UF UNIVERSITY of FLORIDA

Student Senate

3000 J. Wayne Reitz Union
PO Box 118505
Gainesville, FL 32611
352-392-1665

STUDENT SENATE BILL 2026-1051

TITLE: Rules and Ethics Code Revisions

AUTHOR(S): Rules and Ethics Committee Chair Zoe Metchick, Senator Olivia Hudzietz, Senator Samantha Fuini

SPONSOR(S):

CHAPTER 305 CENSURING OF SG OFFICIALS ACT (2001-139, 2004-116, 2006-116, 2007-143, 2008-127, 2011-103, 2015-109, 2016-106, 2024-131)

305.1 Censure is defined as a resolution passed by the Student Senate in lieu of impeachment. In effect, "censure" is a written reprimand given to an official whose actions may have warranted impeachment, but the Student Senate felt impeachment was unnecessary.

305.2 Offenses warranting censure include, but are not limited to, the following acts committed while in office:

1. Misfeasance
2. Malfeasance
3. Nonfeasance
4. Abuse of power

305.3 As defined in this chapter (as well as the following Chapter 306 and Chapter 307) the following definitions will apply

1. "Misfeasance" is defined as failing to properly fulfill one's official duty, according to *Black's Law Dictionary.*
2. "Malfeasance" is defined as acting wrongfully or illegally, according to *Black's Law Dictionary.*
3. "Nonfeasance" is defined as a total neglect of one's official duty, according to *Black's Law Dictionary.*
4. "Abuse of power" is defined as a misuse of official authority to oppress, coerce, or otherwise leverage their position for personal gain, according to *Black's Law Dictionary.*

305.34 The following positions are subject to censure:

1. Student Body President
2. Student Body Vice President
3. Student Body Treasurer
4. Assistant Treasurers
5. Executive Cabinet Directors
6. Executive Cabinet Chairpersons
7. Executive Secretaries
8. Executive Agency Heads
9. Supervisor of Elections
10. Supreme Court Chief Justice
11. Supreme Court Associate Justices
12. Commissioners of the Constitution Revision Commission
13. Student Senators

305.45 The day any five (5) Student Senators sponsor a censure resolution is considered "filing day." At that time, a copy of the censure resolution should be given to the Senate Secretary, the ~~appropriate Senate committees~~ Rules and Ethics Chair, and the person concerned in the censure resolution.

305.~~5~~6 The Judiciary and Rules and Ethics Committees must hold at least one joint public hearing within ~~ten~~ fourteen (10~~4~~) ~~school~~ calendar days of the filing day. ~~Within the rules of those committees, and at the discretion of a majority vote of those committees, the resolution may be passed to the full Student Senate with the committees' opinion on the matter raised by the censure resolution.~~ The resolution may be moved before the full Student Senate by a majority vote of the joint committee.

305.~~5~~61 The review process of the joint public hearing of the Judiciary and Rules and Ethics Committee must include the following for both the petitioner and defendant: Two minutes of opening statements. Ten minutes of presentation. Five minutes of non-debatable technical questions. Two minutes of closing statements. The committee by two-thirds (2/3) vote may be able to alter the times established in this procedure. After the conclusion of the two closing statements, the committee shall move into fifteen minutes of debate between only the internal members of the joint committee.

305.62 The chair of the Joint Judiciary and Rules and Ethics Committee shall be the chair of the Rules and Ethics Committee. If there is no permanent chair of the Rules and Ethics Committee, the Chair of the Judiciary Committee shall be responsible for this role. If neither member is present, the committee shall decide the chair by majority vote.

305.~~5~~63 ~~Upon completion of 305.51, the review process of the joint public hearing of the Judiciary and Rules and Ethics Committees must include the following. Fifteen minutes of debate amongst members of the joint committee.~~

~~305.53~~ ~~The chair of the Joint Judiciary and Rules and Ethics Committee shall be the chair of the Rules and Ethics Committee. If there is no permanent chair of the Rules and Ethics Committee, the Chair of the Judiciary Committee shall be responsible for this role. If neither member is present, the committee may vote to decide the chair by majority vote.~~

305.~~54~~64 The Joint Committee may amend any resolution under their review.

305.~~6~~7 At the regularly scheduled Student Senate meeting immediately following such a hearing, the Student Senate must take up the resolution for consideration. The person who is being considered for censure has a right to appear before the Student Senate.

305.~~7~~8 The full Student Senate adopts a censure resolution upon a two-thirds (2/3) vote of the Student Senators present and voting. If, after adoption of the censure, the issues considered in the censure are not resolved, the Student Senate has the option to consider impeachment, pursuant to Chapter 306 of the Student Body Statutes.

305.~~8~~9 The Student Senate may provide, in its rules and procedures, for the censure of its own members

CHAPTER 306 IMPEACHMENT AND REMOVAL OF OFFICERS ACT (76-228, 77-102, 81-112, 89-130, 94-114, 95-106, 96-115, 98-127, 2000-120, 2001-141, 2004-116, 2006-116, 2007-143, 2008-127, 2011-103, 2015-109)

306.1 The following terms and phrases used in this chapter shall be defined as follows:

1. "Impeached" means the formal adoption of Articles of Impeachment by the Impeachment Body that results in the suspension of an individual from the office they hold until a decision is reached by the Trial Body. Impeachable offenses are limited to acts committed while in office under the following grounds:
    a. Misfeasance
    b. Malfeasance
    c. Nonfeasance
    d. Abuse of power
    e. Conviction of a criminal offense
2. ~~"Impeachable Offense" means the conduct to which a person may be impeached. Impeachable offenses are limited to acts committed while in office under the following grounds:~~
    ~~a. Misfeasance~~
    ~~b. Malfeasance~~
    ~~c. Nonfeasance~~
    ~~d. Abuse of power~~
    ~~e. Conviction of a criminal offense.~~

2. "Filing Date" shall be the day in which a minimum of one senator co-files a resolution with the Chair of the Rules and Ethics Committee.

3. "Impeachment Resolution" means the statement filed by the requisite number of Student Senators that accuses a person of an impeachable offense.
4. "Articles of Impeachment" means those sections of the impeachment resolution that have been adopted by a two-thirds (2/3) vote of the membership of the Impeachment Body.
5. "Entire Seated Membership" means the total authorized number of Student Senators in the Student Senate class minus the number of vacancies.
6. "Impeachment Body" means the Student Senate class, either the Fall or Spring election and appointed Student Senators, that has served the greater amount of time on the filing date of an impeachment resolution. The Senate President shall preside over the Impeachment Body and may vote if the Senate President is a member of that Student Senate class.
7. "Trial Body" means the Student Senate class that has served the least amount of time on the filing date of an impeachment resolution. The

Supreme Court Chief Justice shall preside, unless a member of the judiciary is impeached, whereupon the Student Body President shall preside. The presiding officer shall have no vote.

8. "Conviction of Impeachment" means those sections of the Articles of Impeachment adopted by a three-fourths (3/4) vote of the membership of Trial Body. An officer convicted of impeachment shall be immediately removed from office. Conviction of Impeachment does not change the person's civil or criminal liability.
9. "Disqualification from future office" means a separate vote of the Trial Body to prevent the person convicted of impeachment from holding any future Student Government position. A two-thirds vote of the membership shall be required to disqualify a person from future office.

306.2 The following positions shall be subject to impeachment:

1. Student Body President
2. Student Body Vice President
3. Student Body Treasurer
4. Executive Cabinet Chairpersons
5. Executive Cabinet Directors
6. Executive Secretaries
7. Executive Agency Heads
8. Supervisor of Elections
9. Supreme Court Chief Justice
10. Supreme Court Justices
11. Commissioners of the Constitution Revision Commission

306.3 The filing date of an impeachment resolution shall be deemed the day that a minimum of one Student Senator co-files an impeachment resolution with the Senate President. ~~The Student Senate, in its rules and procedures, may designate a committee to review the resolution.~~ The Student Senators who file must certify that they have given a copy of the impeachment resolution to the person whose impeachment is being sought.

306.4 The Impeachment Body must meet within seven (7) calendar days of the filing of the impeachment resolution to determine adoption. Failure to meet within this timeline will constitute a dismissal with prejudice. The person whose impeachment is being sought has a right to appear before the Impeachment Body to present evidence and testimony.

~~306.5~~ ~~Upon the adoption of an Article of Impeachment, the Impeachment Body shall deliver to the person whose impeachment is being sought a copy of the Article of Impeachment.~~

306.5~~5~~ Upon the adoption of an Article of Impeachment, the person whose impeachment is being sought shall automatically be suspended from office until acquitted or found guilty by the Trial Body. The student body president, unless impeached, may, by appointment, fill the office until completion of the trial. If the student body president is impeached, the student body vice president shall act as president.

306.6 The Impeachment Trial in the Trial Body must begin no sooner than ~~five school days~~ seven (7) calendar days but no later than ~~ten school~~ fourteen (14) calendar days from the adoption of the Articles of Impeachment. Failure of the Trial Body to begin the Impeachment Trial shall constitute a dismissal with prejudice the Articles of Impeachment and remove the suspension from the officer.

306.6~~5~~1 The person whose conviction of impeachment is being sought shall be granted equal time and shall be afforded the right to be heard, the right to present witnesses, the right to offer evidence and the right to offer testimony before the Trial Body.

306.7 If an Article of Impeachment is adopted by the Trial Body, the person shall be deemed convicted of impeachment and removed from office effective immediately.

306.7~~5~~2 The Trial Body must separately vote to prevent the person convicted of impeachment from holding any future position within Student Government. A two-thirds (2/3) vote of the membership of the Trial Body shall be necessary to affect future disqualification.

306.8 If no Article of Impeachment is adopted by the Trial Body, the suspension shall automatically be removed and the person shall resume office.

CHAPTER 307 SG OFFICIAL ACCOUNTABILITY AND REMOVAL ACT (98-115, 2004- 116, 2007-104, 2008-131, 2015-109, 2020-1022, 2021-106, 2023-138)

307.1 The intent of this act is to comply with the provisions of Section 1004.26, Fla. Statutes (2021), as mandated by the Florida Legislature. This act provides for the removal from office of any elected or appointed Student Government official for malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony. This act provides procedures for the immediate suspension of the subject official upon conviction of a crime and pending any appeal and provides for a temporary successor to assume the duties of any suspended official. This act further provides a procedure to allow registered students to petition for a referendum to remove the subject official from office.

307.2 As found in this chapter (and as applied in Chapter. 213) the following definitions will apply:

1. "Circulator" means an individual seeking to recall a SG official from office and who solicits, supervises or otherwise procures student signatures in support of a recall referendum of the affected officer.

2. "Constituency" means the people who are represented by a SG official and are eligible to vote for such an official in general SG elections. (The Student Body President's constituency, for example, would include the entire student body while a Student Senator's constituency would typically include students enrolled in a particular college or designated living area.)

3. "Constituent" means a registered student who is a member of an SG official's constituency.

4. "Conviction" means a determination of guilt resulting from a plea (whether guilty or nolo contendere) or trial, regardless of whether imposition of sentence was suspended.

5. "Civilly Liable" means when a court of competent jurisdiction enters final judgment against a person in a civil action.

6. "Majority" means half of the members voting plus one.

7. "Entire seated membership" means the total number of members of the Student Senate, vacant seats notwithstanding, at the time that body takes action on an item before it. For example, if a Student Senate has eighty total seats, but only seventy are currently filled by Student Senators, then the entire seated membership for that body at that time would be seventy.

8. "Present and voting" means the total number of members of the Student Senate present in the Senate Chambers at the time of the vote.

9. "Ex post facto" means a law, act, rule or procedure passed after the occurrence of a fact or commission of an act, which retrospectively changes the legal consequences or relations of such fact or deed, See *Black's Law Dictionary*.

10. "Incompetence" means the lack of ability, qualifications or fitness to discharge a required duty.

~~11. "Misfeasance" is not doing a lawful act in a proper manner, omitting to do it as it should be done, as per *Black's Law Dictionary*.~~

~~12. "Malfeasance" is defined as doing an act that is wholly wrongful, as per *Black's Law Dictionary*.~~

~~13. "Nonfeasance" is defined a total neglect of duty, as per *Black's Law Dictionary*.~~

14. "Moral Turpitude" means an act or behavior which involves: a) inherent baseness or depravity with private social relations or duties owed by individual to individual or by individual to society; or b) anything done contrary to justice, honesty, principle or good morals.

15. "Recall referendum" means a ballot measure to put to a constituency affected. This shall be in the form of a petition, signed by a requisite number of constituents and in a form prescribed by Student Body Law, that seeks to recommend to Student Government the removal of a Student Government official from office who has been convicted of any criminal offense, or who has been found civilly liable for an act of moral turpitude, after all available appeals have been exercised, waived or have expired.

16. "Registered student" means a person admitted to the university who is enrolled in at least one credit hour during the current academic term, is in good standing with the university, and has paid their Activity and Service Fees, or had their fees deferred by the university, for the current academic term.

17. "Student Government (SG) Official" means any student holding an elected or appointed position in UF Student Government. Such positions include, but are not limited to, Student Body President, Vice President, Student Senators, Executive Agency Heads, and Executive Cabinet Directors, Members of the Judicial Branch, and all other offices that have control over any Activity & Service Fees.

307.3 REMOVAL FROM OFFICE

307.31 Any SG official who is convicted by a court of competent jurisdiction of any criminal offense is subject to removal from office by impeachment by the Student Senate under the process established by the Student Government Constitution provided that all available rights of judicial appeal have been

exercised, waived or have expired.

307.32 Any SG official is subject to removal from office for malfeasance, misfeasance, nonfeasance, abuse of power, or conviction of a criminal offense while in office by either impeachment by the Student Senate under the process established by the Student Government Constitution or by a recall referendum as enumerated in section 307.2.

307.321 No SG official may be subject to removal for conviction of a felony if said conviction antedated the official's matriculation at the University of Florida or the passage of 240.136, Fla. Statutes (1998). Any SG official who is found civilly liable for an act of moral turpitude committed after July 1, 1998, is subject to removal from office by impeachment by the Student Senate under the process established by the Student Government Constitution provided that all available rights of judicial appeal have been exercised, waived or have expired.

307.4 SUSPENSION FROM OFFICE & TEMPORARY SUCCESSION

307.41 Any SG official may be immediately suspended from office if they are convicted or found civilly liable pursuant to section 307.31, 307.32, or 307.33, notwithstanding any potential or pending appeal from said conviction or civil finding, by the Student Body President, or in case the affected officer is the Student Body President, by the Student Senate, based upon the best interests of the student body.

307.411 Prior to any suspension, the affected SG official shall be given an opportunity to Present their case for why it is not in the best interests of the student body, as enumerated in 307.44, that they be suspended to the Student Body President, or in the case the officer is the Student Body President, to the Student Senate. Prior to this presentation, the prosecuted official shall be presented with the names of any witnesses who will (have) appear(ed) in support of suspension. Further, any supportive evidentiary documents shall be turned over in a reasonable time prior to the presentation. Case presentation shall be of a reasonable duration.

307.42 Should the Student Body President, based upon the best interests of the student Body, elect to suspend an SG official pursuant to the terms of this chapter, the Student Body President will notify the affected officer and the Student Senate, in writing, of the suspension and the grounds thereof. The suspension will take effect immediately, should there not be an appeal as stated in 307.45, and remain in effect until revoked by the Student Body President or until the conviction or civil finding is reversed, vacated, or set aside by the appropriate administrative body, at which point the affected official will immediately be reinstated to their SG
office.

307.43 Should the Student Body President be convicted or found civilly liable pursuant to 307.31 or 307.32, notwithstanding any potential or pending appeal from said conviction or civil finding, the Student Senate may, based upon the best interests of the student body, elect to immediately suspend the Student Body President

from office by no less than a three-fourths vote of the entire seated membership of said body. The Senate President will notify the Student Body President and the University of Florida President, in writing, if the Student Body President is suspended from office pursuant to this chapter. The suspension of the Student Body President will take effect immediately and remain in effect until revoked by the Student Senate, the University of Florida President, or until the predicate conviction or civil finding is reversed, vacated or the Student Body President is otherwise cleared of wrongdoing in the predicate criminal or civil matter, at which point the affected official will be immediately reinstated their office.

307.44 Standards for determining the "best interests of the student body" should include but are not limited to the following, whether the conduct:

1. will diminish their ability to effectively carry out the duties and obligations of the elected office; or will result in a loss of confidence by their elected colleagues within SG in their ability to be an effective voice for representing their constituents; or
2. arose from the SG official's involvement or participation in SG activities; or
3. was of such a nature as to create a reasonable fear that the conduct could be repeated during the SG official's term.

307.45 Prior to any suspension taking place, the affected SG official shall be entitled to an appeal to the Dean of Students. Appeals shall only be for the following reasons:

1. The requirements of the suspension process were materially violated and such violation of the requirements resulted in prejudice to the SG official; or
2. The determination that the SG official was convicted of a criminal violation or found civilly liable for an act of moral turpitude was incorrect.

307.46 During the period of the suspension, the suspended official will not perform any official act, duty or function or receive any pay, allowance, emolument or privilege of office.

307.461 The individual assuming the office and duties of the suspended official shall have the full authority of the office being assumed and shall receive any pay, allowance, emolument or privilege of the office assumed.

307.47 The suspension of such official pursuant to 307.42 and 307.43 creates a temporary vacancy in such office during the suspension. Any temporary vacancy in office created by suspension of an official under the provisions of this section will be filled by a temporary appointment to such office for the period of the suspension. Such temporary appointment must be made in the same manner and by the same authority by which a permanent vacancy in such

office is filled as provided by Student Body Law. If no provision for filling a permanent vacancy in such office is provided by Student Body Law, the temporary replacement will be named by the Student Body President.

307.48 If the suspended official's predicate conviction or civil finding is reversed, vacated or the official is otherwise cleared of wrongdoing in the predicate matter, the Student Body President or Student Senate will forthwith revoke the suspension and restore such official to office, and the official will be entitled to and be paid full back pay and such other emoluments or allowances to which they would have been entitled for the full time period of the suspension. If, during the suspension, the term of office of the official expires and a successor is either appointed or elected, such back pay, emoluments or allowances will only be paid for the duration of the term of office during which the official was suspended under the provisions of this chapter, and they will not be reinstated.

307.5 REFERENDUM & RECALL

307.51 Any registered student may petition for a recall referendum to recommend the removal of any SG official from office, subject to the provision of 307.32. The petitioning student(s) must be constituents of the SG official whose removal is sought. A petition to recommend to Student Government the removal of any SG official must comply with the following:

1. A petition must be prepared naming the SG official sought to be recalled and containing a statement of grounds for recall in not more than 300 words limited solely to the grounds specified in 307.32. If more than one SG official is sought to be recalled, a separate recall petition must be prepared for each SG official sought to be recalled.

2. Registered students who are making the charges contained in the statement of grounds for recall will be designated as the "committee". If the official whose removal is sought holds an elected office, the committee must be made up of the official's constituents. A complete list of the members of the committee must accompany the petition. A specific person must be designated in the petition as chair of the committee to act for the committee.

3. The committee must confirm initial interests in proceeding with the recall process. The committee chair must submit conforming interest petitions to the Chief Justice of the Supreme Court equal to two percent (2%) of the total number of registered constituents at the time of the general election which elected the SG official whose removal is sought or five hundred (500) currently registered constituents, whichever is less. The interests petitions shall contain the statement of grounds for recall specified in 307.52(1) and be accompanied by the names, original signature (in ink), and student identification number. Signatures collected in excess of the lesser number shall not carry over to the petition drive.

a. Once the Chief Justice has determined a sufficient number of facially valid electors exist to initiate a recall petition drive, the Chancellor shall present upon the SG official whose removal is sought a copy of the petition and request that that official prepare a defensive statement not to exceed 300 words. The SG official shall have no more than five (5) business days to draft the defensive statement and certify the same back to the Chief Justice. Delivery of the conforming interest petitions to the Chief Justice shall be deemed the "filing date" under Florida Statute 1004.26.

b. Once the Chief Justice receives the defensive statement or the five

(5) business days granted under subsection (1) above expire without submission of a defensive statement, whichever is earlier, the Chief Justice shall instruct the Supervisor of Elections to create the official recall petition. The official recall petition shall include:

1. The recall statement and defensive statement (if submitted), together on the same page in the same font and type size.

2. A separate line for each of the following for the elector's information: printed name, student identification number and original signature of the elector.

3. A separate line for the circulator to affirm the requirements of 307.52(5) were followed. Each petition must contain a requisite number of spaces for at least ten (10) electors to provide their information and signatures.

c. Once created, the Supervisor shall forthwith deliver to the committee chair an official copy of the recall petition.

d. Only the petition created by the Supervisor of Elections and true and correct copies of the same shall be deemed official petitions.

e. The Supervisor of Elections shall provide the committee chair as many copies of the official petition as necessary.

f. The committee shall have twenty-five (25) days from the date it receives the official petition to collect the remaining endorsements from the electors.

4. The petitions must be signed and completed accordingly:

a. For constituencies represented by more than one (1) Student Senator, the petitions must be signed and completed by no less than twenty-five Percent (25%) of the total number of registered constituents at the time of the general election which elected the

SG official whose removal is sought divided by the number of Student Senators representing that said constituency. All currently enrolled students in said constituency shall be entitled to sign a petition.

b. For constituencies represented by one (1) senator, the petitions must be signed and completed by no less than twenty-five percent (25%) of the total number of registered constituents at the time of the general election which elected the SG official whose removal is sought. All currently enrolled students in said constituency shall be entitled to sign a petition.

c. For elected and appointed SG officials who represent the entire student body, including but not limited to, the Student Body President, Student Body Vice President, Student Body Treasurer, Cabinet, and Agency heads, the petition must be signed and completed by no less than five percent (5%) of the number of currently enrolled students at the university at the time in which the removal is sought.

5. Each constituent signing an individual petition must sign their name in ink or indelible pencil as it is registered with the University Registrar and must state on the petition their constituency and student identification number. Each petition must also contain an oath, to be executed by the circulator thereof, verifying the fact that all signatures appearing thereon are genuine signatures of the students they purport to be, and that all the petitions were signed in the presence of a circulator on the date indicated.

6. The petitions must be filed with the Supreme Court Chief Justice and Supervisor of Elections who must, within a period of not more than five (5) business days after the petitions are submitted, certify whether the petitions meet the requirements for number and validity of signatures.

7. If it is determined that the petitions do not contain the required signatures, the Supervisor shall inform the Chief Justice who will so certify to the Student Body President and the Student Senate and file the petition without taking any further action, and the matter will be at an end. No additional petitions may be added, and the petitions must not be used in other proceeding.

8. Any student constituent who signed in the original two percent (2%) or 500 signatures presented with the original copy of the petition which was turned in to the Chief Justice will have the right to demand in writing that their name be stricken from the petition. A written demand signed by
the constituent must be filed with the Chief Justice or Supervisor, and upon receipt of the demand, either must strike the name of the constituent from the petition and place their initials to the side of the

signature stricken. However, no signature may be stricken after the Chief Justice has delivered the signed copies of the "Petition" and "Defense" to the Supervisor for counting.

9. If the Supervisor determines that the petitions, minus those requesting their names be removed, contain the required twenty-five percent (25%) of signatures, a recall referendum is authorized pursuant to this section. The Supervisor shall certify the number of signatures obtained and that the number of signatures necessary for a recall election has been achieved to the Chief Justice who will immediately inform the Student Body President and the Student Senate who will proceed with conducting a recall election according to the format specified herein.

307.52 RESIGNATION IN LIEU OF RECALL

307.531 If the SG official whose recall from office is sought files, with the Chief Justice, their written resignation, the Chief Justice will at once notify the Student Body President and the Student Senate, and the resignation will be irrevocable. A permanent successor will assume the vacated office as provided by the Student Body Law. If no provision for filling a permanent vacancy in such office is provided by student body law, the permanent vacancy will be filled by the appointment of the Student Body President, or in case of a vacancy in the office of the Student Body President, by the Student Body Vice President who will immediately succeed to the Student Body Presidency.

307.532 Any SG official who resigns under 307.61 may not be appointed to the office that they vacated.

307.6 RECALL REFERENDUM

307.61 In the absence of a resignation, the Elections Commission Chair in consultation with the Supervisor of Elections will fix a day for holding a recall election for the removal of any affected SG official not resigning. Any such election must be held not less than 10 days or more than 25 days after the Supervisor has certified that the requisite number of signatures on the "Recall Petition" have been collected pursuant to the terms of this chapter.

307.611 The referendum must be held no later than 60 days after the filing date as required by 1004.26, Fla. Statutes (2006).

307.62 The ballots at the recall election must conform to the following: With respect to each person whose removal is sought, the question shall be submitted:

"Should _____be removed from the office of _____by recall?"

Immediately following each question there shall be printed on the ballots the two propositions in the order here set forth:

_____(Name of SG Official) should be removed from office.

_____(Name of SG Official) should not be removed from office.

307.63 Immediately to the side of each of the propositions will be placed a square or a line on which the electors, by making a cross mark (X), may vote either of the propositions. Voting machines or electronic or electro mechanical equipment which indicate each voter's choice clearly and succinctly may also be used.

307.64 The Supervisor of Elections will submit a plan for conducting the recall referendum, following the same processes and procedures used for any regular SG election as described in Student Body Law and pursuant to this chapter, to the Student Senate for approval by resolution.

307.65 Following approval, the Supervisor of Elections will publicly announce the recall referendum and the details thereof.

307.66 Following the recall referendum held on the one day specified by the Elections Commission Chair, according to 307.1, and the plan submitted by the Supervisor of Elections and approved by the Student Senate, according to 307.74, the Supervisor of Elections will certify the results of the recall referendum to the official sought to be recalled, the Student Body President, the Chief Justice of the Supreme Court and the Student Senate post haste.

307.67 If a majority of students voting in the recall referendum recommend the recall of the named SG official from office, the Student Senate must vote to accept or reject the recall results. If the recall results are accepted by majority vote of the Student Senate, then the named SG official will be immediately and permanently removed from office. The Senate President will notify the removed SG official, the Student Body President, and University of Florida President, in writing, of such removal.

307.671 Criteria to be used for the Student Senate in deciding whether to accept or reject the recall election vote totals shall be limited to:

1. Accuracy of the count.
2. Validity of the count
3. Electoral or election staff fraud or impropriety
4. A material obstruction to the electoral process.

307.7 APPEALS PROCEDURES

307.71 Any elected or appointed officer of the student government who has been disciplined, suspended, or removed from office shall have the right to directly

appeal such decision to the Vice President of Student Life or other senior university administrator designated to hear such appeals.

307.711 This procedure shall not condition the exercise of such right on the consideration or decision of any student panel, including but not limited to the Student Supreme Court or the Elections Commission.

307.72 All appeals must be in writing and submitted to the appropriate office within five (5) business days from the date of the decision made by the Student Government.

307.73 Except as required to explain the basis of new information, appeals are limited to a review of the verbatim records and supporting documents. The basis for filing an appeal is limited to one or more of the following grounds:

1. The student's rights were violated in the initial process in a manner which materially affected the outcome of the case.
2. New relevant material or information has been provided that could be sufficient to alter a decision, and was unknown by the person making the appeal at the time of the decision.
3. The sanction(s) imposed were not appropriate for the violation.

307.74 The decision on an appeal should be made and communicated in correspondence within a reasonable period of time. The decision of the appeal authority is the final decision of the University and no further appeals within the University are allowed.

307.741 If the appeal is granted, the appeal authority may modify the sanction(s) imposed or decision(s) made.

307.742 If the appeal is not granted, the sanction(s) or decision(s) made by the Student Government shall go into immediate effect.

307.8 OFFENSES

307.81 No student will impersonate another, purposely write their name or constituency in the signing of any petition for recall or forge any name thereto, or sign any paper with knowledge that they are not a constituent of the SG official whose removal from office is sought.

307.82 No expenditures for campaigning for or against an official being recalled will be made until the date on which the recall referendum is to be held is publicly announced. Violations of this section will be considered as offenses against the student body and student conduct offense against the university, and violators will be penalized according to established Student Government and University

of Florida procedures. No person will employ or pay another to accept employment or payment for circulating a recall petition.

307.83 No student or group of students shall conspire to defame or otherwise accuse any SG official of an offense for which the student or students know to be false.

307.84 No student or group of students shall maliciously initiate proceedings for a recall referendum when no reasonable cause exists to substantiate the grounds being claimed. Violations of this section and 307.83 will be considered as offenses against the student body and student conduct offense against the university, and violators will be penalized according to established Student Government and University of Florida procedures.

307.85 This act shall not be ex post facto in its application. For the purposes of this act, the same limitations applied to the state governments by Article I, Section 10 of the
U.S. Constitution, as well as the State of Florida specifically by Article I, Section 10 of the Florida Constitution, shall apply to Student Government.

~~CHAPTER 323 SENATE ATTENDANCE (73-150, 74-133, 75-182, 76-204, 76-206, 76-245, 77-118, 80-180, 81-112, 82-177, 82-122, 82-170, 83-111, 83-115, 88-133, 94-114, 97-108, 98-100, 98-119, 2000-146, 2002-128, 2002-159, 2004-127, 2005-123. 2006-125, 2007-144, 2008-118, 2008-129, 2011-117, 2012-102, 2014-111, 2015-109, 2020-1022, 2020-1042, 2020-1066, 2023-130, 2024-132, 2025-113, 2025-146, 2025-148)~~

~~323.1 Student Senators are required to attend Student Senate meetings.~~

~~323.2 A roll call shall be made at the beginning and end of each Student Senate meeting. Absence from either a quorum call, roll call, or roll call vote shall constitute one half (1/2) absence. Absence from both roll calls shall constitute one (1) absence, provided that only one absence may be accumulated per meeting.~~

~~323.3 Upon accumulation of two (2) absences in the Fall or Spring term or one (1) absence in the Summer A or Summer B term, a Student Senator shall receive an attendance warning letter via e-mail.~~

~~323.31 Absences shall reset at the beginning of each new term. The Rules and Ethics Committee may take action on absences from the previous term within one month of the new term beginning provided the Student Senator has not been re-elected.~~

~~323.32 All Student Senators, whether elected or appointed, shall submit an affiliation form to the Senate President Pro Tempore or Senate Secretary by the third meeting after the Student Senator's election or appointment, otherwise the seat may be declared vacant as provided by the Rules and Procedures.~~

~~323.33 During the Summer A and Summer B terms, if a Student Senator accumulates two (2) unexcused or three (3) combined absences (excused or unexcused) from the Student Senate, it shall constitute resignation by non-attendance. During the Fall and Spring terms, if a Student Senator accumulates three (3) unexcused or four (4) combined absences (excused or unexcused) from the Student Senate, it shall constitute resignation by non-attendance.~~

~~323.34 Upon resignation by nonattendance of a Student Senator, the Rules and Ethics Chairperson shall send an email to notify the Student Senator of their resignation. The Rules and Ethics Chairperson shall notify the Senate President Pro Tempore before the next regularly scheduled Student Senate meeting.~~

~~323.4 The Rules and Ethics Committee shall hear appeals from this chapter.~~

~~323.41 If a Student Senator wishes to submit an appeal of their resignation by non-attendance, the Student Senator must do so within seven (7) calendar days to the Rules and Ethics Chairman via email. Provided the Seat has not been filled, this~~