

CHAPTER 100 SYSTEM OF THE STUDENT BODY STATUTES (72-185, 79-180, 81-112, 84-148, 89-129, 90-159, 96-114, 98-100, 2000-148, 2004-116, 2005-136, 2011-101, 2014-109, 2015-107)

100.1 All Student Body Laws of permanent effect and general public interest, or of legal or historical significance, shall be compiled in a codification known as Student Body Statutes. This codification shall include the constitution in its entirety and all by-laws of the Student Senate. Except in unusual circumstances, this codification shall exclude non-governmental organizational charters, authorizations, resolutions, proposed constitutional amendments, the Budget and amendments thereto, and contracts of limited duration.

100.2 The Student Body Statutes shall be arranged by subject matter within eight (8) titles, each composed of a number or numerically-designated chapters, according to the following scheme:

| | | |
|------------|---------------|---|
| Title I | (Ch. 100-199) | Administrative-General |
| Title II | (Ch. 200-299) | The Executive |
| Title III | (Ch. 300-399) | The Legislative |
| Title IV | (Ch. 400-499) | The Judiciary |
| Title V | (Ch. 500-599) | Governmental Boards, Commissions, Subsidiary Organizations |
| Title VI | (Ch. 600-699) | General Statutes |
| Title VII | (Ch. 700-799) | Elections |
| Title VIII | (Ch. 800-899) | Finance |

100.3 Each chapter shall be subdivided by means of a decimal arrangement carried out to two or three decimal places. The first decimal place shall represent a chapter's section. The second decimal place shall represent a section's subsection. If use, the third decimal place shall represent a subsection's subsection. For example Chapter 152 would begin with 152.000 with potential subsection 152.01 and potential sub-subsection 152.011. Subsections shall relate back to the previous section. Sub-subsections shall relate back to the previous subsection.

100.4 The Student Senate Judiciary Committee shall further classify laws according to Section 100.2 to provide a logical, orderly, and comprehensive arrangement of the Student Body Statutes by subject matter. Such classification shall be made prior to debate on a proposed statute in the Student Senate.

100.41 The Senate Secretary has the authority to make corrections only to spelling and non-punctuation typographical errors.

100.5 There shall be a separate codification entitled the Amended Student Body Budget which shall contain the budget law for the current fiscal year, all amendments thereto including fund transfers, allocations from the Special Requests, Title VIII, Student Body Statutes (the Finance Law), and the Finance Manual as promulgated by the Treasurer's Office. The Amended Student Body Budget shall be arranged as follows:

Section 1. The law or laws originally establishing the budget for the current fiscal year.

Section 2. All laws which amend the budget or allocate funds, in chronological order.

Section 3. The current budget, i.e., including all amendments enacted as of any given time.

Section 4. Allocations from the Special Request and any other specific fund over which the Student Senate has direct control.

Section 5. The current Title VIII, Student Body Statutes, as amended.

Section 6. The current Finance Manual as promulgated by the Student Government Finance Office, as amended.

100.6 There shall be one official copy of the Student Body Statutes and one official copy of the amended Student Body Budget. Both books shall be kept in the Student Senate office except by the specific order of the Senate President. The Senate Secretary is responsible for continuous maintenance of both books such that at any given time they reflect all legislation enacted as of that time. Legislation shall be considered enacted when all Student Government action on it is completed. There shall be a presumption of approval by the University Administration until a specific veto is received therefrom by the Senate President.

100.7 Prior to February 15 of each year, the Student Senate Secretary shall see that the Student Body Statutes, as they stood on the previous January 1st, are copied in quantities sufficient to supply all interested members of the academic community. A copy shall be retained for any necessary subsequent copying during the year. These publications shall be titled by the year of publication, e.g., Student Body Statutes, 1974 shall reflect the statutes as of January 1, 1974.

100.71 The Senate Secretary, or the Senate President's designee, shall be responsible for the distribution of the Student Body Statutes, Senate Rules and Procedures, and the Guide to the Statutes. Distribution of these documents shall be recorded.

100.72 The Senate Secretary shall prepare, no less than once per term, a periodical supplement to the Student Body Statutes and the Senate Rules and Procedures of all statutory amendments enacted during that period. This supplement shall be made available to all students.

- 100.73 Copies of each year's Student Body Statutes shall be supplied upon request to any appropriate person or agency, including but not limited to the following offices: Student Body President, Student Body Treasurer, Supreme Court Law Library, Department of Student Activities and Involvement, George A. Smathers Libraries, the newspaper with the greatest circulation among University of Florida students, and the University Police Department. At the end of each term following publication of the Student Body Statutes and prior to the third week of the following term, the Student Senate Secretary shall prepare a supplement containing all statutory amendments enacted during that term and may provide said supplement to the offices described above.
- 100.73 A copy of the Student Body Statutes, the Senate Rules and Procedures, and the Guide to the Statutes shall be made available to each newly elected Student Senator and each newly appointed Student Senator prior to their first Student Senate meeting.
- 100.8 Senate publications, which include but are not limited to the Student Body Statutes, Senate Rules and Procedures, and the Guide to the Statutes, shall be made available to anyone who requests a copy. The Guide in particular shall be made available along with a copy of the Statutes themselves.
- 100.9 To the extent feasible, the Senate Secretary shall prepare and maintain accurate, current indexes for all codifications.

CHAPTER 101 STUDENT GOVERNMENT CODE OF ETHICS (77-200, 79-180, 81-112, 82-144, 83-144, 83-228, 87-146, 89-129, 89-130, 2001-141, 2004-116, 2004-127, 2006-116, 2008-144, 2008-147, 2011-101, 2014-109, 2015-107, 2020-104, 2020-1044, 2020-1047)

101.1 This act shall be known and may be cited as the Student Government Code of Ethics.

101.2 Legislative intent and declaration of policy:

1. It is essential to the proper conduct and operation of Student Government that its officials be independent and impartial. Student Government officers and employees hold their positions for the benefit of the Student Body. Such officers and employees are bound to observe in their official acts, the highest standards of ethics consistent with this code.
2. It is the intent of this act to protect the integrity of Student Government by prescribing restrictions against conflicts of interest and unethical practices.

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

1. "Benefit" means gain or advantage, or anything regarded by the person to be benefited as a gain or advantage, including the doing of an act beneficial to any person in whose welfare they are interested.
2. "Conflict" or "Conflict of Interest" means a situation in which regard for a private interest tends to lead to a disregard of a public duty or interest.
3. "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duty.
4. "Student Government Officer or Employee" means any officer, agent, or employee of Student Government whether elected or appointed, including but not limited to, any executive, legislative, or judicial officer, any person participating as a special master, juror, or judge in performing governmental function and any officer of a Student Government funded organization that would fall under the jurisdiction of the Student Body Constitution.
5. "Harm" means any unlawful interference with the person and/or property of another person, or any verbal, written, or printed communication which directly, or by inference, is
 - a. defamatory to another person's reputation, or
 - b. could reasonably cause the denial or termination of membership of another in any campus organization
6. "Selective organization" is defined as any organization in which an individual must apply to, or register for and be selected by, members of the respective organization or a member of professional staff at UF.

7. "Student Identity Community" is defined as a group of students who identify with a particular race, gender, sex, religion, disability, sexual orientation, or natural origin.

101.4 Standards of Conduct

101.41 Conflict of interest: No officers or employee of Student Government shall participate in any private business or professional activity or have any direct or indirect financial interest which would place that person in a position where there is a conflict between that private interest and the best interests of the Student Body.

101.42 Misuse of Student Government Property: No officer or employee shall use or allow the use of Student Government property, facilities, or personnel of any kind for other than official approved Student Government business.

101.43 Unlawful compensation or regard for official behavior: No person shall corruptly give, offer, or promise to any Student Government officer or agree to accept, any pecuniary or other benefit not authorized by Student Body Law, for the past, present, or future performance or non-performance of any act which the person believes to have been, or the officer, or employee represents as have been, within the official capacity of the officer or employee.

101.44 Intentional Wrongful Harm: No officer or employee of Student Government shall intentionally and wrongfully harm or threaten to intentionally and wrongfully harm any person by the performance or omission of any act.

101.45 Inducing to Act: No office or employee of Student Government shall aid, advise, procure, or in any way induce another to act in violation of this chapter.

101.46 No Student Government officer shall use the platform granted to them by their position to degrade the membership of a student identity on campus.

101.5 Penalties: A violation under this chapter may be cause for impeachment, suspension, or removal from office, suspension or dismissal from employment or public censure and reprimand by any individual or body having lawful authority to take such action.

101.6 Commission on Ethics: There is hereby created a Commission on Ethics, the purpose of which is to serve as guardian of the standards of conduct for the officers and employees of Student Government which shall be convened pursuant to Section 101.73.

101.61 Membership: The commission shall be composed of fifteen (15) students selected at random from the Student Body by the Director of Student Activities and Involvement. No member may hold any office or employment in Student Government. No member shall be a relative, a mutual member of a selective organization or executive board, roommate, or personal friend of the complainant or the person named in the complaint.

101.7 Procedures

101.71 Upon a written complaint of any student, the Rules and Ethics Chairperson of the

Student Senate shall make a preliminary investigation into any alleged violation of this chapter.

- 101.72 Upon request, the Chief Justice of the Supreme Court may appoint a special investigator to assume the responsibilities of the Rules and Ethics Chairperson as described herein. The Rules and Ethics Chairperson or the appointed investigator must be independent of ties to the tortfeasor pursuant to 101.61.
- 101.73 Upon a showing of probable cause to believe that a violation of this chapter has been or is being committed, the Chief Justice, or Executive Director/Chancellor of the Honor Code Administration in case of the investigation of the Chief Justice, shall convene the Commission on Ethics to hear evidence and argument on said violation and all related violations.
- 101.731 The commission may use the subpoena power pursuant to section 401.3 to obtain evidence and testimony under oath. The judicial officer who convened the commission shall preside over it and sign all subpoenas. The Rules and Ethics Chairperson shall direct the investigation of the commission, question witnesses before it, and shall be its legal advisor.
- 101.732 Upon the conclusion of its investigation, the commission, with the assistance of the Rules and Ethics Chairperson, shall present its findings and conclusions in a written report which must be approved by ten (10) members of the commission. The approved report shall be submitted to the presiding officer for review, and then to all individuals accused of violations in the report.
- 101.74 Investigations under this chapter shall remain confidential until the final approved report is reviewed by the presiding officer and any appeals have been exhausted. At such time, copies of the approved report shall be submitted to the Student Body President, the Senate President, Office of Student Conduct and Conflict Resolution and the Press Secretary of the Student Body.
- 101.75 Violation of the confidentiality of the commission's proceedings, perjury before the commission, and the filing of complaints without reasonable basis and with malicious intent shall be violations of this chapter and subject to the penalties contained herein.
- 101.76 In all cases pertaining to slander or libel, the burden of proof shall rest with the party or parties whom bring the charges against the defendant. In cases that involve a public official(s), the burden of proof shall be when malice is clearly present, based on a preponderance of the evidence.
- 101.8 Judicial review: All individuals accused of a violation of this chapter shall have the right to demand suppression of the report before the Supreme Court. All commission findings and conclusions must be based on substantial evidence and reasonable interpretation of the law.

CHAPTER 102 GOVERNMENT IN THE SUNSHINE ACT (73-117, 79-180, 81-112, 82-145, 83-227, 89-129, 96-131)

102.1 Student Government, as a state governmental agency, shall comply with section 286.011, Florida Statutes (The Government in the Sunshine Law).

CHAPTER 103 PUBLIC RECORDS LAW (73-118, 81-112, 83-227, 84-164, 96-131)

103.1 All Student Government records shall be open to the public in accordance with Chapter 119, Florida Statutes (The Florida Public Records Law), with the exception of:

1. those records deemed privileged under the Buckley Amendment
2. those records exempted under Florida law, and
3. those records exempted under federal law.

CHAPTER 104 STUDENT BODY AWARENESS ACT (95-126, 2000-153, 2001-133, 2008-143, 2009-120, 2015-107)

- 104.1 The Student Senate, with a majority vote, may postpone the approval of appointments by one week to review the applicants.
- 104.15 The Student Senate shall not confirm any selection for an exclusionary office or position, as defined in SBS 130.4-130.6, if the appointing officer has not submitted a resume and application to the Replacement and Agenda Committee as defined in the Student Senate Rules and Procedures for compulsory review of stipulated qualifications prior to the Student Senate meeting in which the appointments will be voted on for confirmation.
- 104.16 No Student Senator may move to add an appointment to the agenda during a meeting of the Student Senate unless the appointment was first made by the appropriate office and their qualifications were reviewed by the Replacement and Agenda Committee.
- 104.2 The names of all applicants for a given position or appointment, recommended or not, must be available to Student Senators upon request.
- 104.3 Any materials submitted to Student Government by applicants must be available to Student Senators upon request. This includes, but is not limited to, applicant resumes and application forms submitted to Student Government. If the applicant's social security number, GPA, student identification number, and/or home or street address is present on the materials, those items shall be redacted to be unreadable to Student Senators.
- 104.31 Provided that applicants for any Student Government positions have given consent pursuant to 104.33, the full body of their applications and resumes shall be available electronically upon request to any SG official with a valid email address immediately after their application is filed. The request must include the requesting individual's name and address, as well as an explanation of the request. As per 104.3, if the applicant's social security number, GPA, student identification number, and/or home or street address is present on the materials, that information shall be redacted.
- 104.32 Applications and resumes of applicants for cabinet or agency positions subject to 104.31 are to remain available for electronic request no less than 30 days after those positions are confirmed by the Student Senate.
- 104.33 Pursuant to University policy, statutes 104.31 and 104.32 are only applicable if the applicant's consent consists of their signature on a statement on the first page of the application, which shall read as follows:
- “I, the undersigned, consent to the release of the material in this application, as well as my attached resume, with the exception of my home address, GPA, and student ID number, to any SG official with a valid email address, for purposes of inspection. I understand that I have the legal right to refuse to consent to this release without penalty.”

CHAPTER 105 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE ACT
(2018-119)

- 105.1 In all cases possible, pre-recorded videos released by official Student Government social media accounts should align with the best practices for transcripts and closed captioning as determined by the Federal Communications Commission to ensure compliance with Title III of the Americans with Disabilities Act.

CHAPTER 130 EXCLUSIONARY OFFICES ACT (80-166, 81-122, 82-145, 89-129, 90-163, 97-108, 98-100, 2000-120, 2001-141, 2002-129, 2004-116, 2005-114, 2006-116, 2006-118, 2007-114, 2007-146, 2008-125, 2011-101, 2014-109, 2015-10, 2017-104, 2019-108)

130.1 Student Government consists of an Executive Branch, a Legislative Branch, and a Judicial Branch as outlined by the Student Body Constitution.

130.2 A student may only hold one exclusionary office in only one branch of Student Government at any one time as outlined and defined in this Chapter.

130.3 A student that holds an exclusionary office in one branch of student Government must resign that office before accepting an exclusionary office in the same or another branch of Student Government.

130.4 Exclusionary offices in the Executive Branch shall include the following:

1. Student Body President
2. Student Body Vice President
3. Student Body Treasurer
4. Assistant Treasurer(s)
5. Executive Secretaries
6. Executive Cabinet Directors
7. Executive Cabinet Chairpersons
8. Action SG Chairperson
9. External Affairs Director
10. ACCENT Chairperson
11. SGP Chairperson
12. SGP Comptroller
13. S.T.A.A.R. Director
14. Young Leaders Conference Director
15. Chomp the Vote Director
16. Executive Chiefs of Staff
17. Gators Going Green Director
18. Gator Innovators Director
19. Nightlife Navigators Director
20. Student Honor Code Administration Chairperson
21. The Big Event Chairperson
22. Florida Student Government Institute Chairperson
23. Class Councils Chairperson
24. Internal Affairs Chairperson
25. Bridges Minority Outreach Program Chairperson

130.5 Exclusionary offices in the Legislative Branch shall include:

1. Student Senator
2. Senate Secretary

3. Senate Parliamentarian

130.6 Exclusionary offices in the Judicial Branch shall include:

1. Supreme Court Chief Justice
2. Supreme Court Justice
3. Supreme Court Clerk
4. Supreme Court Marshall
5. Supervisor of Elections
6. Assistant Supervisor of Elections
7. Elections Commission Member(s)

130.7 Any amendment(s) to this statute that add(s) offices to any of these lists shall not cause any student holding the added office and another exclusionary office prior to the change to lose either office due to this statute.