

**Associated Students
of the
University of the Pacific**

Bylaws

Associated Students of the
University of the Pacific

Article I: System of Bylaws

Chapter 100 – Student Government Bylaws

- 100.1** This chapter shall outline the bylaws of the Associated Students of the University of the Pacific (“ASuop”), observed by all Officers of the ASuop in discharging the duties and obligations of their positions.
- 100.2** Bylaws shall be organized into articles, each dealing with related and similar topics. Each article shall be composed of numerically designated chapters, as follows:
- ARTICLE I Chapter 100-199 System of Bylaws
- ARTICLE II Chapter 200-299 Standards of Conduct
- ARTICLE III Chapter 300-399 Organizational Bylaws
- ARTICLE IV Chapter 400-499 Legislative Branch
- ARTICLE V Chapter 500-599 Executive Branch
- ARTICLE VI Chapter 600-699 Judicial Branch
- ARTICLE VII Chapter 700-799 Election Code
- ARTICLE VIII Chapter 800-899 Finance Code
- 100.3** Each article shall be divided into chapters, which should pertain to a dedicated topic within the article.
- (i) Each chapter shall be divided into sections, denoted with a decimal following the chapter number (i.e. Section 100.3).
 - (ii) Each section shall be divided into subsections, organized with lowercase roman numerals (i.e. Subsection 100.3.ii)
 - (iii) Each subsection shall be divided into further sub-subsections, organized with standard numerals (i.e. Subsection 100.3.ii.1).

- (iv) Each sub-subsection shall be divided into paragraphs, made in outline form with the alphabet.
- 100.4** The Senate has the authority to enact all bylaws, except for those pertaining to the administration of the Judicial and Executive Branches. The Judicial and Executive Branches are given the authority, through the Constitution, to construct their own internal policies.
- 100.5** The President has the authority to enforce all bylaws and to enact the bylaws of the Executive Branch.
- 100.6** The Supreme Court has the authority to adjudicate all matters arising under these bylaws, and to enact the bylaws of the Judicial Branch.
- 100.7** There shall be one official copy of the ASuop Bylaws. These bylaws shall be maintained by the Clerk, and a physical copy shall be kept within the ASuop Office.
- 100.8** The Vice President, or the Vice President's designee, shall make sure copies of the ASuop Bylaws are made available to those interested. Additionally, they shall make sure that the ASuop Bylaws are available on the official ASuop Website.

Chapter 101 – Compliance with the ASuop Bylaws

- 101.1** All ASuop Officers shall comply with the ASuop Bylaws. Any willful or deliberate disregard of any Bylaw may be considered as cause for impeachment or removal from their position in accordance with the ASuop Constitution and Bylaws.
- 101.2** The order of sovereignty, in order of supremacy, is as follows:
 - (i) Federal, State, and Local law.
 - (ii) University policy
 - (iii) ASuop Constitution
 - (iv) ASuop Legislation
 - (v) ASuop Bylaws

Chapter 102 – Amendments to the Bylaws

- 102.1** In the event the ASuop Bylaws requires amendment, the process shall be contingent upon the characteristic of the Bylaws in question:
 - (i) Executive Orders can amend Executive Bylaws, which can be found within Article V.

- (ii) Judicial Proclamations can amend Judicial Bylaws within Article VI, and may take effect immediately.
 - (1) Judicial Proclamations require at least two-thirds ($\frac{2}{3}$) of the Justices to approve, and should the Court be hearing a case, the bylaws may not change until the conclusion of the case.
- (iii) Senate Bills can amend the Legislative Bylaws found within Article IV, and any other ASuop Bylaws, with exception to those pertaining to the administration of the Executive and Judicial Branches found within Articles V and VI respectively.
 - (1) Senate bills that amend, add, or remove any bylaws, articles, or chapters in the ASuop Bylaws must receive two-thirds ($\frac{2}{3}$) vote of the seated Senate and shall require two (2) readings before approval by the Senate.

102.2 Maintenance of the Amendments to the Bylaws

- (i) Consistent with section 100.7 of these Bylaws, the Senate Rules Committee, in conjunction with the Clerk, shall have the responsibility of incorporating all amendments made to the Bylaws.
 - (1) The Rules Committee and the ASuop Clerk shall be responsible for incorporating approved amendments arising from Executive Orders, Judicial Proclamations, and/or Senate Bills within ten (10) business days with reasonable accommodations for University holidays or breaks.
- (ii) Consistent with sections 100.7 and 501.2(ii) of these Bylaws, an official copy of the ASuop Bylaws with the finalized incorporations must be made available within five (5) days of the incorporation of new updates to all officers of ASuop.
- (iii) Once the Vice President, or the Vice President's designee, has received this official copy of the ASuop Bylaws, they shall make sure the Bylaws are available on the ASuop Website.

Chapter 103 – Definitions of Terms

103.1 When amendments or additions are made to the Bylaws, appropriate definitions shall be added. Should an amendment or addition be made, the definitions shall be added alphabetically to the section below.

- (i) **Article of Impeachment:** An Article of Impeachment (“AI”) is a formal charge against another ASuop Officer, that, if approved, shall begin a formal trial against the accused. The Article shall include a list of all charges being levied against the accused, and the accuser shall be noted on the Article as the author (pursuant to Art. X, §4 of the ASuop Constitution). Requires a two-thirds ($\frac{2}{3}$) majority of the Senate to pass (pursuant to Art. IV).

- (ii) **ASuop Member:** Any student who has paid the ASuop Fee shall be considered a member.
- (iii) **ASuop Officer:** Any member of ASuop that is officially employed by or otherwise tasked with doing work on behalf of ASuop.
- (iv) **ASuop Student Fee:** The fee, included in tuition, that is charged to all students. The revenue from this fee is directly deposited into the ASuop budget. Upon paying this fee, students are considered ASuop members.
- (v) **Cabinet:** A committee tasked with leading the Executive Branch consisting of the President, Vice President, Chief of Staff, the Attorney General (EO 18-19.01) all Department Heads, all Commissioners, the Senate Pro Tempore, and the Chief Justice of the Supreme Court.
- (vi) **Closed Session:** A closed session is a part of a Senate meeting where confidential and sensitive information is to be discussed. Only members of the Senate and Advisor(s) may attend a closed session, and it shall not be recorded. Closed sessions must end as soon as all confidential and sensitive information has been discussed to ensure transparency.
- (vii) **Commissioners:** Officials appointed by the President to serve as advisors and ambassadors on specific subjects and constituencies.
- (viii) **Constitutional Amendment:** A Constitutional Amendment (“CA”) is a proposed amendment to the ASuop Constitution that may be brought to the floor by a Senate or the President (pursuant to Art. XIII, §1, sub-sections A&B of the ASuop Constitution). This requires a two-thirds (2/3) majority of the Senate to pass.
- (ix) **Department Heads:** Leaders of Executive departments confirmed by ASuop Senate Legislation.
- (x) **Gross Negligence:** A significant deviation from a reasonable person’s standard of conduct.
- (xi) **Majority:** A majority is defined as 50% plus 1 (i.e. a majority of 10 would be 6, not 5).
- (xii) **Senate Advisory Opinion Request:** A Senate Advisory Opinion Request (“SAOR”) is a request from the Senate to the Supreme Court to consider the constitutionality of a particular issue. The response from the Supreme Court is non-binding, and shall only serve to offer the Senate guidance on issues of constitutionality. Requires sponsorship from two Senators to pass.
- (xiii) **Senate Bill:** A Senate Bill (“SB”) is a binding policy that may be a stand-alone policy or a modification of the ASuop Bylaws. Requires a majority of the Senate to pass.

- (xiv) **Senate Resolution:** A Senate Resolution (“SR”) is a non-binding statement of the ASuop Senate. Requires a majority of the Senate to pass.

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Article II: Standard of Conduct

Chapter 200 – Code of Ethics

- 200.1** In an effort to fulfill the obligations of the ASuop to the students, all ASuop Officers must adhere to the following guidelines:
- (i) It is essential that all ASuop Officers are independent, impartial, and that their public office is not used for private interests. ASuop Officers 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. Officers must recognize that promoting the public interest and maintaining the respect of the student body must be their foremost concern.
 - (ii) It is the intent of this chapter to protect the integrity and trust of the ASuop by prescribing objective procedures to prevent and resolve unethical practices.
 - (iii) All members of the ASuop have the right to report any alleged violation of this code to the Senate Ethics Committee. Additionally, any member who alleges, or has been accused of, a violation of this code has a right to request the status of their case.
 - (1) Any disputes that arise under this code shall be within the jurisdiction of the Senate Ethics Committee.
 - (2) The Senate Ethics Committee shall determine whether or not to hear complaints arising under this code within one (1) week of the complaint being filed with the Chair of the Committee. In the event the complaint proceeds to a hearing, the process shall be deliberate and shall guarantee all involved parties their constitutional rights as stated in Article X of the ASuop Constitution.
 - (3) The Senate Ethics Committee may issue writs to ascertain evidence and/or compel the attendance of ASuop Officers to offer testimony before the Committee.
 - (4) The Senate Ethics Committee shall determine whether or not a breach of this code has occurred. If so, a full report of the incident shall be prepared, including their recommended sanction to the Senate, within two (2) weeks of their decision.

- (5) The Senate shall vote on whether to approve or deny the recommendation of the Senate Ethics Committee at the next regular meeting after the report has been distributed.
- (6) The Senate reserves the right to impeach ASuop Officers.

Chapter 201 – Types of Ethical Misconduct

201.1 Conflicts of Interest

- (i) In order to protect the integrity of decisions made by the ASuop, all ASuop Officers must disclose any potential and actual conflicts of interest.
- (ii) No ASuop Officer, while acting in their official capacity, shall judge, vote, or participate in any matter that would lead to their private gain.
- (iii) The following elements must be present to prove a conflict of interest:
 - (1) The person in question was in a position to exploit an official capacity, in some way, for their personal benefit, and;
 - (2) There is a preponderance of evidence that suggests the person in question had knowledge of the conflict, and;
 - (3) Having knowledge of said conflict did not recuse themselves from the matter, and as a result, stood to personally benefit from it.

201.2 Misuse of ASuop Property

- (i) No ASuop Officer shall use, or attempt to use, ASuop property, notoriety, or resources to secure a gift, reward, privilege, benefit, or exemption for personal benefit.
- (ii) No ASuop Officer shall abuse the privileges they are granted, such as access to the ASuop office, ASuop resources/materials, and/or access to any ASuop printing account to benefit themselves.

201.3 Confidentiality of Information

- (i) No ASuop Officer shall disclose information unavailable to the public, especially information that has been deemed confidential by their supervisor.
- (ii) All ASuop Officers are expected to demonstrate the level of care that is outlined in Art. III § 302.02 of these Bylaws.

201.4 Unlawful Compensation

- (i) No ASuop Officer shall, or shall attempt to, solicit, accept, or provide any material items of value in cases that would influence any decision made by another Officer of ASuop.

201.5 Obligation to Report

- (i) No ASuop Officer shall aid, or knowingly fail to report, any breach of this code, university policy, or Federal, State, or Local law.

201.6 Fraud

- (i) No ASuop Officer shall willfully misrepresent themselves while acting in their official capacity.
- (ii) No ASuop Officer shall withhold information or documentation when mandated to provide it by the Supreme Court or the Senate, nor shall they provide false or misleading information or documentation.
- (iii) No ASuop Officer shall bring false charges, or provide false or misleading evidence, against another Officer, employee, or student.
- (iv) The following elements must be present to prove fraud:
 - (1) There is a preponderance of evidence that suggests the person in question was aware that the information they were providing was false or misleading, and;
 - (2) Having said knowledge, continued to provide the information or documentation.

201.7 Anti-Discrimination Policy

- (i) No ASuop Officer shall practice any discrimination as defined in the University's Anti-Discrimination Policy.
- (ii) No ASuop Officer shall deny any student rights that are guaranteed by the Constitution of the ASuop.

201.8 Protection from Retribution

- (i) No ASuop Officer shall dismiss, discipline, or take action against another Officer for disclosing information pursuant to this code. Specifically, supervisors may not take action against their employees for reporting information pursuant to this code.

201.9 Federal, State, and Local Law

- (i) Any ASuop Officer who has been convicted of a felony shall be immediately suspended from Office, and impeachment charges shall be brought to the Senate Ethics Committee at their next regular meeting.

201.10 Theft

- (i) Any ASuop Officer found responsible for stealing shall be immediately suspended and may be reported to Public Safety, Stockton Police, and adjudicated through Student Conduct.
 - (1) Stealing includes adding hours to your timecard that the individual did not work.
- (ii) Any elected official of ASuop found responsible for stealing shall be immediately referred to the Senate Ethics Committee to be reviewed for impeachment charges.

201.11 Alcohol Consumption and Drug Use

- (i) Alcohol consumption and recreational drug use is not permitted before or during a work shift.
 - (1) Alcohol and recreational drugs may not be consumed up to eight (8) hours prior to the start of a shift.
 - (2) Consumption of alcoholic beverages immediately following a shift is permitted.
 - (3) ASuop branding should not be represented on one's person during consumption of alcohol or recreational drugs, or while intoxicated.
- (ii) Any violations of these policies will lead to an immediate referral to Student Conduct and the Senate Ethics Committee, and may result in immediate suspension or dismissal from ASuop.

201.12 Confidentiality

- (i) From time to time, ASuop may disclose confidential information to ASuop Officers or affiliates. ASuop Officers are expected to do the following:
 - (1) Limit disclosure of any confidential information to anyone outside of the immediate organization, who has a need to know such confidential information.
 - (2) Shall keep all confidential information strictly confidential by using a reasonable degree of care, but not less than the degree of care used by ASuop in safeguarding its own confidential information.
 - (3) Not disclose any confidential information received to any third parties.
- (ii) Employees shall be responsible for any breach of this Agreement, and may be subject to immediate suspension or termination.

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Article III: Organizational Bylaws

Chapter 300 – ASuop Transparency

- 300.1** In order to fulfill ASuop’s obligation to be open and transparent with the students it was created to serve, the following standards must be followed:
- (i) The Office of the President must maintain an archive of all official documents, including but not limited to the following:
 - (1) Constitutional amendments, memoranda, appointment and confirmation letters, disciplinary documentation (so long as it is not privileged information), and Senate, Committee, and Executive Reports.
 - (2) The Senate’s agenda and its contents, which includes the document itself, the record of any additions or amendments made, any and all legislation discussed, and the minutes of the Senate meeting.
 - a) Items, parts of items, or all items in section 2 (above) may be made confidential by a Senate motion passed by a majority of the seated Senate.
 - (ii) Any student may request information from the archive during regular business hours (8:30 A.M to 5 P.M. Monday through Friday), and a copy shall be made available to them within three (3) business days of their request at the expense of ASuop.
 - (1) Requests for information may be made either in person at the ASuop Office, or by email through the ASuop website.
 - (iii) The contents of the ASuop Archive must be uploaded to an official website of the ASuop, and made available in a timely manner to all students at no expense. The archive should include all documents pertaining to the current constitution.
 - (1) The Vice President, or the Vice President’s designee, shall be responsible for uploading the contents of the ASuop Archive to the website in a timely manner.

Chapter 301 – Branding Standards

- 301.1** All departments of the ASuop shall defer to the branding standards set forth by the Department of Strategic Marketing when an issue of branding isn’t clearly laid out by the ASuop Bylaws. Further questions not clarified by ASuop Bylaws or the branding

standard of the Department of Strategic Marketing shall be referred directly to the Department of Strategic Marketing.

- (i) The Department of Strategic Marketing shall notify the ASuop Senate of any changes to the official branding standards of ASuop.

Chapter 302 – Expectations of Officers

302.1 One Position Limit

- (i) Per the constitution, no member of ASuop may hold more than one position at one time.

302.2 Intellectual Property

- (i) All projects created on request of ASuop or its designee through work order, email, or verbal request are joint intellectual property and all versions of said work must be uploaded to the ASuop Server or other designated space, including but not limited to the network drive, Sharepoint, and/or Google Drive.
- (ii) Use of these projects by either party is considered unlimited in space, type, time, and duration.
- (iii) No fees may be assessed for use of these projects outside of the original wages earned at the time of creation.

302.3 Office Etiquette

- (i) Behavior in the Office
 - (1) All ASuop Officers are expected to be punctual, prepared, engaged, responsible, honest, and polite.
 - (2) ASuop Officers are permitted to bring other students with them into the office, so long as they do not disrupt the work of others within the office.

302.4 Resignation

- (i) ASuop Officers who wish to resign their position must inform their student supervisor and staff supervisor immediately.
- (ii) ASuop requests two (2) weeks of notice for resignations, except in extreme or special circumstances.

302.5 Social Media Policy and Procedures

- (i) The purpose of this section is to outline the best practices when engaging with social media outlets as it relates to conducting business for the University of the Pacific and ASuop.
 - (1) ASuop currently has official accounts with Facebook (<https://www.facebook.com/pacificasuop>) and Instagram (<https://www.instagram.com/pacificasuop/>). Additional accounts may be created with consent from the President – all pages must be reviewed by the President before they can become official.
 - (2) Access to accounts will only be granted to the ASuop advisors, President, Vice President, and Director of Communications who require access for official University purposes only. Partial access may be given to other ASuop Officers on an at-need basis by any of the individuals previously listed. Partial access does not include access to the administrative functions of the account.
 - (3) Anything stated on ASuop social media accounts should be considered an extension of the University, and the author shall keep in mind the effect it may have on University administration, students, alumni, and all others in the Pacific community.
 - (4) All content that is posted on social media shall be thoroughly vetted, and shall not contain any language/comments that may be reasonably interpreted as demeaning, derogatory, and so forth.
 - (5) Representation of one's own view as being endorsed by the University, or any of its organizations, is strictly prohibited.
 - (6) The University's name or logos may not be used to endorse any opinion, product, private business, cause, or political candidate.
 - (7) Ensure, before posting any content, that ASuop has a right to use said content with attribution. Always give proper credit for digital media. The University has a blanket license for use of American Society of Composers, Authors, and Publishers (ASCAP) and Broadcast Music, Inc. (BMI).

302.6 ASuop Training

- (i) All ASuop Officers are required to attend any and all retreats and/or training as determined by the President, department heads, and advisors.
- (ii) Any mandatory training or retreat that shall take place during the summer must be listed on the offer letter given to ASuop Officers.

302.7 Email Communication

- (i) As defined by the expectations set by the ASuop President and Vice President, ASuop Officers are expected to frequently check their email for any internal communication. Appointments, events, meetings, and tasks may be assigned via email.
- (ii) ASuop Officers are responsible for all work given to them through email, so long as it was communicated to them within a reasonable time frame.

Chapter 303 – Adherence to Tiger Lore and University Policy

303.1 As stated in Art. III of the ASuop Constitution, ASuop shall not create any policies that, “conflict with any policies set forth by the President and Board of Regents of the University of the Pacific,” and if any policies should conflict then “the University’s policy shall take precedence.” Therefore, the following University Policies shall be strictly followed:

- (i) Tiger Lore
 - (1) Tiger Lore is considered to be a policy set forth by the President of the University. Therefore, all provisions of Tiger Lore must be followed by members of ASuop.
- (ii) University Policies
 - (1) All ASuop Officers must maintain, at minimum, a 2.5 cumulative and term Grade Point Average (GPA). Failure to fulfill this requirement may result in immediate termination or impeachment.
 - (2) All ASuop Officers must be in good judicial standing with the University (Student Conduct). Failure to maintain a good judicial standing may result in immediate suspension, termination, or impeachment.

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Article IV: Legislative Branch

Chapter 400 – Senate Rules

400.1 Establishment

- (i) The Senate of the Associated Students of the University of the Pacific has been established in accordance with the Constitution of the Associated Students of the University of the Pacific. As the legislative branch of the ASuop, it shall enact legislation to be carried out by the executive branch.

400.2 The Chair of the Senate

- (i) The Vice President shall be the chair of the Senate per Art. IV of the ASuop Constitution.
 - (1) While in session, the Vice President shall be referred to as the President of the Senate.

400.3 In the absence of the Vice President, the President Pro-Tempore of the Senate shall chair the Senate.

- (i) The President Pro-Tempore of the Senate shall be elected to their position by a plurality of the seated Senate.
- (ii) The President Pro-Tempore is also responsible for informing the Senate of any changes made by the President to the Cabinet within 14 days of the change.
- (iii) In the absence of the President Pro-Tempore, the Senate shall elect a chair with a simple majority of the members present. This Chair shall serve until they are relieved by either the President Pro-Tempore or the Vice President.

Chapter 401 – Senate Meetings

401.1 Senate Meeting Protocol

- (i) Regular meetings of the Senate shall be held weekly during the academic semesters in which the ASuop Fee is assessed, excluding holidays and school vacations.

- (ii) Any regular meeting of the Senate may be cancelled by a two-thirds (2/3) vote of the seated Senate.
- (iii) Special meetings of the Senate may be called, with at least four (4) days notice, by the ASuop President, or by a petition of the majority of the seated Senate. The petition must be presented to the Vice President at least four (4) days in advance of the desired meeting date. Notices sent to Senate emails shall constitute official notification.

401.2 Parliamentary Procedure

- (i) The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the ASuop in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the ASuop may adopt.

401.3 Senate Decorum

- (i) During Senate meetings, a certain level of decorum shall be expected of all members. The Chair of the meeting shall be responsible for maintaining decorum during meetings of the Senate.
- (ii) In an effort to preserve decorum, the following are prohibited during meetings of the Senate:
 - (1) The use of electronics, such as laptops, cell phones, or tablets, during the business of the Senate for purposes that are not pertinent to the discussion at hand.
 - (2) Speaking without being recognized by the Chair.
 - (3) Being in a state of intoxication while at a Senate meeting.
 - (4) Discussing matters that may be on the agenda, but are not pertinent to the specific item that is currently being discussed.
 - (5) Defaming, impugning, or attacking the reputation or character of another Senator in a general session.
 - (6) Discussing matters that are not pertinent to the agenda.

401.4 Public Access to Senate Meetings

- (i) Meetings of the Senate shall be open to all ASuop members, unless a closed session is in progress. Closed sessions may only be called to discuss information of a sensitive or private nature, and shall adjourn once said business has been concluded.
- (ii) All ASuop members shall be guaranteed the right to address the Senate, so long as they follow these procedures:

- (1) Any individual recognized by the Chair shall rise and state their name.
- (2) The remarks expressed to the Senate shall be relevant to the business at hand, unless the comments are being delivered at a time designated for general public comment.
- (3) Any individual may have up to five (5) minutes to speak; however, the Chair maintains the discretion to end public comment if it is irrelevant.
- (4) Any member of the gallery may be removed for disorderly conduct at the discretion of the Chair.
- (5) ASuop shall make the Senate's weekly agenda and its contents available for the public access no later than three (3) days in advance of the meeting.
 - a) The Office of the Vice President is responsible for making the Senate's agenda and its contents available on the UOP Website Senate page
 - a. The Senate's agenda and its contents refers to items listed in subsection
 - i. The document itself, the records of any additions or amendments made, any and all legislation discussed, and the minutes of the Senate meeting
 - ii. Items shall remain public unless a majority of the seated Senate vote to keep certain items, certain parts of items, or all items confidential.

401.5 Minutes and Recording Senate Meetings

- (i) Minutes shall be prepared for all Senate meetings by the Vice President, and shall be sent to Senate emails four (4) days after the meeting so that they may be approved by the following meeting.
 - (1) Minutes shall only include the procedural business of the Senate, including, but not limited to, all votes, motions, topics of discussion, and general discussion.
 - (2) Minutes shall be uploaded to the ASuop website within seven (7) days following their approval at the next Senate meeting.

401.6 Attendance

- (i) Attendance at a meeting is defined as the physical presence of a Senator for a minimum of 75% of the meeting.
- (ii) Absences from the Senate shall be qualified as excused or unexcused.

- (1) Excused absences shall be limited to the following:
 - a) Absences due to participation in a University recognized program in which attendance is required.
 - b) Absences due to illness of the Senator and/or illness requiring the member's assistance for care or death of an individual(s) close to the Senator.
 - c) Absences due to responsibilities directly connected with the member's constituents.
 - d) Absences due to an accident involving a Senator or property of the Senator, an individual close to the Senator, and/or appearance in court as a litigant, witness, or member of the jury under an official order.
 - e) Absences due to religious holidays, rites, or ceremonies of the member's religious faith.
- (2) Requests for excused absences should be submitted in writing to the Vice President's Office.
- (3) An absence shall be considered unexcused if the Senator in question does not satisfy the requirements in Chapter 401.06 (ii) (1).
- (4) The classification of an absence as excused or unexcused shall be determined by the Vice President; however, their decision may be appealed, and put before the Senate for a vote by the Senator in question.
- (5) If a Senator has three (3) excused or unexcused absences during their tenure, then they shall meet with the Vice President, who will determine whether the Senator ought to be referred to the Ethics Committee. The Senator will go through this process for every single absence beyond the third absence.

401.7 Voting

- (i) Each Senator is entitled to cast a vote on all matters brought to the Senate floor.
- (ii) The vote shall be a roll call vote or by a voicing of the yeas and nays.
 - (1) Any Senator may request that a roll call vote be taken. All roll call votes shall be recorded in the minutes, and shall specify the vote of each individual Senator for the record.
- (iii) The Chair of the meeting may only vote to break a tie.
 - (1) When the Chair of the meeting does not cast a vote, no mention shall be made in the minutes.

401.8 Agenda Setting

- (i) The agenda for each meeting shall be prepared by the ASuop Vice President and shall be made available through Senate emails no later than four (4) days in advance of the meeting.
 - (1) Additions to the agenda may be made at the previous meeting of the Senate by a majority vote.
 - (2) The Vice President may make additions to the agenda until the agenda is approved, as long as those changes do not pertain to the allocation of ASuop funds.

Chapter 402 – Legislation

402.1 Classifications

- (i) When legislation is brought to the Senate floor it will be classified as one of the following:
 - (1) Senate Resolution (SR)
 - a) A Senate Resolution is defined as a piece of legislation that describes the general sentiment of ASuop, an idea to be proposed, or other intentions of the Senate that are not to be enacted into law.
 - b) A Senate Resolution can originate from any Senator and must be reviewed by the Rules Committee.
 - (2) Senate Bill (SB)
 - a) A Senate Bill is defined as a piece of legislation, which describes, in exact language, changes which amend existing laws, enact new laws, or repeal old laws.
 - b) A Senate Bill can originate from any Senator and must be reviewed by the Rules Committee.
 - (3) Senate Selection Committee Recommendations (SSCR)
 - a) A Senate Selection Committee Recommendation is defined as a piece of legislation which nominates students to fill currently-unfilled Senate seats.
 - b) A Senate Selection Committee Recommendation can originate from the chair of the Senate Selection Committee, and does not need to be reviewed by the Rules Committee.

- (4) Finance Budget Appropriation Request (FBAR)
 - a) An FBAR is defined as a piece of legislation that is both authored and proposed by the Finance Committee of allocating ASuop funding to specified sources.
 - b) An FBAR can originate from the chair of the Finance Committee, and does not need to be reviewed by the Rules Committee.
- (5) Constitutional Amendment (CA)
 - a) A Constitutional Amendment is defined as a piece of legislation which includes edits or changes to the constitution.
 - b) Constitutional Amendments must follow protocol mentioned in the Constitution Article VIII Section 1.
 - c) A Constitutional Amendment can originate from any Senator and must be reviewed by the Rules Committee.
- (6) Senate Advisory Opinion Request (SAOR)
 - a) A Senate Advisory Opinion Request is defined as a piece of legislation describing potential situations and requesting an opinion from the Supreme Court on how such a situation might be ruled if it was brought before the Court.
 - b) A Senate Advisory Opinion Request can originate from any Senator and does not need to be reviewed by the Rules Committee.
- (7) Articles of Impeachment (AI)
 - a) An Article of Impeachment is defined as a piece of legislation submitted by the Ethics Committee which proposes to remove an ASuop Officer from their position on the grounds of misconduct.
 - b) Articles of Impeachment can originate from the Ethics Committee, and does not need to be reviewed by the Rules Committee.
- (8) Presidential Nomination (PN)
 - a) A Presidential Nomination is defined as a piece of legislation submitted by the President, which nominates a student to fill a position in the Executive Branch.
 - b) A Presidential Nomination shall originate from the President, it does not need to be reviewed by the Rules Committee.

- (9) Internal Budget Reallocation (IBR)
 - a) As needed, the annual budget can be revised by the Department of Finance and presented to the President for approval. If approved by the President, then the budget shall be submitted to the Senate. This legislation shall require two (2) readings before approval by majority of the Senate.
 - a. A memo explaining the most significant changes, as well as the impact on ASuop's reserved funds, including but not limited to, the General Reserves, should be included to allow for easier reference.

402.2 Format of Legislation

- (i) All legislation must follow ASuop Branding Guidelines, which are maintained by the Department of Strategic Marketing.
- (ii) All legislation must contain the name(s), of the author(s), the name(s) of any sponsor(s), and the date that the legislation was submitted. Legislation must contain the name of the author, the name(s) of any sponsor(s), and the date that the legislation was submitted.
 - (1) All legislation requires the sponsorship of at least one other Senator.
- (iii) Sponsorship of Legislation
 - (1) Sponsorship of any legislation is limited to ASuop Officers and Registered Student Organizations (RSOs).
 - a) An RSO's President will be responsible for communicating the RSO's intent to sponsor any legislation to the Senate. **updated SB 19-20.02*
 - (2) All Legislation requires the sponsorship of at least one other Senator.

402.3 Legislative Process

- (i) Depending on the type of legislation, a different process must be followed, as defined in 402.1.i:
 - (1) Legislation sent to Rules Committee
 - a) The legislation must first be submitted to the Senate Rules Committee, which shall determine whether the legislation has adhered to all the guidelines set forth in this Chapter.
 - b) If approved, the Rules Committee Chairperson will send the approved legislation to the Office of the Vice President, who will schedule a first

reading for the legislation at the next available Senate meeting. From there, the Senate shall either refer the legislation to a committee or vote.

- (2) Legislation authored by a Committee
 - a) The legislation must originate in the committee specified in 402.1.i. If the legislation is approved by the specified committee, the chairperson of the committee shall send the legislation to the Vice President. From there, the Senate shall vote on the legislation.
 - b) Should any amendments be made to the specified committee Appropriation Request, that either one (1) change the funding of any line item by more than 20% or two (2) adds or deletes any line item, they shall be referred back to the Finance Committee for reconsideration. Upon reconsideration, the legislation will be sent back to the Vice President and voted on at the next regular meeting. Amendments that do not meet these criteria may be made on the Senate floor, if approved by the Senate in a majority vote.
- (3) Presidential Nomination
 - a) The President shall deliver their nomination(s) to the Vice President, who will schedule a hearing for the nominee at the next available Senate meeting.
 - b) The Senate shall decide how long and to what extent they would like to examine the nominee; however, the Senate must vote on the nominee within two (2) weeks of their hearing.
- (4) Senate Advisory Opinion Request
 - a) A Senator will author a Senate Advisory Opinion Request and acquire the signatures of two Senator Sponsors.
 - b) The author will deliver the request to the Chief Justice of the Supreme Court.
 - c) The Supreme Court will offer their advisory opinion to the Senate and deliver it to the author(s) and the Vice President in a timely manner.

Chapter 403 – Committees

403.1 General

- (i) All standing Senate committees will develop their own bylaws in accordance with this Chapter.
- (ii) All Senate committees shall also have an appointed committee chair, who should be approved by a majority of the seated Senate.

- (iii) As follows is a list of predefined standing committees within the Senate. Additional, Ad Hoc committees can be formed, as per *Robert's Rules of Order Newly Revised*

403.2 Finance Committee

- (i) The Finance Committee shall have jurisdiction over all matters that concern the allocation, apportionment, and budgeting of ASuop funds to internal and external departments and to Registered Student Organizations.

403.3 Rules Committee

- (i) The Rules Committee shall have jurisdiction over the creation of any additions or alterations to these Bylaws, the editing of all legislation before it goes before the Senate, and the final interpreters of all internal policies of the Senate.
- (ii) This Committee shall be responsible for reviewing all legislation and official acts of the President to ensure they are consistent with the Constitution and Bylaws.
 - i. In the event that legislation or acts of the President do not align with the Constitution or the Bylaws, it shall be returned to the author for appropriate revisions.
 - ii. Rules Committee and the Supervisor/Advisor will collaborate with the author to make the needed revisions.
- (iii) The Rules Committee Chair will also serve as a parliamentarian, and will be responsible for advising the President on any discrepancies or issues arising from the Constitution or Bylaws.

403.4 Senate Selection Committee

- (i) The Senate Selection Committee shall have jurisdiction over all interviews and searches related to filling vacancies within the Senate

403.5 Senate Ethics Committee

- (i) The Senate Ethics Committee shall have jurisdiction over all issues related to conduct and ethics within all three branches of ASuop. All charges of impeachment must originate within this committee. If it becomes necessary, the Ethics Committee shall appoint a representative from within the Ethics Committee to represent ASuop in a Supreme Court case.
 - i. Should a member of the Senate Ethics Committee be the subject of an inquiry, then they shall be dismissed from all proceedings. If this Senator is the Chair of the committee, then an acting-Chair shall be elected from the committee.

Chapter 404 – Senator Responsibilities

404.1 Senate Reports

- (i) Senators shall submit reports to the Vice President every fourth Senate meeting, beginning with the fourth Senate meeting of the Semester.
- (ii) Reports shall include a summary of what the Senator has done for their constituents since the last report, and what they plan to do by the next report.

404.2 One-on-One Meetings with the Vice President

- (i) Senators shall have a one-on-one meeting with the Vice President at least once a month to discuss what they are doing for their constituents.

404.3 Outreach to Constituents

- (i) Senators must meet at least two of the following requirements each semester:
 - (1) Office Hours
 - a) Senators should hold at least two (2) office hours per week during the semester.
 - b) Office hours are defined as a period of time in which a Senator is within the ASuop Office and is available to any of their constituents, and should be held at regular, published times every week.
 - c) Senators may hold office hours in an alternative location on campus, in place of their normal office hours, at least once a month, so that they are more accessible to their constituents.
 - a. Senators holding their office hours outside of the ASuop Office, must inform the Vice President of the new time and location of their office hours at least three (3) business days prior to their office hours, otherwise they shall be considered absent.
 - (2) Senate Event
 - a) Senators should hold at least one event per Semester for their constituents.
 - b) Events may be held jointly with other senators.
 - c) Events must be approved by the Vice President at least one week in advance of the event.

- (3) Registered Student Organizations
 - a) Senators should attend meetings of at least two (2) registered student organizations per month.

404.4 Enforcement

- (i) It shall be the responsibility of the Vice President to ensure that all Senators are fulfilling the responsibilities defined in this chapter.
 - (1) If a Senator does not uphold their responsibilities, the Vice President and ASuop shall work in conjunction with the Ethics Committee to formulate an appropriate disciplinary course of action, as well as a contingency plan for when a member of Ethics is the one violating the code.

Associated Students of the
University of the Pacific
Article V: Executive Branch

Chapter 500 – General Guidelines

500.1 Appointment to Executive Office & Job Descriptions

- (i) Applicants for executive positions must provide their resume and short statements as to why they should be selected for the position.
 - (1) The President may only nominate individuals who have applied through the University’s official student employment website.
- (ii) Pursuant to Art. V, Sec. 6 of the ASuop Constitution, all Executive Officers shall be nominated by the President and must be confirmed by the Senate.
- (iii) Executive Officers may hire additional staff for their Departments as determined by the Annual Budget, and in consultation with the President.

500.2 Office Hours of ASuop Officers

- (i) Cabinet members shall set their Office hours in consultation with the Chief of Staff within two (2) weeks of the semester.
 - (1) Office hours of Cabinet members may be changed throughout the semester; however, changes must be approved by the Chief of Staff. Any request to change office hours must be submitted at least twenty-four (24) hours in advance.
- (ii) All other executive members shall set their hours through their direct supervisor.
 - (1) Office hours may be changed throughout the semester; however, changes must be approved by a direct supervisor. Any request to change office hours must be submitted at least twenty-four (24) hours in advance.

500.3 Executive Reporting

- (i) Department heads are required to meet regularly with the Chief of Staff to provide Executive Reports on the progress of their respective departments. The frequency of

said meetings shall be determined by the Chief of Staff in consultation with the President.

- (ii) The Chief of Staff shall submit memoranda to the President containing summaries of the Executive Reports. These memoranda shall also be delivered to the Vice President within one (1) week of their submission to the President. The Vice President shall proceed to share the reports with the Senate.
 - (1) Any confidential information contained in an Executive Report shall be indicated as such so that the Chief of Staff may redact the information before sharing it with the Vice President.

500.4 Disciplinary Measures

- (i) Should a member of the executive branch be found in violation of any of the policies set forth in these Bylaws, the ASuop Constitution, or any other official ASuop policy, the President shall determine the appropriate disciplinary action, up to termination, in consultation with an ASuop Advisor and the Office of Human Resources.
- (ii) Any disciplinary action, up to and including termination, shall conform and adhere to any and all standards, policies, or directives set forth by the Office of Human Resources.

Chapter 501 – Executive Departments, Offices, and Officers

501.1 Office of the President

- (i) The Office of the President shall be responsible for assisting the President in fulfilling their obligations and duties to the students.
- (ii) The Office of the President shall be managed by the Chief of Staff.
 - (1) The Chief of Staff shall report directly to the President and will execute the daily tasks of the Office of the President with the advice and consent of the President.
 - (2) The Chief of Staff shall be responsible for assisting the President with managing the Cabinet and will be responsible for managing all administrative tasks related to the Cabinet. Additionally, the Chief of Staff shall pursue any special projects or initiatives as determined by the President and will maintain current records of all documents pertaining to ASuop, including a list of all ASuop Officers for the Academic Year.
 - (3) The Chief of Staff shall pursue any special projects or initiatives as determined by the President
 - (4) The Chief of Staff will maintain current records of all documents pertaining to ASuop, including a list of all ASuop Officers for the Academic Year.

- (iii) The Office of the President shall be assisted by Commissioners.
 - (1) Commissioners shall report directly to the Chief of Staff.
 - (2) Commissioners are individuals who are selected by the President to pursue a specific commission.
 - (3) Commissioners are volunteers and are not financially compensated for their contributions to ASuop.
- (iv) Additional positions may be proposed within the Office of the President by the President, and must be approved by the Senate.
- (v) The Office of the President shall be assisted by the Attorney General
 - (1) The Attorney General shall report directly to the President
 - a) In the event that the Attorney General is investigating or pursuing charges against the President, they shall report to an ASuop Advisor and the Chair of the Senate Ethics Committee
 - (2) The Attorney General is responsible for ensuring that all laws and policies of ASuop are being adhered to. This includes, but is not limited to, the following tasks:
 - a) Reviewing all approved legislation to ensure it is consistent with the Constitution and bylaws.
 - b) Reviewing all official acts of the President to ensure they are consistent with the Constitution and bylaws.
 - c) Advising the President on any discrepancies or issues arising from the Constitution or bylaws.
 - d) Representing ASuop in any cases brought against it in the Supreme Court.
 - e) Reporting all allegations of misconduct of ASuop Officers to the Senate Ethics Committee and investigating such allegations as deemed appropriate by the Ethics Committee

501.2 Office of the Vice President

- (i) The Office of the Vice President shall be responsible for assisting the Vice President in fulfilling their obligations and duties to the students.
- (ii) The Office of the Vice President shall be managed by the ASuop Clerk.

- (1) The Clerk shall report directly to the Vice President and will execute the daily tasks of the Office of the Vice President with the advice and consent of the Vice President.
- (2) The Clerk shall be responsible for assisting the Vice President with managing the Senate, and will be responsible for managing all administrative tasks related to the Senate.

501.3 Department of Finance

- (i) The Department of Finance shall be responsible for monitoring the distribution and reimbursement of all ASuop funds to both internal and external entities, as allocated and approved by the Senate.
- (ii) The Department shall function within the guidelines of the Bylaws established within this Article, Article VIII, and any financial guidelines established by the University.
- (iii) The Department of Finance shall be managed by the Director of Finance.
 - (1) The Director shall report to the Chief of Staff.
 - (2) The Director shall also work in conjunction with the Student Activities Center (SAC) due to the fact that a responsibility of the Department is to work with Registered Student Organizations (RSOs) regarding their ASuop funds.
 - (3) The Director, in consultation with the Chief of Staff, may hire a Deputy Director of Finance to help fulfill the duties of the Department.

501.4 Department of Arts and Entertainment

- (i) The Department of Arts and Entertainment shall be responsible for providing the Pacific community with diverse events to enhance the Pacific experience.
- (ii) The Department shall be managed by the Director of Arts and Entertainment.

**updated EO 18-19.01*

501.5 Department of Brand and Marketing

- (i) The Department of Brand and Marketing shall be responsible for providing high-quality graphic designs to members of the Pacific community.
- (ii) The Department shall be managed by the Director of Brand and Marketing.

**updated EO 18-19.01*

501.6 Department of Diversity, Equity, and Inclusion

- (i) The purpose of this Department is to bridge the gap between student groups from under-represented and non-traditional backgrounds, to the University of the Pacific and its population. This department is to advocate for students who require more representation for underrepresented and non-traditional students and student groups. This department is to follow the University’s institutional mission pertaining to Equity and Inclusion.
 - (1) It will be responsible for collaborating with the University’s equity organizations that are outlined on the University website, as well as registered student organizations (RSO’s) pertaining to diversity and inclusion, special interest, and any other organization that falls within diversity, equity, and inclusion. This department is to connect students to the local community through service or Stockton community events.
- (ii) The Department shall be managed by the Director of Diversity, Equity, and Inclusion.

501.7 Department of Communications

- (i) The Department of Communications shall be responsible for providing ASuop with a cohesive, consistent, and professional communications strategy.
- (ii) The Department shall be managed by the Director of Communications.

Chapter 502 – The Cabinet

- 502.1** The Cabinet shall serve as the means through which the President can execute their constitutional obligations and carry out their administration’s objectives.
- 502.2** The Cabinet, as a collective body, derives its authority from the President and has no authority to act or exercise power unless specifically granted by the President or as enacted by the Senate.
- 502.3** The Cabinet serves as an advisory body to the President, and as such, may not issue any binding resolutions or acts. Members of the Cabinet may present resolutions or recommended actions to the Senate; however, the Senate reserves the authority to determine all policies of the ASuop.
- 502.4** The President may organize the Cabinet as they see fit for the fulfillment of the purpose established within this chapter.
- 502.5** Cabinet membership is comprised of the following:
- (i) President of ASuop (chair)
 - (ii) Vice President of ASuop

- (iii) Chief of Staff
- (iv) Director of Finance
- (v) Director of Arts and Entertainment
- (vi) Director of Brand and Marketing
- (vii) Director of Diversity, Equity, and Inclusion
- (viii) Director of Communications
- (ix) Commissioners
- (x) President Pro-Tempore of the Senate (ex officio)
- (xi) Chief Justice of the Supreme Court (ex officio)
- (xii) ASuop Advisors (ex officio)

502.6 If any change to the membership of the Cabinet is made, the President must notify the Senate within fourteen (14) days of the decision.

Chapter 503 – University Committee Appointments

503.1 The President, per the Constitution, has the authority to “represent the ASuop at all official meetings of the University, and, to appoint members of the ASuop to serve in place of the President at said meetings.”

- (i) The Chief of Staff shall maintain a list of all appointees currently serving on University Committees and is responsible for maintaining regular contact with all appointees throughout the academic year.

**updated EO 18-19.01*

Associated Students of the
University of the Pacific

Article VI: Judicial Branch

Chapter 600 – Jurisdiction

600.1 Reach of Jurisdiction

- (i) The Supreme Court of the Associated Students of University of the Pacific (“the Court”) has Original and Exclusive jurisdiction over all justiciable issues pertaining to any ASuop agency or body, or any individual acting on the behalf of ASuop.

Chapter 601 – Meetings

601.1 Meeting Times

- (i) The Court will meet when prescribed to do so by a majority vote of the ASuop Senate, or at the Court’s discretion
- (ii) The Justices may hold office hours at their discretion.

601.2 Openness of Meetings

- (i) All meetings of the Supreme Court shall be open to all members of ASuop.
- (ii) To ensure efficiency and fairness to the parties in question, any member of the gallery may be removed for disorderly conduct at the discretion of the Court.
 - (1) This rule shall be posted on the door to the chamber before and during proceedings.
 - (2) Electronic devices not needed for the operation of proceedings may not be used during proceedings. Observers using electronic devices will be asked to leave.

601.3 Post-Hearing Procedures

- (i) Immediately following official hearing proceedings, the Justices will meet to discuss the cases for which they just heard oral arguments.
- (ii) After discussing the case, the Justices will proceed to vote on the case.
 - (1) A vote on a specific case, should more time be needed to reach a decision, may be postponed.

- a) If a vote is postponed, the Supreme Court must vote on the case within the academic year.

Chapter 602 – Decisions and Opinions

602.1 Voting

- (i) All voting on specific case decisions must be conducted in person.
 - (1) Exceptions may be made to this rule for exceptional circumstances, as determined by the Justices.
- (ii) Voting on matters other than specific case decisions may be conducted in an informal manner, so long as a record of each vote is kept.

602.2 Creation of Official Decisions

- (i) Official Decisions shall be written by one (1) member of the majority.
- (ii) If the Chief Justice is in the majority, they shall decide which Justice will write the Official Decision.
- (iii) If the Chief Justice is not in the majority, the most senior majority Justice will decide which Justice will write the Official Decision.
- (iv) Official Court opinions must be delivered within two weeks of the Court reaching a vote.

602.3 Classification of Official Decisions

- (i) Justices voting in the majority may choose whether to sign their name to the Official Decision.
- (ii) If an Official Decision is signed by more than one Justice, it will be referred to as a Majority Opinion.
- (iii) If an Official Decision is signed by only one Justice, it will be referred to as a Plurality Opinion.

602.4 Additional Writings

- (i) Justices not writing the Official Decision but voting in the majority may choose to write a Concurring Opinion.
 - (1) A Justice writing a Concurring Opinion may still choose whether to sign their name to the Official Decision.
- (ii) Justices voting in the minority may choose to write a Dissenting Opinion.

- (iii) Concurrences and Dissents shall be delivered alongside the Official Decision.

602.5 Implications of Official Decisions

- (i) Official Decisions of the Supreme Court shall be considered final and binding by the totality of bodies under the jurisdiction of ASuop.
- (ii) The Supreme Court may only overturn past decisions in the event of a future relevant case.

Chapter 603 – Additional Codes

603.1 Operation of Meetings

- (i) Meetings of the Supreme Court shall be chaired by the Chief Justice.
 - (1) In the absence of the Chief Justice, the most senior Associate Justice shall chair the meeting. Seniority is determined by the date and time of Senate confirmation.

603.2 Recusal

- (i) If a situation arises in which a Justice has reason to believe that they cannot render an unbiased judgment in a case for any reason, they will recuse themselves from any involvement with that case.
- (ii) If, as a result of recusal, unfilled positions on the Supreme Court, or any other reason, a tie occurs in the voting process, the Court will default to dismissing the complaint.

603.3 Quorum

- (i) A quorum shall be required before the Supreme Court may take official action.
- (ii) A quorum in all voting situations will be considered a simple majority (greater than 50%) of the current Justices.

603.4 Amendments

- (i) Amendments to the Judicial Branch Bylaws must be approved by a two-thirds (2/3) vote of the current Justices.
- (ii) All amendments must be reported by the Chief Justice to the Senate Rules Committee, the President, and the Vice President.

Chapter 604 – Origination of Cases

604.1 Authority to Hear Cases

- (i) Pursuant to Art. VI, § 5 of the ASuop Constitution, the Supreme Court shall not have the authority to decide on cases not brought to it or issue advisory opinions on questions not asked of it by a member or members of ASuop as defined in Art. II of the ASuop Constitution.

604.2 Initial Contact

- (i) Initiation of the case process will be the responsibility of the prospective Plaintiff.
- (ii) A prospective Plaintiff in a case will contact the Supreme Court to notify it of their complaint through the Court's official mode of communication.
- (iii) After the Court has received notice of a complaint, the Justices will vote on whether to move to the next step in the case process or dismiss the complaint.
- (iv) If the Justices vote to move to the next step in the case process by a two-thirds (2/3) majority, a Justice will request more information on the case from the prospective Plaintiff.
 - (1) This message to the prospective Plaintiff will include a copy of these "Judicial Branch Bylaws" and a copy of the ASuop Constitution.

604.3 Additional Information Stage

- (i) The additional information requested by the Court will consist of the full text of the statute (if applicable) in question or a description of a supposedly illegal or unconstitutional action, along with the verbatim section of the ASuop Constitution or other relevant law that the prospective Plaintiff believes has been violated. Additionally, the prospective Plaintiff will be required to provide a description of the damages (if any) caused by the statute or action, and any preliminary arguments.
- (ii) Upon receipt of this information, the Justices will vote on whether to move to the next step in the case process or dismiss the complaint.
- (iii) If the Justices vote to move to the next step in the case process by a two-thirds (2/3) majority, the prospective Plaintiff will then be referred to as the Plaintiff.
- (iv) If the Justices vote to move to the next step in the case process by a two-thirds (2/3) majority, a Justice will request written arguments on the case from both the Plaintiff and the Respondent.

604.4 Written Arguments and Scheduling of Hearing

- (i) Upon receipt of written arguments from both the Plaintiff and the Respondent, the Justices will vote on whether to move to the next step of the case process or dismiss the complaint.

- (ii) If the Justices vote to move to the next step in the case process by a two-thirds (2/3) majority, a Justice will send a message to both the Plaintiff and the informing them of the date, time, and place that oral arguments will be heard on the case.
 - (1) Special scheduling accommodations may be made in exceptional circumstances, as determined by the Justices.

Chapter 605 – Oral Arguments

605.1 Time and Location of Oral Arguments

- (i) Both the Plaintiff and Respondent sides will be informed a minimum of three (3) calendar days in advance of the date, time, and location of the Supreme Court's hearing of Oral Arguments.
 - (1) The Court reserves the right to waive this rule if both Plaintiff and Respondent consent.

605.2 Oral Argument Procedures

- (i) Both the Plaintiff and Respondent will be entitled to fifteen (15) minutes with which to make their case.
 - (1) More time may be given equally to both sides in exceptional circumstances, as determined by the Justices.
 - (2) If the Plaintiff or Respondent go beyond the allotted time limit, they may be allowed to complete their current sentence before being cut off.
- (ii) The Plaintiff must summarize the facts of the case before beginning their Arguments. The Plaintiff will be given two (2) minutes to do so.
 - (1) This summary will not count toward the allotted time limit.
- (iii) The Respondent may, if it wishes, be given two (2) minutes before beginning its Arguments to dispute the facts of the case as presented by the Plaintiff side.
 - (1) This dispute, if it occurs, will not count toward the allotted time limit.
- (iv) At any point during Oral Arguments, any Justice may interject with a question. The individual being questioned may choose whether to respond.
 - (1) The allotted time limit will not be paused during Justice's questions.

605.3 Implications of Oral Arguments

- (i) Once oral arguments have been heard on a case, the Plaintiff is entitled to a decision on the case within the same academic year in which oral arguments were made.

Chapter 606 – Decision and Opinion

606.1 Argument Procedures

- (i) Immediately following the meeting in which Oral Arguments were heard on a case, the Justices will meet and discuss the case. Voting may take place at this time.
- (ii) Justices may choose to postpone voting on the case to any time within the academic year.
 - (1) If the Justices choose to postpone voting, the Plaintiff and Respondent shall both be informed immediately.

606.2 Official Decision

- (i) The Official Decision of the case will be delivered by the Chief Justice to the Office of the President.
- (ii) A copy of the Official Decision will be delivered to the Senate President Pro Tempore.
- (iii) Electronic copies of the Official Decision will be sent to the Plaintiff and Respondent sides.
 - (1) Hard copies may be provided to the Plaintiff and the Respondent sides if requested.

606.3 Implication of Official Decision

- (i) The Official Decision shall be considered final and binding, and can only be reexamined in the event of a relevant future case.

Chapter 607 – Elections

607.1 Challenges to the Outcome of an Election

- (i) Any member of ASuop may submit a written challenge to the outcome of an election to the Supreme Court within two (2) school days after the official election results are announced.
 - (1) The written challenge must include the complaint being made and any additional information relevant to the election contestation.
 - (2) The Supreme Court reserves the right to request additional information from the Elections Committee.

607.2 Reviewing Election Contestations

- (i) A quorum of Justices will meet to review the complaint no more than two (2) school days after the complaint has been filed. Voting will take place at this time.
- (ii) In the interest of expedient certification of results, Justices may not choose to postpone voting.
- (iii) The Supreme Court shall determine whether the election was conducted within the policies of Article VII and the ASuop Constitution.

607.3 Certification of Election Results

- (i) The Supreme Court has the constitutional authority “to certify election results” (Art. VI, § 5, Cl. 4).
- (ii) In the event that the Supreme Court determines that the results of an election cannot be certified, the Supreme Court has the authority to mandate a new election take place.

607.4 Appeals of Elections Committee Decisions

- (i) Any decision of the Election Committee may be appealed by the Respondent to the ASuop Supreme Court within four (4) days after the Elections Committee has announced its decision. If the fourth day should fall on an academic holiday or on a weekend, the deadline shall be extended to noon of the next school day.
- (ii) A quorum of Justices shall meet no more than four (4) school days after the appeal has been filed. Voting may take place at this time.
 - (1) Justices may postpone voting to request more information from the respondent and/or the Elections Committee. A decision must be made by the Court within one (1) week of the original appeal filing date.
- (iii) The Court will review the written argument for appeal and the Elections Committee’s official decision.
- (iv) The Court has the authority to overturn the Elections Committee’s decision, mandate a new Committee hearing take place, or mandate the Committee impose a penalty appropriate to the Court’s findings.

Associated Students of the
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Article VII: Election Code

Chapter 700 – Purpose

700.1 The purpose of this Article is to establish a set of rules to determine eligibility of candidates for all elected ASuop Officers; to set forth a procedure for the nomination of such candidates; to provide a standard for the conduct and control of all ASuop elections; to ensure that all candidates are afforded the opportunity for an equal and fair election; to designate the time and manner of conducting the operation of ASuop elections; and to set forth all other regulations, as necessary, for the just regulation of ASuop elections.

Chapter 701 – Organization of the Election Committee

- 701.1** All ASuop elections shall be overseen by an Election Committee.
- (i) The committee shall be comprised of an odd number of ASuop members, not totaling more than five (5), to ensure that no ties shall exist within the committee.
 - (ii) A student shall serve as the Elections Coordinator. The Elections coordinator shall serve as the chair of the committee.
 - (1) The President shall nominate an ASuop member to serve as the Elections Coordinator, and their confirmation requires a majority approval of the Senate.
 - (2) The Elections Coordinator shall not be considered as part of the Elections Committee.
 - a) The Elections Coordinator shall not campaign for any elected office of ASuop.
 - (iii) An ASuop Advisor shall serve as an ex-officio member of the elections committee.
 - (iv) All other members of the committee shall be selected by the Elections Coordinator, with the advice of an ASuop Advisor,
 - (v) No member of the committee may currently hold any office within ASuop or take part in a candidate's campaign.
 - (1) This rule may be waived in extenuating circumstances at the discretion of the Elections Coordinator.

- (vi) Members of the committee must meet all eligibility requirements stated in Chapter 303 of the ASuop Bylaws.

701.2 Responsibilities of the Elections Coordinator

- (i) The Elections Coordinator shall:
 - (1) Serve as chair of the Elections Committee, which includes scheduling all committee meetings, keeping records of the business of the committee, and ensuring that the committee follows all procedures outlined in this Article.
 - (2) Ensure that all responsibilities of the committee (as charged in this Article) are fulfilled.
 - (3) Give periodic progress reports to the ASuop Senate.
 - (4) Appoint ASuop members to serve on the committee.
 - (5) Prepare the Election Packet, which shall include all the rules outlined in this Article, in partnership with the ASuop Advisor.
 - (6) Organize an Orientation meeting for all candidates that have satisfied the requirements to be placed on the ballot. This meeting shall include an overview of all the rules outlined in this Article.
 - (7) Process all complaints and determine which ones ought to be brought before the committee.
 - (8) Have the authority to make independent decisions about minor violations/issues to expedite and ensure a fair election.
 - a) Decisions may be appealed by either party of the complaint to the Committee. In such an event, the Elections Coordinator may not vote. If there is a tie, then the original decision of the Elections Coordinator shall stand.
 - (9) Call a committee meeting to hear any complaints or violations of this Article as deemed necessary.
 - (10) Maintain a file on all submitted campaign publicity, materials, and endorsement forms.
 - (11) Designate another member of the committee to serve as the Vice Elections Coordinator, who shall fulfill the responsibilities of the Elections Coordinator in their absence.

- (12) Ensure that all the information on the elections website, including the ballot, candidate information, and polling times/locations, is accurate.

701.3 Responsibilities of the Elections Committee

(i) The Elections Committee Shall:

- (1) Ensure that the election is properly publicized, in particular, the application period, voting times, and location.
- (2) Determine the logistics of the election, which includes:
 - a) The arrangement of the ballot
 - b) The location and staffing of polls
- (3) Supervise the count and validation of all the ballots cast in the election.
- (4) Make public the results of elections within four (4) days of the conclusion of voting.
- (5) Maintain an impartial environment for voters at polling stations and prevent outsider harassment or manipulation for voters.
- (6) Conduct and supervise any run-off elections.
- (7) Hear all complaints, grievances, or any other illegal activities referred by the Elections Coordinator and take appropriate action. A quorum of committee is required to adjudicate matters arising under this Article.
- (8) Enforce all rules within this Article and impose penalties on the individuals who violate this Article.

**updated SB 19-20.05*

Chapter 702 – Candidates

702.1 Eligibility of Candidates

- (i) Candidates must conform to eligibility requirements as specified by University policy in Tiger Lore.
 - (1) For eligibility requirements as related to specific positions, refer to Articles IV & V of these Bylaws.

- (ii) A candidate (for any elected position) shall be an individual that has submitted a completed Application and Petition for Office, and been declared eligible by the ASuop Office.
- (iii) Write-in candidates must meet eligibility requirements. Write-in candidates' first and/or last names must be spelled so as to be easily recognizable on the ballot.

702.2 Procedures for Filing for Candidacy

- (i) Candidates must submit a completed ASuop Elections Packet to the ASuop Office. The Elections Packet must contain the following:
 - (1) Election Timeline – All deadlines should be listed for all announcements, forms, and meetings. This timeline must also include all polling dates, times, and locations.
 - (2) Registration and Letter of Understanding Form (requires a signature from the candidate(s))
 - (3) Candidate's Application – this must be typed with a minimum of 150 words describing one's goals if elected.
 - (4) Petition for Candidacy
 - a) Senators must obtain twenty-five (25) signatures.
 - b) President/Vice President tickets must obtain one hundred (100) signatures.
 - (5) A form to identify Campaign Staff
 - (6) Endorsements Forms
 - a) Rules regarding these forms may be found in §704.4 & §704.5 of this Article.
 - (7) A 'Violation Report' form.
 - (8) A copy of this ASuop Election Code.
 - (9) Election Packets will be available a minimum of four (4) weeks prior to the election. Any application or petition returned after the deadline is invalid.
 - a) The deadline shall be determined by the Elections Committee.
 - (10) On a designated posting day, as determined by the Elections Committee, a list of approved candidates for all offices will be physically and electronically posted.

- a) It will be the responsibility of the candidates to check these postings.
- b) Any candidates determined to be ineligible may appeal to the ASuop Advisor within a time period established by the Elections Committee.

702.3 Candidate Orientation

- (i) At least one Candidate Orientation Meeting will be held one week before the official campaign period begins.
- (ii) Candidates must attend this orientation meeting.
 - (1) Failure to attend the orientation meeting will result in termination of a candidate's campaign privileges.
 - (2) If unable to attend, a candidate may be represented by an official designee, so long as the candidate informs the Elections Coordinator a minimum of four hours before the orientation meeting.
 - (3) No individual may represent more than one candidate or ticket at the orientation meeting.
- (iii) The date, time, and location of the orientation meeting shall appear in the Election Packet.

702.4 Responsibilities of Candidates

- (i) It is the responsibility of all candidates to be completely familiar with all regulations contained in this code and all documents mentioned in this code.
- (ii) Each candidate is responsible for the actions of all persons and organizations participating in one's campaign. Furthermore, it shall be the responsibility of each candidate to inform and educate all persons and organizations involved with one's campaign of the spirit and letter of this election code.
 - (1) A violation by one candidate does not justify reciprocal action by another candidate.
 - (2) Candidates may not take down or destroy campaign materials of another candidate.
 - (3) Violations should be reported immediately to the Elections Committee.

Chapter 703 – Election Procedure

703.1 Election Dates

- (i) The ASuop general election shall be held annually in the spring semester for a minimum of five (5) consecutive school days.

703.2 Electronic Voting

- (i) All voting shall be done online.
- (ii) The Elections Committee shall determine which online voting service shall be used, within the budget that is allocated to the Committee.

703.3 Voter Outreach

- (i) All dates, times and locations shall be published in all available campus media the week prior to each election.
- (ii) The Elections Committee shall maintain suitable amenities intendant on increasing voter turnout (e.g. Laptops, tablets, etc.).

703.4 Run-off Election Procedures

- (i) In case of a tie vote, a run-off election shall be held within ten (10) school days.
 - (1) If the run-off election results in another tie, then the Senate shall determine the outcome of the election.
 - a) If the Vice President is a candidate of the election in question, then they may not preside over these proceedings.
 - b) The candidate that receives a majority in favor shall be the winner of the election. In the event of a tie another vote shall be taken, and this shall continue until a candidate receives a majority of the votes. The Vice President may not vote to break a tie.
 - c) The vote of the Senate shall be done through a secret ballot.
 - d) Candidates that are serving as Senators during the election may not vote in the determination of an election in which they are a candidate.

Chapter 704 – Campaigning

704.1 Commencement of Campaigning

- (i) The official campaign period will begin at 12:00pm the day after the Candidate Orientation meeting. Campaigning may not begin until the official campaign period begins.

704.2 Regulations Regarding Posters, Banners, Fliers, and Online Materials

- (i) Posters, banners, and fliers may be displayed as designated by the ASuop Elections Committee.
- (ii) All candidates shall have an equal opportunity to post a banner in a major area as determined by the ASuop Elections Committee.
- (iii) Candidates may only use public kiosks, booths, and marquees.
- (iv) Candidates may not use ASuop property such as, but not limited to, phones, computers, copy machines, printers and any other supplies/equipment purchased by ASuop funds in order to further their campaigns.
- (v) Posters and fliers shall be posted only on the open bulletin boards as designated by the Tiger Lore.
- (vi) Posters and fliers must be fastened by approved methods outlined in the Tiger Lore.
- (vii) Posters, banners and fliers shall be confined to the campus. They must not be attached to buildings, sidewalks, power poles, trees, traffic signs, building rails, on roads, fences, glass doors or windows, or distributed on parked vehicles. Drinking fountains and indoor trash cans are also unacceptable places for posting. The use of chalk is prohibited on sidewalks or other structures except for the DUC walkway.
- (viii) Posters, banners, and fliers shall not be permitted on any traffic islands near campus entrances.
- (ix) Posters, banners, and fliers must be removed within the established deadline after the official closing of the polls.
- (x) Nothing shall be posted until the official campaign period begins.
- (xi) No campaign material shall cover another candidate's campaign material.
- (xii) All online material must be made available to the Election Committee upon their request.
 - (1) Online material is defined as any posting online that promotes a candidate in the election that is published by a candidate or one's campaign team.
- (xiii) The Election Committee reserves the right to remove any campaign material posted that is found to be in violation of these rules.

704.3 Faculty and/or Staff Involvement

- (i) Candidates may not solicit or accept any material, funds, assistance, or endorsement from any faculty, staff, or administrative personnel.
- (ii) Any candidate who has been found guilty of accepting faculty and/or staff assistance shall be subject to disqualification pending a hearing before the ASuop Elections Committee.

704.4 Organizational Endorsements

- (i) Candidate(s) may solicit the endorsement of a University of the Pacific organization by submitting an “Organization Petition of Endorsement.”
 - (1) This document requires the signatures of both the current organization president and advisor to authenticate that a vote, consistent with the rules & regulations of the organization, was taken to endorse the candidate.

704.5 General Endorsement Regulations

- (i) Endorsement forms must be completed and submitted to the Elections Coordinator prior to use in campaigning.
- (ii) Failure to comply to these endorsement regulations may result in the suspension of a candidate(s) campaign.

704.6 General Election Regulations

- (i) Samples of all publicity (physical and online), should be submitted to the Elections Coordinator or designee prior to distribution. The Elections Coordinator or designee shall offer advice regarding the potential consequences of distributing certain campaign materials or the exercise of certain campaign activities.
- (ii) All campaigning must stay within the guidelines of University’s Posting Policies and the ASuop Election Code.
- (iii) Door-to-door soliciting in campus housing is prohibited.
- (iv) The ASuop Elections Coordinator/Committee has the authority to take reasonable and appropriate action against what is deemed to be inappropriate or unfair campaign material/activity only after the distribution/exercise.

Chapter 705 – Voting

705.1 Eligibility to Vote

- (i) All current ASuop members are eligible to vote.

- (1) All students who have paid the ASuop fee within fifteen (15) days of the semester, as confirmed by the University Registrar, shall be eligible to vote.
- (ii) In elections within an academic college/school, voting is limited to those within that specific college/school. Students who are exploratory majors may vote for candidates running for an office within their academic college/school. If they have no declared college/school, they may only vote for University-wide offices.
- (iii) Voting will take place via secret ballot – no one may know who voted for whom unless it is required to adjudicate an issue related to the election.
- (iv) All necessary instructions and the names of the candidates must appear on the ballot and/or a ballot instruction sheet.
- (v) Final voting procedures shall be established by the Elections Committee.

705.2 Counting the Votes

- (i) The Elections Committee will establish the specific method of tabulating the votes.
- (ii) Counting of the ballots shall be done only by the Elections Committee, while in the presence of the ASuop Advisor.
- (iii) The Elections Committee shall post and publicize the official results after counting is completed.

705.3 Challenging the Outcome of the Election

- (i) Any member of ASuop may challenge the outcome of an election.
- (ii) Any ASuop member challenging the outcome of an election must present a written challenge to the ASuop Supreme Court within two (2) school days after the official election results are announced.
 - (1) The Supreme Court has the authority “to certify election results when contested by a member of the ASuop”. Therefore, if an election is challenged, the Supreme Court shall determine whether the election was conducted within the policies of this Article and the ASuop Constitution.
 - (2) In the event that the Supreme Court determines that the results of an election cannot be certified, the Supreme Court reserves the right to mandate a new election take place.

Chapter 706 – Violations and Penalties

706.1 Jurisdiction

- (i) The Elections Committee shall have original jurisdiction to hear any and all cases of alleged violations of this code.
- (ii) Allegations of violations must be submitted to the Elections Coordinator, who will call a meeting of the Elections Committee to discuss the issue.

706.2 Filing Regulations

- (i) Allegations may be filed by any candidate, any qualified voter, any officer of the Associated Students, or any Elections Committee member.
- (ii) The allegation shall be considered filed when the completed Violation Report Form is accepted, and logged in with the time and date indicated.
- (iii) The Elections Committee may, if deemed necessary, suspend the tabulation of votes or the publication of results until such time that the allegations filed are resolved by the procedures set forth in this code.

706.3 Complaints Against the Elections Committee

- (i) Complaints of violations by the Elections Committee or any of its members must be submitted in writing to the ASuop Advisor. The violations will be reviewed by the ASuop President, Vice President, and the Chief Justice of the Supreme Court to determine the need for a hearing.
 - (1) If two of the three find that there is sufficient need to call a hearing, the Vice President will call a special meeting of the Senate to hear the violation complaint.
- (ii) Any violation hearing by the Senate will be held in accordance with the procedures for a normal violation hearing as defined in Chapter 707 of this Election Code. In such a case, the Vice President will replace references to the Election Committee Chair and the Senate will replace references to the Elections Committee.

706.4 Violation Hearing Procedures

- (i) Upon receipt of a Violation Report, the Elections Coordinator shall determine the time, date, and location of a hearing.
 - (1) The Elections Committee shall conduct the hearing within five (5) school days following the submission of the Violation Report.
- (ii) The person filing the Violation Report and the person(s) and/or group(s) charged with the alleged violation shall receive written notification of the scheduled hearing time, date, and location at least forty-eight (48) hours prior to the scheduled hearing.

- (iii) The person filing the Violation Report shall be required to notify the witnesses named in the Violation Report of the time, date, and location of the scheduled hearing and shall be responsible for the appearance of said witnesses at the hearing.
- (iv) The Elections Committee shall notify the campus community, with reasonable efforts, by posting or publicizing the scheduled hearing time, date, and location, the parties involved, and the charges filed.
 - (1) Notification must begin two (2) days prior to the hearing, excluding weekends and academic holidays.
- (v) All hearings shall be conducted with a minimum of three-fourths (3/4) of the appointed voting members of the Elections Committee present. The Elections Coordinator shall preside at the hearing.
- (vi) All individuals, parties, or organizations involved in the case(s) shall be allowed to present any witness(es), arguments, and/or evidence within reasonable limits.
- (vii) The Elections Coordinator shall have the authority to exclude any and all disorderly person(s) from the hearing.
- (viii) Minutes shall be taken at all hearings by the ASuop Clerk.
 - (1) Minutes and copies of all documents and other items submitted in evidence shall be available to the individuals or parties involved for use in the preparation of arguments for appeals.
- (ix) The Elections Committee shall, after consideration of all testimony and evidence, render its decision by a majority vote of eligible voting members present at the hearing within three (3) school days after the completion of the hearing.
 - (1) Minor penalties shall require a simple majority vote of the committee. Major penalties require a two-thirds (2/3) vote of the committee.
 - (2) The case decision and penalty shall be prepared in writing.
 - (3) A copy of the case decision and penalty shall be distributed to the following persons:
 - a) Complainant
 - b) Respondent
 - c) ASuop President
 - d) ASuop Vice President

- e) Chief Justice of the Supreme Court
- f) ASuop Advisor(s)

706.5 Penalties for Code Violations

- (i) The Elections Committee may find the respondent(s) guilty of either a minor violation or a major violation.
 - (1) A minor violation may include, but is not limited to, the following violations:
 - a) Isolated false or misleading activities.
 - b) Posting campaign material in an unauthorized location.
 - c) Failure to remove posters, banners, and fliers by the specified deadline.
 - d) Campaigning within the restricted area of a polling place.
 - e) Failure to comply with endorsement regulations.
 - (2) A major violation may include, but is not limited to, the following violations:
 - a) Ballot box stuffing. This includes candidates approaching voters with a device that can be used to vote and having voters use said device to vote.
 - b) Falsification of campaign information.
 - c) Improper conduct or activity which affected the results of an election.
 - d) Libel/slander (harmful false and misleading activities).
 - e) Falsification of information or evidence presented at an Elections Committee hearing.
 - f) Failure to comply with any and all penalties imposed for a minor violation.
 - g) The use of unsolicited electronic, telecommunication, or postal solicitation for campaign purposes.
- (ii) The Elections Committee shall have the authority to impose the following penalties:
 - (1) For Minor Violations:
 - a) Written Reprimand
 - b) Restraint of further conduct
 - c) Removal of any unauthorized material

- (2) For Major Violations, the penalty must include disqualification from the current general election and prohibition from aiding in any current campaigns.
 - a) The Elections Committee may also impose a prohibition from actively taking part in any campaign for office in the following year.
 - b) Any second written reprimand will qualify as a major written violation.

706.6 Appeal Procedure

- (i) Any decision of the Elections Committee may be appealed by the respondent to the ASuop Supreme Court within four (4) days after the Elections Committee has announced its decision. If the fourth day should fall on an academic holiday or on a weekend, the time limit shall be extended to 12:00pm of the next school day.

Chapter 707 – Voiding Procedures

707.1 Reason for Voiding an Election

- (i) The Election Committee shall void any election in which there is:
 - (1) Theft of ballots
 - (2) Changing of ballots
- (ii) The Election Committee shall have the authority to void any election with due cause upon violence or disruption that would significantly affect the operation of the election (e.g. natural disasters or uncontrollable circumstances).

707.2 Vote to Void an Election

- (i) A two-thirds (2/3) vote of the Election Committee is required to void an election.

707.3 The ASuop Advisor reserves the right to void an election in extraordinary circumstances.

Chapter 708 – Campaign Finances

708.1 Purpose

- (i) In order to ensure a fair and equal election, this chapter outlines regulations and restrictions regarding money that is used during campaigns.

708.2 Spending Limits & Donations

- (i) Candidates for Senate seats may not spend more than \$100 on campaign materials. This includes the spending of money donated to the candidate.

- (ii) Candidates for the Presidency/Vice Presidency may not spend more than \$200 on campaign materials. This includes the spending of money donated to the candidate.
- (iii) Campaign Materials
 - (1) Campaign materials are defined as all items that are used to promote, encourage, and/or support a candidate. This includes fliers, buttons, banners, t-shirts, pamphlets, a-frames, graphics, and videos that promote, encourage, and/or support a candidate.
 - a) Pre-owned campaign materials must be declared to the Elections Committee by name and quantity before the official campaign period defined in Chapter 704.1 (i) begins.
 - b) Pre-owned items such as pens, pencils, erasers, and other small stationery items shall not be itemized as a cost on a candidate's expenditure report. Each Senate and Presidential/Vice Presidential candidate shall be limited to fifty (50) fliers/handouts of all sizes, respectively, from pre-owned materials before a candidate must itemize these costs on their expenditure report according to production value by University of the Pacific's Duplicating Services.
 - c) Pre-owned items to create one (1) A-frame for all candidates shall not be itemized. Any additional A-frames created from pre-owned items shall be itemized on a candidate's expenditure report according to the proper retail value during the campaign period. Pre-owned items used to decorate the A-frame must be itemized as a cost according to its current value at any retail store.
 - d) Any issues regarding pre-owned items that are not answered in these bylaws shall be decided by the Elections Coordinator.
 - e) All candidates shall have the option of one free graphic developed by the ASuop Graphic Design team. This graphic may be used for multiple purposes. The ASuop Graphic Design team is only responsible for one free design and does not include printing services. Any additional graphics designed by the ASuop Graphic Design team shall be billed to the candidate according to the ASuop Graphic Design rates.
- (iv) Candidates may not accept donations in any form other than money. Campaign materials, such as posters, banners, and so on, may not be accepted by any candidate.

708.3 Enforcement

- (i) No more than five (5) days after the final day of voting all candidates must turn in an expenditure report.
- (ii) Expenditure report forms shall be distributed by the Elections Committee, and shall include the following:
 - (1) Copies of all receipts of purchases related to campaign materials.
 - (2) A signed statement attesting to the validity of the report.
- (iii) Any candidate that intentionally, purposefully, or knowingly violates this Chapter shall be immediately disqualified from the election.
 - (1) The Election Committee may disqualify the victory of any candidate found to violate this policy within five (5) days of the final expense report.
- (iv) Unintentional violations of this Chapter shall be considered minor offenses, unless their actions constitute gross negligence. An omission, or failure to act, due to a lack of knowledge regarding said policy shall not constitute unintentional behavior – all candidates are expected to know all policies within this article.
- (v) Candidates are responsible for reporting the campaign expenditures of all individuals who are listed as “Campaign Staff” (Chapter 702.2(i)(5)).

708.4 Transparency

- (i) All expenditure reports shall be made public by the Elections Committee within three (3) days of receiving each report.
 - (1) Any personal information, such as the debit/credit card number, home address, phone number, or email shall be redacted from the report before it is publicly posted.
 - a) Candidates may request that additional information be redacted, and it shall be up to the Elections Coordinator to determine if that is appropriate.

Chapter 709 – Public Access to Elections

709.1 Campus-Wide Debate

- (i) A campus-wide debate shall be held to ensure that voters are given an opportunity to hear from the Presidential and Vice Presidential candidates and assess their platforms.
- (ii) All Presidential and Vice Presidential candidates are invited to participate in the debate.

- (1) If the number of President/Vice President tickets exceed three (3), then the debate shall be only between the Presidential candidates and not the Vice Presidential candidates.
- (iii) Time, date, and place of the debate shall be as follows:
- (1) The debate shall be held no earlier than 5pm on a weekday.
 - (2) The debate shall take place during the second week of campaigning.
 - (3) The debate shall take place on-campus in a public location that is available to all students, as determined by the Elections Committee.
- (iv) The rules of the debate are as follows:
- (1) The debate shall be moderated by the Elections Coordinator.
 - (2) Each candidate shall be afforded an opportunity to give an opening statement no longer than three (3) minutes in length.
 - (3) Each candidate shall be afforded two (2) minutes to respond to each question asked by the moderator. After each answer, the moderator may allow other candidates to respond at their discretion.
 - a) Candidates will be given the topics of the questions one (1) week prior to the debate, so that they may prepare their responses.
 - (4) The moderator may ask follow-up questions to clarify the position of candidates.
 - (5) Candidates may not ask questions during the debate.
 - (6) Each candidate shall be afforded an opportunity to give a closing statement no longer than two (2) minutes in length.
 - (7) No personal attacks are allowed. The moderator reserves the right to remove anyone from the debate who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their opponent(s). However, it is appropriate for candidates to respectfully compare and contrast their platform with their opponent's during the debate.

709.2 Campus-Wide Forum

- (i) A campus-wide forum shall be held to ensure that voters are given an opportunity to hear from the senatorial candidates and assess their platforms.

- (ii) All senatorial candidates are invited to participate in the forum.
- (iii) The forum shall be held immediately after the Campus-Wide Debate.
- (iv) The rules of the forum are as follows:
 - (1) The forum shall be moderated by the Elections Coordinator.
 - (2) Each candidate will be afforded five (5) minutes to present their platform.
 - a) All candidates for a specific senate seat (i.e. College of the Pacific) shall present consecutively. The order shall be determined randomly by the moderator.
 - (3) No personal attacks are allowed. The moderator reserves the right to remove anyone from the forum who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their opponent(s). However, it is appropriate for candidates to respectfully compare and contrast their platform with their opponent's during the forum.

709.3 Voter's Handbook

- (i) The Elections Committee shall be responsible for organizing, producing, and distributing a "Voter's Handbook"
 - (1) The Voter's Handbook will include a brief statement about each candidate, initiative, constitutional amendment, and other matters that are on the ballot.
- (ii) A "Voter's Handbook" shall be made publicly available to voters within five (5) days of the beginning of the campaign period.
- (iii) All candidates may submit a statement to the Elections Committee to be included in the Voter's Handbook.
 - (1) Senatorial candidates may submit a statement up to 250 words.
 - (2) Presidential/Vice Presidential tickets may submit a statement up to 500 words.
- (iv) The Elections Committee shall write and approve impartial statements regarding matters unrelated to candidates, such as initiatives, constitutional amendments, and so on.
- (v) The Voter's Handbook shall be made available at polling places, online, and in residential common areas (if approved by Residential Life and Housing).

Associated Students of the
University of the Pacific

Article VIII: Finance Code

Chapter 800 – General

- 800.1** The purpose of this Article is to establish the regulations that govern the financial dealings of ASuop.
- 800.2** This Article shall be executed by the Department of Finance, supervised by the President, and enacted and amended by the Senate.
- 800.3** For the purposes of this Article, registered student organizations (RSOs) are defined as those student organizations that are currently registered with the Office of Student Leadership & Involvement.

Chapter 801 – The Annual Budgeting Process

- 801.1** The President, as stated in the Constitution, “shall submit an annual budget, in the Spring semester, to the Senate” (Art. V, §6 of ASuop Constitution).
- (i) The annual budget shall be authored by the Department of Finance and presented to the President for approval. If approved by the President, then the budget shall be submitted to the Senate and requires a majority to be approved.
 - (1) The annual budget shall include individual budgets for all requesting entities, as well as line item descriptions.
 - (ii) The annual budgeting process shall adhere to the following timeline:
 - (1) All annually funded entities (both external and internal) shall receive an invitation to present their budget to the Finance Board through a formal hearing in February.
 - (2) Hearings for all annually funded entities shall take place in March.
 - (3) The President shall submit the annual budget to the Senate by the first Friday of April.
 - (iii) Annual groups that wish to receive annual funding must do the following:

- (1) Internal (ASuop) – Submit a full budget (with line item descriptions) to the Department of Finance and then sign up for a hearing. All internal budgets must be submitted by their respective department heads.
- (2) External – Submit a full budget (with line item descriptions) to the Department of Finance and then sign up for a hearing.

Chapter 802 – Responsibilities & Authorities of the Department of Finance

802.1 Director of Finance (“the Director”)

- (i) The Director has the responsibility to:
 - (1) Review all reimbursement requests to ensure that all documentation has been completed correctly.
 - (2) Periodically review all internal accounts of ASuop to ensure that all expenditures are in line with the annually approved budget, and if not, to immediately investigate and report any findings to the President.
 - (3) Assist all Registered Student Organizations (“RSOs”), internal departments, and external departments only with inquiries related to ASuop funding.
 - (4) Report any finding of misconduct or violation of any university or ASuop policy to the ASuop Advisor and President.
 - (5) Assist the Senate Finance Board with their duties related to the distribution of ASuop funds.
 - (6) Oversee the preparation of an annual budget in the Spring semester, within the guidelines established in Chapter 801 of this Article.
 - (7) Complete all projects assigned to them by the Chief of Staff or President, in a timely manner.
 - (8) Appear before the Senate when requested by a Senator, the Vice President, or the President.
 - (9) Maintain a knowledge of all existing ASuop policies within this Article and all University policies that affect ASuop funds.
- (ii) The Director has the authority to:
 - (1) Approve funding requests that are less than or equal to \$250 without the approval of the Finance Board or Senate, and approve funding requests that are between \$250 and less than or equal to \$500 with the approval from the Chair of the Finance Board. Any additional requests must be approved by a majority of

the Finance Board. The Director must report all line item approvals to the President and Finance Board within (3) days of approving the request

- (2) Approve changes to previously awarded line items that are less than \$250 without the approval of the Senate. Any additional changes must be approved by a majority of the Finance Board. The Director must report any line item changes to the President and Senate within three (3) days after approving the request.
- (3) Compel the attendance of the Treasurer of any RSO, or the analogous person of the annually funded group, for the purpose of reviewing their budget if any wrongdoing has been found.
- (4) Freeze use of ASuop funds allocated to any RSO or annually funded group that is found to be in violation of this Article or any policy of the University. This requires the approval of the President if the freeze shall extend beyond seventy-two (72) hours, and the Business Manager must be notified.
- (5) Enforce all the provisions within this Article.

**updated SB 18-19.04&05*

Chapter 803 – ASuop Semi-Annual, Conference, and Contingency Funding Processes

803.1 Semi-Annual Funds and the Application Process

- (i) All RSOs are eligible to apply for semi-annual funds from ASuop.
 - (1) Semi-annual funds are funds that may be used by RSOs within the semester for which they are awarded. All funds must be spent within the semester they are awarded – no funds carry over to the following semester.
- (ii) The process for semi-annual funding is as follows, in order¹:
 - (1) The Director shall send out a notification to all RSO treasurers and presidents informing them of when the application will open and when it will close.
 - (2) RSOs shall then prepare and submit their budget, with line item justifications, by filling out the ‘Funding Request Form’ ().
 - (3) Once the ‘Funding Request Form’ has been submitted, the RSO shall sign up for a hearing with the Director of Finance.
 - a) All RSOs will be given the option to be heard directly by the Finance Board if they shall choose.
 - b) All RSOs that have a conflict of interest with the Department of Finance, whether professional or personal, will be heard by the Finance Board.

- c) The Finance Board members have the right to request an RSO to be heard directly by them at any point in the funding process.
- (4) After the Director relays all funding requests to the Finance Board, the Finance Board, in consultation with the Director, shall prepare a recommendation to the Senate of all semi-annual requests for the following semester. The recommendation requires a majority of the Finance Board to pass.
- (5) The Chair of the Finance Board shall present the approved recommendation of the Finance Board to the Senate. The recommendation requires a majority of the Senate to pass.
- (6) The Senate-approved semi-annual recommendation is then sent to the President, who may sign it into effect, or veto the recommendation. If vetoed, the recommendation shall return to the Senate who may overrule the veto with a two-thirds (2/3) majority, or amend it and seek Presidential approval.
- (7) Once the semi-annual recommendation has been approved, the Director shall send a notification to all semi-annual groups, notifying them of their allocated amount.

803.2 Conference Funds and the Application Process

- (i) All members of ASuop are eligible to apply for conference funding.
 - (1) Conference funds are funds that may be used to support students and RSOs who are interested in experiential learning (e.g. attending professional meetings or conferences).
 - (2) Conference funding requests may be turned in at any time.
 - (3) Conference funding is on a reimbursement basis – requestors must pay out of pocket, unless an arrangement is set up with the Business Manager.
 - (4) Requestors may have to present what they learned at the conference if requested by the Senate.
- (ii) The process for conference funding is as follows, in order¹:
 - (1) Applicants shall submit a ‘Conference Funding Request Form’. Applicants ought to submit form at least forty-five (45) days prior to the event. The Director shall send a notification, within a reasonable time, to the applicant to schedule a hearing with the Director of Finance.
 - (2) Applicant shall present to the Director of Finance as to how this conference will provide experiential learning and contribute to the Pacific community.

- a) All individuals will be given the option to be heard directly by the Finance Board if they so choose.
 - b) All individuals that have a conflict of interest with the Department of Finance, whether professional or personal, shall be heard by the Finance Board.
 - c) The Finance Board members have the right to request an individual be heard directly by them at any point in the funding process.
- (3) After the Director of Finance relays all funding requests to the Finance Board, the Finance Board, in consultation with the Director, shall recommend a level of funding for the request to the Senate. The recommendation requires a majority of the Finance Board to pass.
 - (4) The Chair of the Finance Board shall present the approved recommendation of the Finance Board to the Senate. The recommendation requires a majority of the Senate to pass.
 - (5) The Senate-approved conference recommendation is then sent to the President, who may sign it into effect, or veto the recommendation. If vetoed, the recommendation shall return to the Senate who may overrule the veto with a two-thirds (2/3) majority, or amend it and seek Presidential approval.
 - (6) Once the conference recommendation has been approved, the Director shall send an award letter to the applicant informing them of how much funding they were awarded, if any. The award letter shall include all necessary information required by the Business Manager, and the Business Manager shall also be informed of the award.
 - (7) After receiving the award letter, the applicant shall set up a meeting with the Business Manager to work out the logistics of the conference.

803.3 Contingency Funds and the Application Process

- (i) All RSOs are eligible to apply for contingency funds from ASuop.
 - (1) Contingency funds are funds that are used primarily to support RSOs that were formed after Semi-Annual funding was disbursed. If awarded, contingency funds may be used immediately by the RSO. All funds must be spent within the semester they are awarded – no funds carry over to the following semester.
- (ii) The process for contingency funding is as follows, in order¹:

- (1) The first three steps of contingency funding are the same as the first three steps when applying for semi-annual funds (Chapter 803.1, (ii), (1)-(3) of the ASuop Bylaws).
- (2) After the Director of Finance relays all funding requests to the Finance Board, the Finance Board, in consultation with the Director, shall recommend a level of funding for the request to the Senate. The recommendation requires a majority of the Finance Board to pass.
- (3) The Chair of the Finance Board shall present the approved recommendation of the Finance Board to the Senate. The recommendation requires a majority of the Senate to pass.
- (4) The Senate-approved contingency recommendation is then sent to the President, who may sign it into effect, or veto the recommendation. If vetoed, the recommendation shall return to the Senate who may overrule the veto with a two-thirds (2/3) majority, or amend it and seek Presidential approval.
- (5) Once the contingency recommendation has been approved, the Director shall send a notification to the RSO informing them of how much funding they were awarded, if any.

Chapter 804 – Financial Regulations

804.1 Prohibited Items

- (i) The following items are prohibited and may not be funded by ASuop.
 - (1) Funding for any Graduation/Convocation associated stoles and cords.
 - (2) Purchases of alcohol or illegal substances.
 - (3) Faculty or advisor appreciation, including, but not limited to, dinner, gifts, awards, and refreshments.
 - (4) Funding for any form of dues, including, but not limited to, membership or national/regional dues.
 - (5) Academic materials.
 - (6) Funding exclusively for ASuop Officers.
 - (7) Honoraria, stipends, wages, or speaker fees to any University of the Pacific faculty or staff member for an activity that is considered part of their University paid duties.

- (8) Events held by invitation only.
- (9) Donations or fundraisers.
- (10) Materials that are politically partisan.

804.2 Funding Limits

- (i) In order to ensure that funding is distributed to as many students as possible, funding limits on certain items are in effect. In rare and exceptional circumstances the Finance Board may award funding above these limits; however, this requires a two-thirds (2/3) majority vote of the Finance Board.
- (ii) The following limits are in effect for semi-annual and contingency funding requests:
 - (1) T-shirts: \$150
 - (2) Food for club meetings: \$150
- (iii) The following limits are in effect for conference funding requests:
 - (1) Undergraduate and Graduate students: \$500 (per individual)

Chapter 805 – Accessing ASuop Funding

805.1 The Reimbursement Process

- (i) All ASuop funds are disbursed on a reimbursement basis. The process for receiving a reimbursement is as follows, in order:
 - (1) Complete the 'Reimbursement Form', which can be found in the ASuop Office or on the ASuop website. This form requires the following:
 - a) Original receipts of all purchases. Receipts must be taped along the edges to a separate piece of paper, and stapled to the reimbursement form.
 - b) The name, address to which reimbursements should be sent, and Student ID number of the person being reimbursed.
 - c) Signature of the RSO's advisor and treasurer (the President of the RSO may sign in lieu of the Treasurer if they are currently the ASuop Director of Finance or if they are being reimbursed). Officers may not approve their own reimbursements.

- (2) Submit the 'Reimbursement Form', with all necessary documentation and any additional documentation as required by §805.1(3), within two (2) weeks of the event. Reimbursements may take up to three (3) weeks to process.
- (3) The following additional information may be required:
 - a) If the reimbursement is seeking funding for mileage, then a print out of the directions to and from the destination that shows the mileage, the purpose of travel, the date, and a list of passengers must be provided.
 - b) If the reimbursement is seeking funding for an online purchase, then a valid document that shows the balance due is zero (0) must be provided. Additionally, the date and method of payment used (e.g. credit or debit card) must be provided. If the receipt does not include both payment date and the card used you will be asked to provide a copy of a credit/debit card statement showing that the payment has been made. Payments to vendors may be processed through the RSO's ASuop agency account – this requires a scheduled appointment with Student Activities Center staff at least three (3) weeks in advance of the payment.
 - c) If the funding is to be used for on-campus (department) charges (i.e. Bon Appetit, duplicating, etc.), then it must be pre-approved by the Business Manager.

Chapter 806 – Reserve Funds

806.1 General Reserve

- (i) The General Reserve must, at a minimum, retain a level of funding that is greater than 3% of total revenue for the fiscal year.
- (ii) The General Reserve may only be used to cover expenses that exceed the revenue generated for that fiscal year.
- (iii) Those sanctioned uses of this fund shall be executed by the Department of Finance.

806.2 Capital Replacement Reserve

- (i) The Capital Replacement Reserve shall receive an annual contribution from the budget, which at a minimum, will be equal to 0.25% of total revenue from the previous fiscal year.
- (ii) The Capital Replacement Reserve may only be used for purchasing equipment for the ASuop Office, replacing technology within the ASuop Office, basic repairs of the ASuop Office, and any other capital purchases that the Finance Board deems a proper use of this fund.

- (iii) The Senate Finance Board has jurisdiction over legislation concerning the use of this fund, but the Senate must also approve any uses of this fund.

Chapter 807 – Campus Improvement Fund

807.1 Fund Intention

- (i) The Campus Improvement Fund is established to financially support the enhancement of campus physical spaces, increase the utilization of services, and to improve the overall student-centered experience for the students of the University of the Pacific.
- (ii) The Campus improvement fund is intended to support unique, dynamic, and innovative improvements to the University of the Pacific’s physical space to improve the students experience.
- (iii) This fund is for students of the University of the Pacific, by the University of the Pacific.

807.2 Process for Projects

- (i) Only one request may be submitted by ASuop Members for a given project, unless the Finance Board deems a re-submission necessary.
- (ii) Forms for Project Submission shall be provided from the Finance Board to ASuop Members.
- (iii) Projects may only be recommended for approval by a majority of the Finance Board.
- (iv) Every request for project funding must be presented to the Finance Board by its submitter at a date and time of the Finance Board’s discretion.
- (v) Submitted projects are sent to the Senate for funding approval.

807.3 Implementation of Policy

- (i) All projects must be passed by a majority of the ASuop Senate in the form of a ‘Finance Board Appropriation Request’ (FBAR).
- (ii) A Director within the Executive Cabinet shall be responsible for overseeing the progress and implementation of the project.