author revisions to the UPUA's Governing Documents when circumstances warrant such action.

pt. a Reviews and revisions may be conducted by the Steering committee or an ad-hoc committee, as decided by a majority vote of the Steering Committee.

1. The Steering Committee must, when charged by a two-thirds (2/3) vote of the General Assembly, form an ad-hoc committee to address the relevant issues with the Governing Documents brought forth by the General Assembly.

pt. b All revisions must be brought to the General Assembly Floor for consideration, following a majority vote of the Steering Committee.

cl. xiii Be charged with the vetting followed by the confirmation or dismissal of all Presidential nominations.

cl. xiv Compile and maintain accurate records of all assets of the UPUA to be made available to the Judicial Board in investigative matters regarding their use.

§4.3.6 Committee Jurisdiction Overlap

cl. i Matters appropriate for consideration by more than one standing committee may be referred, by the Speaker of the Assembly, to one committee or subcommittee.

§ 4.4 No Assembly member may serve as a general voting member on more than three (3) Standing CORE Committees. Individuals considered ex-officio or non-voting members of a committee do not count against the total membership of a committee nor towards quorum.

§4.5 Interviews pertaining to the appointment of representatives and other officials within committees shall be closed at the request of one voting member of the committee.

§4.5.1 Discussions on candidates are closed unless opened with a majority vote by the voting members of the Steering Committee.

§4.5.2 A quorum in a committee shall be considered a majority of the number of registered voting members in the official record.

Article V

Elections, Nominations, and Appointments

§5.1 The following order shall be used to determine the priority of the internal elections: Speaker of the Assembly, Committee Chairs (in the order listed in the Article IV), the UPUA Representative to the Faculty Senate (if necessary), the Non-Voting Student Representative to the State College Borough Council.

§5.2 All candidates, except when addressing the Assembly, shall remain outside the chamber during the debate period.

§5.3 Internal Elections Process

§5.3.1 The presiding officer of the Assembly (Vice President, Chair, or Chair Pro Tempore) will open nominations of all officers listed in §5.1 sequentially one at a time.

§5.3.2 Upon closure of each nomination round for an office, each candidate will be given five (5) minutes to address the Assembly. After that time has expired, the Presiding Officer will open the floor for questions addressed to the candidate for no longer than ten (10) minutes.

§5.3.3 After the conclusion of the Question and Answer period, the debate period will begin. Members will be limited to two (2) minutes per speech and two (2) speeches per candidate.

§5.3.4 The vote will be taken by secret ballot. A candidate needs a majority of votes cast to win. Votes will continue to be taken until one candidate has secured a majority of the vote. If a majority vote for one candidate is not received after the first vote, the candidate with the least number of votes will be removed from the race and the vote will be taken again. This process will be repeated until there are only two candidates left.

cl. i Vote totals shall not be publicly announced during the Meeting, but shall be recorded in the Meeting minutes.

§5.3.5 Votes shall be tallied by the Presiding Officer with the help of the Secretary, the Speaker of the Assembly and the Chief Justice (when necessary).

§5.4 Committee Voting Member Selection

§5.4.1 The Speaker of the Assembly will collect the Committee preferences from all Representatives by the Friday after the first General Assembly meeting.

§5.4.2 Representatives will be assigned committee membership by the Speaker of the Assembly in consultation with all other officers at the first Steering Committee meeting.

cl. i Representatives may appeal the decision of the Steering Committee to the Speaker of the Assembly, who shall either confirm or deny the appeal based upon the merit of the appeal. If denied, the Representative shall remain on the selected CORE committee(s). If the Speaker approves the appeal, the Representative shall be re-assigned by the Steering Committee at the next Steering meeting.

§5.5 Confirmations and Appointments

§5.5.1 Nominations required and submitted by the President shall be vetted and confirmed, or dismissed by the Steering Committee.

cl. i Nominees will have five (5) minutes to address the Assembly and will entertain questions for ten (10) minutes.

§5.5.2 Appointments by the Speaker of the Assembly will be represented to the Assembly for approval. The nominees will have five (5) minutes to address the body and will entertain questioning for five (5) minutes.

Article VI

Attendance, Expulsion, and Vacancies

§6.1 Attendance of the General Assembly, Work Session, Committee of the Whole, and Committee Meetings is mandatory for all members of the Assembly.

§6.1.1 For the purpose of Representative attendance at General, Work Session, and Committee of the Whole Meetings, roll shall only be called twice, counting as one half (1/2) of an absence each time at the discretion of the Presiding Officer.

§6.1.2 For the purpose of Representative attendance at committee meetings, roll shall only be called twice, counting as one quarter (1/4) of an absence each time at the discretion of the Presiding Officer.

§6.2 Absences from any and all scheduled meetings of the General Assembly and CORE Committees meetings shall result in the absent Representative accruing deficiency point(s).

§6.2.1 In the case of personal or family emergencies, examinations, religious obligations, mental health, employment, or events for which the Representative has a Faculty Senate Excused absence form, deficiency points will not be accrued due to the Representative's absence, only if it is for one or more of the aforementioned reasons.

cl. i Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail both the Speaker of the Assembly and the Secretary outlining the reason for their absence no later than 24 hours after the conclusion of the General Assembly meeting from which the Representative was absent, in order to not accrue deficiency point(s).

§6.2.2 For the purpose of Representative attendance at General Assembly, Work Sessions, and Committee of the Whole Meetings, roll shall be called once at the beginning of the meeting, and once at the conclusion of the meeting, counting as one half (1/2) of a deficiency point each time at the discretion of the Presiding Officer.

§6.2.3 For the purpose of Representative attendance at committee meetings, roll shall be called once at the beginning of the meeting, and once at the conclusion of the meeting, counting as one quarter (1/4) of a deficiency point each time at the discretion of the Presiding Officer.

cl. i Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail the respective Committee chair outlining the reason for their absence no later than 24 hours after the conclusion of the Committee meeting from which the Representative was absent, in order to not accrue deficiency point(s).

cl. ii For the purpose of the meetings of Standing Committees, the Committee Chair may, in extreme circumstances, at his or her discretion, accept additional reasons not outlined in §6.2.1 as justification for not assigning deficiency points.

§6.2.4 For the purpose of Representative attendance at any special function deemed mandatory by the Steering Committee, a sign-in sheet will be made available for Representatives to sign in at the beginning of the event. Failure to attend a special function deemed mandatory by the Steering Committee will result in one (1) full deficiency point.

cl. i Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail both the Speaker of the Assembly and the Secretary outlining the reason for their absence no later than 24 hours after the conclusion of the General Assembly meeting from which the Representative was absent, in order to not accrue deficiency point(s).

cl. ii For the purpose of special functions deemed mandatory by the Steering Committee, the Speaker of the Assembly, in extreme circumstances, at his or her discretion, accept additional reasons not outlined in §6.2.1 as justification for not assigning deficiency points.

cl. iii For the purpose of special functions deemed mandatory by the Steering Committee, the number of deficiency points a Representative will be assigned for an absence will be specified no later than two weeks prior to the event.

§6.2.5 For the purpose of Representative attendance at any special function deemed for the members of a Respective Committee pursuant to §6.8.2, a sign-in sheet will be made available for the voting members of said Standing Committee to sign in at the beginning of the event. Failure to attend a special function deemed mandatory by a Respective Committee will result in one half (1/2) deficiency point.

cl. i Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail both the Chair of the respective Standing Committee and the Secretary outlining the reason for their absence no later than 24 hours after the conclusion of the Special Event from which the Representative was absent, in order to not accrue deficiency point(s).

cl. ii For the purpose of special functions deemed mandatory by the Standing Committee, the Chair of the respective Standing Committee may, in extreme circumstances, at his or her discretion, accept additional reasons not outlined in §6.2.1 as justification for not assigning deficiency points.

pt. a Previously scheduled or mandated UPUA events and meetings shall not count against a Representative in the instance that the aforementioned event creates a situation wherein a Representative is unable to attend the mandated event.

§6.2.6 For the purpose of Representative attendance at any external function set by the Steering Committee, or their designee, a sign-in sheet will be made available for Representatives to sign in at the beginning of the event. Failure to attend two (2) external functions in any four (4) academic week span shall result in the accumulation of one half (½) deficiency point.

cl. i Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail both the Speaker of the Assembly and the Secretary outlining the reasons for their deficiency in attendance of external functions no later than 1 (one) academic day after the accrual of a deficiency point.

cl. ii For the purpose of external functions deemed mandatory by the Steering Committee, or their designee, the Speaker of the Assembly, in extreme circumstances, at his or her discretion, may accept additional reasons not outlined in §6.2.1 as justification for not assigning deficiency points.

§6.2.7 A current record of all Representatives' respective names, attendance records, and deficiency points will be publicly available for all Representatives to view on the UPUA website.

§6.3 If a Representative or Assembly Staff member accumulates more than three (3) whole deficiency points per semester from General Assembly, Work Session, Committee of the Whole, Special Functions, External Functions, or Committee Meetings, he or she shall automatically be subject to the following violation procedure for this and every additional one (1) whole

deficiency point. The Speaker of the Assembly shall ensure the prompt enforcement of this policy.

§6.3.1 Following the violation of the above policy, the Representative or Assembly staff member in question will be automatically removed from the UPUA.

§6.3.2 The Representative or Assembly staff member has the option within five (5) academic days of their removal to either accept their removal or notify the Speaker of the Assembly that they wish to appeal to the Assembly during New Business as to why they should be reinstated.

cl. i If the Representative or Assembly staff member chooses to appeal, he or she will go before the Assembly at the next General Assembly meeting after he or she notifies the Speaker of the Assembly.

§6.3.3 The Secretary shall read all recorded absences of the member in question. The member shall then have up to five (5) minutes to discuss their absences, followed by up to ten (10) minutes of questioning by the UPUA.

§6.3.4 The member in question shall then leave the meeting room for a discussion not to exceed ten (10) minutes and then a secret ballot vote to reinstate the Representative or Assembly staff member from to the UPUA will be taken. The vote shall require a two-thirds majority of those present and voting to pass. If no additional relevant motions are made following a failed vote to reinstate the member in question, he or she shall not return to the UPUA and business shall continue.

§6.4 Staffers and Liaisons

§6.4.1 Staffers may be removed by either a majority vote of the Assembly or the discretion of the Speaker of the Assembly.

§6.4.2 The individual fulfilling the liaison position may have their title revoked either by a majority vote of the Assembly or at the discretion of the Speaker of the Assembly, except in cases where the person is the only permitted spokesperson of their organization. The Speaker of the Assembly must immediately coordinate with the representing organization to fill the position.

§6.5 Votes of expulsion, removal, or removing a title are their own line in the agenda as a subset of New Business and must be submitted to the Secretary before a General Meeting. The member, staffer, or liaison in question must be given one (1) weeks' notice.

§6.6 If a Representative steps down from a CORE Committee, and is still a voting member on at least one (1) other CORE Committee, the absences he or she accumulated on the CORE Committee he or she stepped down from are removed from their record.

§6.7 With a majority vote of the Steering Committee, if the Steering Committee determines an event to be important for UPUA Representatives to be present at, then with no less than two (2) weeks' notice, Steering can make attendance at the event mandatory.

§6.7.1 There shall be up to three (3) extra mandatory events per semester.

§6.7.2 Voting members of Steering will be required to also attend.

§6.7.3 Any Representative will accrue one (1) deficiency point in the event of an absence.

§6.8 Any standing CORE Committee may, with a majority vote, make attendance at an event that is sponsored, co-sponsored, or hosted by the UPUA mandatory for only those Representatives who are voting members of the respective Standing Committee, with no less than five (5) days' notice prior to said event.

§6.8.1 All voting members of the respective Standing Committee will be required to also attend.

§6.8.2 Any absent Representative will accrue one half (1/2) deficiency point,

cl. i All Steering mandated events and deficiency point assessments supersede those of a Standing Committee and take precedence.

§6.8.3 Representatives who encounter the aforementioned circumstances outlined in §6.2.1 must e-mail the Committee Chair outlining the reasons for their deficiency in attendance of external functions no later than 1 (one) academic day after the accrual of a one half (1/2) deficiency point.

§6.9 Vacancies.

§6.9.1 A seat is considered to be vacant after a Representative has tendered his/her resignation or has been expelled and is no longer a voting member of Assembly. Additionally, a seat is vacant if no member has been sworn in.

§6.9.2 Within five (5) academic days of the effective date of the resignation, expulsion or absence, the Speaker of the Assembly shall notify the Assembly or the appropriate student organization as defined in the Constitution in order to fill the vacancy via email.

cl. i If the vacancy is within the Assembly's jurisdiction to fill, the seat(s) shall be publicly advertised for a minimum of one (1) academic week.

cl. ii In the case of Academic College representatives, according to the UPUA Constitution and the Academic Affairs Committee Bylaws, the respective Academic College Student Council shall have ten (10) academic days to nominate a new representative from that College to the Assembly. If that Council does not nominate a student, the Speaker of the Assembly shall solicit nominations for that position as defined in §6.9.2 of the Assembly Bylaws. The nominated candidate(s) will be screened by the Steering Committee, per §6.9.4.

cl. iii In the case of Community Group Representative vacancies, the respective student organization representing the Community Group shall have the

responsibility to elect a replacement via the process outlined in the UPUA Elections Code.

§6.9.3 The Speaker of the Assembly will collect the applications for the vacancy. The Speaker shall check that the applicant(s) meets all requirements set forth in the UPUA Constitution and the current Elections Code. If an applicant(s) does not meet all criteria, they shall be rejected.

§6.9.4 The Steering Committee will be required to recommend to the General Assembly, one individual to fill each vacant Assembly, after a thorough screening and interview process.

cl i The screening process shall be based solely upon the merit of the respective candidate's application for membership, resume, and short-answer responses.

cl ii The Committee must interview at least half (50% of the total) of all applicants, or five (5) total applicants, whichever number is greater but no more than ten (10).

cl. iii All interviewees, both their name and major, shall be made available to the Assembly by the Speaker, following a request by any Representative.

cl iv In the event of a tie vote between two candidates in the Steering Committee, both candidates will be sent to the Assembly floor.

§6.9.5 The applicant(s) must be elected to fill the seat(s) as per §5.3, with each applicant for the position being considered a nominee and requiring a mandatory majority vote by secret ballot, even if uncontested.

§6.10 First-Year Representative

§6.10.1 Applications for the position of First-Year Representative will be available on the first day of classes of the fall semester.

§6.10.2 The Committee to decide the First-Year Representative will be composed of the following membership:

cl. i The Speaker of the Assembly, the Chair of Student Life, Chair of Facilities, Chair of Governmental Affairs, and Chair of Academic Affairs will serve as voting members of the Committee.

pt. a In the absence of a CORE Committee Chair the Vice Chair will serve in their place.

pt. b The Speaker of the Assembly will serve as Chair of the Committee

cl. ii The President, Vice President, and any two members of the Executive Board as designated by the President will serve as non-voting members of the Committee with full floor privileges.

§6.10.3 The Committee will be required to recommend to the General Assembly, one individual to fill each vacant First-Year Representative seat, after a thorough screening and interview process.

cl i The screening process shall be based solely upon the merit of the respective candidate's application for membership, resume, and short-answer responses.

cl ii The Committee must interview at least half (50% of the total) of all applicants, or five (5) total applicants, whichever number is greater but no more than ten (10).

Article VII

Business of the Assembly

§7.1 Legislation

§7.1.1 Legislation is defined as all Acts of the Assembly.

cl. i A Resolution is any legislation that deals with rendering an opinion. Resolutions shall be formatted based upon Appendix A and require a majority of those present and voting to pass.

cl. ii A Policy is any legislation that establishes rules internal and within the authority of UPUA that may contain spending provisions. Policies shall be formatted based upon Appendix B and require a two-thirds (2/3rds) vote of those present and voting to pass.

cl. iii A Bill is any legislation that may contain spending provisions and does not fit the criteria of a Policy or Resolution. Bills shall be formatted based upon Appendix C and may require a majority of those present and voting to pass.

§7.2 Legislative Process

§7.2.1 Legislation shall require sponsorship to be considered. Adequate sponsorship shall consist of two (2) Representatives. This provision does not apply to working papers adopted by Committees or discharged from Committee.

§7.2.2 Legislation shall be introduced to the Assembly by either of two methods:

cl. i Legislation may also be introduced by submitting it to the Speaker of the Assembly.

pt. a Once submitted it will be considered pending business of the Steering Committee and committed following the procedure outlined in §4.3.6 cl. vii.

pt. b At a General Meeting the Chair shall report the legislation by stating its title and the action taken by the Steering Committee as listed under reports in the agenda.

cl. ii Legislation requiring immediate consideration shall be presented to the General Assembly during the Adoption of the Agenda as per §3.2.2 cl. ii during any General Meeting and shall be placed in “New Business”. A two-thirds (2/3rds) vote shall be required for the legislation to be considered by the Assembly.

pt. a If the legislation does not receive a two-thirds to be considered, it shall be referred to the Steering Committee as prescribed by §4.9.6.

cl. iii If a Representative motions to remove Legislation from the agenda, a two-thirds (2/3rd) vote shall be required for the legislation to no longer be considered.

§7.3 Legislation that is discharged from the Steering committee will automatically be added to “New Business” and shall be considered at the next General Meeting. The Steering Committee shall not have original jurisdiction over any legislation.

§7.4 At a General Meeting legislation will be introduced in the following manner:

§7.4.1 A report by the Committee Chair and/or sponsors detailing the nature of the legislation limited to three (3) minutes.

§7.4.2 A Question and Answer period limited to five (5) minutes.

§7.4.3 Discussion limited to two (2) minutes per speech; this time may be extended.

§7.4.4 Vote.

§7.5 Voting Procedures on Legislation

§7.5.1 Vote on policies and bills shall be conducted by roll call, with the number of those for, against, and present but abstaining recorded in the official record.

cl. i All other motions may be counted by either a voice or show of hands at the discretion of the Presiding Officer.

cl. ii A roll call vote may be requested either before or after the voice or show of hands vote by motion and must be approved by a one-fifth (1/5th) minority, or at the Presiding Officer’s discretion.

§7.5.2 All legislation must pass the Assembly with a simple majority unless these Bylaws, policy, or parliamentary authority require otherwise. The nature of the decision taken must be indicated on the legislation.

§7.6 Reconsideration

§7.6.1 At any instance before a vote by the Assembly, legislation may be committed or recommitted.

§7.6.2 The Assembly or any Committee cannot reconsider failed legislation in whole or with slight modifications during the same session unless the Assembly adopts a motion to reconsider.

§7.6.3 Legislation shall take effect immediately upon passage and the approval of the President. Policies and Resolutions shall be effective in perpetuity.

Article VIII

Budget

§8.1 Definition and Submission

§8.1.1 The UPUA Fiscal Year shall run in compliance with the University Fiscal Year, beginning on July 1st of that year and ending on June 30th of the next year, with the provision that the Assembly shall freeze five (5) percent of its annual projected budget when approving the budget for that year for the time period between the annual elections and June 30th of that year to ensure the continuing operations of the UPUA.

§8.1.2 The Assembly shall be responsible for reviewing and consenting to a fiscal budget to regulate expenditures as submitted by the President.

cl. i The Fiscal Budget shall be submitted by the President to the Steering Committee no later than two (2) weeks prior to the last General Assembly meeting of the spring academic semester.

cl. ii The Steering Committee, charged with conducting a review of all budget requests submitted by the President. The review by the Steering Committee will be required to be completed at least one (1) week prior to the end of the academic semester or before the last General meeting of the spring academic semester.

cl. iii The budget shall be considered a Policy for legislative purposes but shall not require that format and only require a majority vote.

§8.2 Budget Format

§8.2.1 The budget shall be divided into two parts:

cl. i Operational.

cl. ii Show-Cause.

§8.2.2 The Operational sub-budget shall be considered “authorized spending” by the Executive Board and not require further legislation by the Assembly and shall minimally consist of the following:

cl. i Holds on funds for the Unrestricted Account or any of its sub-accounts for anticipated fixed expenses.

cl. ii General office supplies including , but not limited to, paper, ink/toner, tape, paper clips, thumb tacks, and staples.

cl. iii Wages and benefits as enumerated in the Budgetary Policy.

cl. iv The Presidential and Speaker of the Assembly Discretionary funds for each academic semester and a summer fund.

§8.2.3 The Operational sub-budget shall be considered “authorized spending” by the Executive Board and not require further legislation by the Assembly and shall minimally consist of the following:

cl. i Percentage controls for allocation of spendable funds, which shall include, but not be limited to:

pt. a Internal Spending and its sub-elements;

pt. b External Spending and its sub-elements;

pt. c Departmental and Committee breakdown of expected expenses;

pt. d All major UPUA proposed initiatives.

§8.3 If a Budget is not passed, the most recently approved budget shall take effect for the fiscal year in question until a new budget is passed and approved.

§8.4 With regards to the application of the budgets to the discretionary spending by the Speaker of the Assembly:

§8.4.1 The Speaker of the Assembly shall be permitted to allocate a percentage of the treasury as defined in his duties regardless of the state of existence of the budget.

§8.4.2 The Speaker of the Assembly may not violate the guidelines of the budget in effect when applying discretionary spending, which shall include but not be limited to:

cl. i Allocating a percentage of the Treasury as an expense that exceeds the maximum percentage permissible for the category of the expense.

cl. ii Allocating funds such that the Treasury drops below the minimum balance.

§8.5 The Budgetary Policy shall clarify and supersede The Bylaws and the Operational Code of the UPUA on all budgetary matters.

Article IX

Judicial Board Procedures

§9.1 In order to begin proceedings by the Judicial Board, a complaint must be filed to the Judicial Board.

§9.1.1 Complaints may be filed to the Judicial Board by any member of the UPUA including, but not limited to, representatives, committee chairs, members of the Executive Board, and undergraduate students at University Park that make up the general election membership outlined in §3.1.1.2 of the UPUA Constitution.

§9.1.2 A complaint to the Judicial Board must be filed within thirty (30) academic days that the alleged wrongdoing has taken place or before the end of the assembly in which that accusation was made otherwise the Statute of Limitations for that matter shall expire.

cl. i Complaints shall be filed directly to the Chief Justice of the Judicial Board in writing via email.

cl. ii If members of the Judicial Board determine by a majority vote that the Chief Justice is too close to reasonably be trusted to hear the complaint then the complaint shall be filed to the next most senior member of the Judicial Board who shall then oversee this complaint and act as the Chief Justice for this complaint.

§9.1.3 A complaint shall be a document including the name and contact information for all parties involved in the dispute including the Petitioning Party and the Responding Party, the grounds for the complaint, and the action requested of the Judicial Board.

§9.1.4 After receiving a complaint, the Chief Justice shall have three (3) academic days to contact the Petitioning and Responding parties and make the complaint available to them.

§9.1.5 The Judicial Board shall be required to hear all complaints that are brought to them by students in good faith and the Chief Justice nor any Judicial Board members may be permitted to decline to hear a complaint.

§9.2 The Petitioning Party is required to submit a brief to the Chief Justice of the Judicial Board no later than five (5) academic days after the complaint has been made available to the Respondent Party.

§9.2.1 The Respondent Party is also permitted to file a brief with the Judicial Board should they choose.

§9.2.2 A brief to the Judicial Board shall include all of the following:

cl. i A cover page including the name of the complainant(s) and the date that the brief was filed.

cl. ii The specific section of the Constitution or specific bylaw that is alleged to have been violated.

cl. iii A summary of the complainant/defendant's argument.

cl. iv All evidence that the complainant/defendant would like to be considered.

cl. v A list of all witnesses that the complainant/defendant would like to be questioned and explanation of their relevance to the matter at hand.

pt. a The number of witnesses shall not exceed ten per party.

§9.2.3 Should the defendant choose not to submit a brief they must still produce to the Chief Justice a list of all evidence and witnesses that they intend to bring to the board no later than forty-eight (48) hours before the start of a hearing.

§9.2.4 It is the responsibility of the Chief Justice to make available to all of the Associate Justices and both the Complainant/Defendant parties all briefs and lists of evidence and/or witnesses no later than twenty-four (24) hours before the start of the hearing.

§9.3 Hearings on a case presented to the Judicial Board shall be scheduled by the Chief Justice at a time not exceeding fourteen (14) academic days after the initial complaint was filed.

§9.3.1 Hearings shall be open to the public and to the press unless an extenuating circumstance would arise that would require a hearing be closed.

cl. i Examples of extenuating circumstances may include but are not limited to:

pt. a Discussions of ongoing student conduct investigations.

pt. b Concerns of inappropriate breaches of student privacy.

cl. ii If a majority of the Judicial Board or three-fourths (3/4) of the Steering Committee of the UPUA votes to hold a closed hearing, then the hearing may be closed.

pt. a Either the complainant or defendant shall be permitted to request a closed hearing at which time the Judicial Board and/or the Steering Committee shall consider this request.

§9.3.2 No witness who is testifying at a hearing shall be permitted to sit in on any other part of that hearing's proceedings.

§9.3.3 The Judicial Board retains the right to remove any disruptive spectators from the hearing.

§9.3.4 The Chief Justice of the Judicial Board shall preside over hearing of the Judicial Board and all hearing shall begin when the Chief Justice calls the hearing to order.

cl. i The Judicial Board shall have the authority to determine if any member including the Chief Justice is reasonably too biased to provide a fair opinion in a case.

cl. ii If it is determined that a Justice is too biased to serve in a given hearing they shall be asked by the Judicial Board to recuse themselves from the case.

cl. iii If the member refuses to recuse themselves, a majority vote of the Judicial Board shall be sufficient to force their recusal from a given case.

cl. iv If the Chief Justice is recused from a case then the next most senior justice shall be appointed to serve in that role for the duration of the hearing.

cl. v Judicial Board hearings shall follow the following format:

pt. a Opening remarks by the complainant and the defendant to Judicial Board.

pt. b Remarks shall be limited to five (5) minutes each.

pt. c Introduction of evidence

pt. d Closing statements by the complainant and the defendant, limited to five (5) minutes each.

pt. e The hearing shall conclude when the Chief Justice adjourns the hearing.

§9.3.5 Witnesses shall be considered evidence for the purpose of this hearing.

cl. i Members of the Judicial Board shall be given a chance to ask questions about all evidence and pose questions to any witnesses at this time.

cl. ii The complainants' evidence shall be introduced first unless time constraints of witnesses require a different order.

cl. iii Four (4) hours shall be set aside in order to accommodate all witnesses.

cl. iv The introduction of evidence shall not exceed four (4) hours.

§9.3.6 Members of the Judicial Board retain the right to ask questions of both parties at all times throughout the proceedings of the hearing.

cl. i Members of the Judicial Board retain the right to recall witnesses at any point before the adjournment of the hearing if necessary.

§9.4 The Judicial Board shall meet following the hearing to discuss its ruling on the case.

§9.4.1 This meeting shall be a closed meeting of only the Judicial Board members and shall be chaired by the Chief Justice of the Judicial Board.

§9.4.2 Decisions of the Judicial Board shall be made by a simple majority unless otherwise required by the Constitution or Bylaws of the UPUA.

cl. i The details of this vote including which justices were of the majority and minority opinions shall be made available to the public at the conclusion of the board's deliberation.

§9.4.3 A member of the majority opinion on a given case shall be required to write a majority opinion for the Judicial Board.

§9.4.4 A member of the minority opinion is encouraged but not required to write a minority opinion of the Judicial Board.

§9.4.5 Decisions can either find the defendant responsible for the accused actions or not responsible.

§9.4.6 Those parties found responsible for the accused actions shall be prescribed sanctions befitting of their offence at the discretion of the Judicial Board.

cl. i Possible sanctions include: educational workshop completed with the office of student activities pertaining to violation committed, a review session of the UPUA Constitution with the Speaker and Judicial Board, requesting the assembly to vote on censuring defendant(s), referral to student conduct, referring to the steering committee to assign a representative a strike, and possible expulsion from the UPUA.

cl. ii Recommendations for sanctions shall be emailed to the Steering Committee who at their discretion may decide to release the details of the hearing to the assembly publicly or may motion pursuant to the UPUA bylaws to make the meeting discussing the hearing with the assembly a closed meeting.

pt. a If a sanction recommends that a representative be assigned a strike this process must be carried out pursuant to §11.3.2 cl. ii of the UPUA Constitution.

pt. b If a sanction recommends the removal of a member of the UPUA then sanction must also be voted on by the General Assembly pursuant to §11.3.2 cl. i of the UPUA Constitution.

§9.4.7 If defendant is found responsible, sanctions will be discussed during initial Judicial Board meeting post hearing.

cl. i All sanctions must be approved by a majority of the Judicial Board in order to be mandated.

§9.4.8 If defendant is not found responsible, no sanctions will be applied and no further investigation will be heard.

§9.5 As stipulated in Article VII of the UPUA Constitution, the Judicial Board shall have the power to vet which Recognized Student Organizations (RSO) constitute representation for the different Penn State Community Group organizations. This decision shall always require the confirmation from the Assembly with 2/3rd vote.

§9.5.1 Each Community Group vetted by the Judicial Board and confirmed by the Assembly will have a voting seat in the Assembly as stipulated in Section §5.2.1 cl. i of

the UPUA Constitution. These Representatives shall have full voting and speaking privileges just as all Representatives in the Assembly.

cl. i Every Fall Session, the Judicial Board shall review applications from RSOs seeking to be recognized as a Community Group to have a voting representative in the Assembly. All community group organizations must reapply for this seat every two years.

cl. ii This application will be continuously available on the UPUA website.

cl. iii In this application process the organization must explain the democratic selection process in the application to ensure compliance with the UPUA Constitution, Elections Code, and Bylaws & Operational Code.

cl. iv The Judicial Board shall hold at minimum four (4) information and work sessions throughout the Fall Session to assist organizations in the application process.

cl. v The Judicial Board must relay the dates and times of work sessions, for the purposes of disseminating information on the process of obtaining a Community Group Representative, information to the Student Body in a reasonable time span.

cl. vi A member of the Judicial Board shall hold a mandatory work session with a designee from every organization separately that has applied to review their application and ensure compliance with the UPUA Constitution, UPUA Elections Code, and Bylaws & Operational Code before the formal review process begins for the Judicial Board.

cl. vii The Judicial Board is required to remind organizations to reapply for their Community Group Representative seats during the first week of the Fall Session for the year before the seat expires.

§9.5.2 The Judicial Board shall have until twenty (20) Academic Days prior to the beginning of the Election Season as defined by the UPUA Constitution to vet each organization by: reviewing the Application submitted by the RSO, reviewing the respective Governing Documents of the RSO, and by attending at least two meetings of the organization to ensure that the RSO fulfills specifically the following criteria:

cl. i The organization must be a RSO while also being in active, as defined by the Pennsylvania State University.

cl. ii The organization must be an overarching RSO that advocates for some portion of the student body while also having a significant impact on the student body.

cl. iii The organization must prove that their voice within the UPUA would be mutually beneficial to both the UPUA and the organization in question.

cl. iv The organization cannot be political in nature to ensure non-partisanship.

- cl. v The organization cannot be classified as a University affiliate.
- cl. vi The organization cannot be directly affiliated with Academic Units.
- cl. vii The organization cannot fall under the purview of an already codified Community Group that is recognized by the Judicial Board and confirmed by the Assembly.
- cl. viii Organizations that are classified as community groups that are reapplying shall be subject to review to determine if the organization's Representatives consistently fulfill the attendance requirements outlined in Section 2.3.3 and 2.3.4 of Bylaws and Operational Code.

§9.5.3 The Judicial Board must compile a Report recommending to the Assembly which of the organizations that have applied qualify for a seat in the Assembly. This must be confirmed with a 2/3rd vote of the Assembly.

- cl. i This Report must be compiled by the Judicial Board confirmed by the Assembly before the start of Election Season.
- cl. ii The Report must detail all organizations that applied and include the reasons for any denials of a seat.
- cl. iii The Judicial Board must introduce this Report to the Assembly and the recommendations for the seat structure must be confirmed with a 2/3rd vote of the Assembly.
- cl. iv The Assembly cannot make amendments to the Judicial Board's Report.
- cl. v The confirmation of Assembly seats shall take place via general consent unless objected.

§9.5.4 In the case of suspension by the University, a Community Group shall have their Community Group recognition revoked as outlined in § 7.1.2 cl. vii of the UPUA Constitution for the duration of the University suspension.

Article X

Referenda

§10.1 The UPUA may conduct Referenda of the University Park Student Body to obtain information concerning any subject under its purview.

§10.2 Proposals for Referenda must come from an appropriate committee and must follow the procedure for Policy if initiated by Representatives.

§10.3 Upon the approval of the UPUA to hold a Referendum, it must be conducted within two (2) weeks and adequately advertised under the direction of the President and any individual(s) he or she wishes to charge with responsibility.

Article XI

Amendments

§11.1 Amendments to these Bylaws will be introduced as a Policy and be adopted at any General Meeting of the Assembly by a two-thirds (2/3rds) vote of Representatives present and voting.

§11.2 Amendments to these Bylaws may not be introduced to the floor by a vote of two-thirds (2/3rds) of Representatives present and voting.

§11.3 The Speaker of the Assembly shall have the power to re-number sections in the Bylaws and Operation Code, without Assembly approval, when appropriate.

Article XI

Enactment

§12.1 These Bylaws shall be put to the Assembly for enactment.

§12.2 These Bylaws shall be enacted upon introduction and passage by two-thirds (2/3rds) of Representatives present and voting.

APPENDIX A

**THE UNIVERSITY PARK UNDERGRADUATE ASSOCIATION
The Pennsylvania State University**

**14th Assembly
2019 - 2020 Session**



**Bill #XX-14
Month XXth, 2020**

*Be it decided by the Assembly of Student Representatives,
having been brought to the floor by the Committee on XXXXXXXXXXXXX,
a*

BILL

Title of Legislation is Entitled Here Right Here

Nature of the Situation:

[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
[Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]

Recommended Course of Action:

[Insert Recommended Course of Action][Insert Recommended Course of Action]
[Insert Recommended Course of Action][Insert Recommended Course of Action]
[Insert Recommended Course of Action][Insert Recommended Course of Action]
[Insert Recommended Course of Action][Insert Recommended Course of Action]
[Insert Recommended Course of Action][Insert Recommended Course of Action]

[Insert Recommended Course of Action][Insert Recommended Course of Action]
[Insert Recommended Course of Action][Insert Recommended Course of Action]

Name of General Expenditure

| Item | Cost | Quantity | Total |
|--------------|-------------|-----------------|----------------|
| Item Name | \$00.00 | # | \$00.00 |
| Item Name | \$00.00 | # | |
| Total | | | \$00.00 |

Amount remaining in Type-40: \$XX,XXX.XX

Respectfully submitted,

Name
Constituency
Leadership

Name
Constituency
Leadership

Committee Vote: Y/N/A
Assembly Vote: Y/N/A

Speaker of the Assembly _____

President of the Student Body _____

The University Park Undergraduate Association

APPENDIX B

THE UNIVERSITY PARK UNDERGRADUATE ASSOCIATION
The Pennsylvania State University

14th Assembly
2019 - 2020 Session



Bill #XX-14
Month XXth, 2020

*Be it decided by the Assembly of Student Representatives,
having been brought to the floor by the Committee on XXXXXXXXXXXX,*

a

RESOLUTION

Title of Legislation is Entitled Here Right Here

1 Nature of the Situation:

2
3 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
4 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
5 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
6 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
7 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
8 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
9 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
10 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]

11
12

13 Recommended Course of Action:

14
15 [Insert Recommended Course of Action][Insert Recommended Course of Action]
16 [Insert Recommended Course of Action][Insert Recommended Course of Action]
17 [Insert Recommended Course of Action][Insert Recommended Course of Action]
18 [Insert Recommended Course of Action][Insert Recommended Course of Action]
19 [Insert Recommended Course of Action][Insert Recommended Course of Action]
20 [Insert Recommended Course of Action][Insert Recommended Course of Action]
21 [Insert Recommended Course of Action][Insert Recommended Course of Action]
22 [Insert Recommended Course of Action][Insert Recommended Course of Action]

Respectfully submitted,

Name
Constituency
Leadership

Name
Constituency
Leadership

Committee Vote: Y/N/A
Assembly Vote: Y/N/A

Speaker of the Assembly _____

President of the Student Body _____

The University Park Undergraduate Association

APPENDIX C

THE UNIVERSITY PARK UNDERGRADUATE ASSOCIATION
The Pennsylvania State University

14th Assembly
2019 - 2020 Session



Policy #XX-14
Month XXth, 2020

*Be it decided by the Assembly of Student Representatives,
having been brought to the floor by the Committee on XXXXXXXXXXXX,
a*

POLICY

Title of Legislation is Entitled Here Right Here

1 **Nature of the Situation:**

2
3 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
4 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
5 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
6 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
7 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
8 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
9 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]
10 [Insert Nature of the Situation] [Insert Nature of the Situation] [Insert Nature of the Situation]

11
12

13 **Recommended Course of Action:**

14
15 [Insert Recommended Course of Action][Insert Recommended Course of Action]
16 [Insert Recommended Course of Action][Insert Recommended Course of Action]
17 [Insert Recommended Course of Action][Insert Recommended Course of Action]
18 [Insert Recommended Course of Action][Insert Recommended Course of Action]
19 [Insert Recommended Course of Action][Insert Recommended Course of Action]
20 [Insert Recommended Course of Action][Insert Recommended Course of Action]

Respectfully submitted,

Name
Constituency
Leadership

Name
Constituency
Leadership

Committee Vote: Y/N/A
Assembly Vote: Y/N/A

Speaker of the Assembly _____

President of the Student Body _____

The University Park Undergraduate Association

