



# BYLAWS

Associated Students of Loyola Marymount University

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## **Article I - Executive Branch**

### **Section 1- General Provisions**

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- A. Executive Branch Purpose is to:
  1. Serve the undergraduate students by creating a vibrant campus life and effectively managing the rules, policies and financial aspects of this Association. The management and programmatic authority of the Association is vested in the Executive Branch.
  
- B. Structure of the Executive Branch consists of:
  1. Management Team composed of the President, Vice President, Attorney General, Treasurer, and the Speaker of the Senate.
  2. Cabinet composed of the President, Vice President, Directors of University Affairs, Programming Chair, and the Communications Chair.
  
- C. Meetings
  1. The Management Team shall meet at least once per month during the academic year, excluding holidays and school breaks.
  2. The Cabinet shall meet at least bi-weekly during the academic year, excluding holidays and school breaks.
    - a) The Attorney General and Treasurer must attend the Cabinet meetings.
    - b) The President may invite at his/her pleasure any member of the LMU Community to observe or participate in Cabinet Meetings.
    - c) The Cabinet meeting time for the following academic year shall be set by the President prior to submission of his/her nominations to the Senate for appointment of the Spring Presidential Appointments.
  
- D. Compensation
  1. Stipends shall be paid according to a Student Employment Services Schedule, based on a set number of office hours per week.
  2. The ASLMU President shall be provided a yearly stipend of \$8,000, in addition to a \$2,000 stipend for Summer obligations.
  3. The Vice President, The Attorney General, the Treasurer, and the Speaker of the Senate, Programming Chair and Communications Chair shall be provided a yearly stipend of \$5,000.
  4. The Directors shall be provided a yearly stipend of \$2,000.



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5. The ASLMU President, in consultation with the ASLMU Advisor, may suspend or reduce compensation of an executive officer for improper conduct, such as violating punctuality, attendance, or office hour requirements or failure to fully execute their assigned duties.
6. The amount of these stipends may be altered through the standard legislative process.
  - a) Such changes shall take effect in the following academic year.
  - b) No stipend shall exceed the student leader compensation guidelines dictated by the Division of Student Affairs.
7. No single individual may hold more than one stipend position within ASLMU.

## **Section 2 – Presidential Duties & Powers**

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A. As the chief executive officer of ASLMU, the President shall:

1. Administer ASLMU in a manner consistent with the best interests of the undergraduate student body and the University and be held accountable to the students for proper conduct and efficient administration of all ASLMU affairs.
2. Serve as the primary student representative to the University administration, University committees, and the Board of Trustees.
3. Chair all Cabinet and Management Team meetings.

B. Executive Responsibilities

The President shall:

1. Execute all student government affairs and/or delegate responsibility for such affairs to his/her subordinate officers.
2. Oversee the fulfillment of his/her subordinates office hours.
3. Develop the provisional summer budget in consultation with the ASLMU Advisor.
4. Develop the budget in consultation with the Treasurer and ASLMU Advisor.
5. Establish and publish on ASLMU website the annual goals and objectives for ASLMU, in conjunction with both the Management Team and the Cabinet, before the start of the academic year.
6. Coordinate and oversee all ASLMU relations with other student associations and with the University Administration.
7. Serve as the primary representative and chief spokesperson of ASLMU to all constituencies on campus and to all off-campus entities.



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8. Recommend resolutions and legislation to the Senate in person or by proxy.
9. Sign or veto all measures adopted by the Senate within seven (7) school days after passage.
  - a) If the President chooses to veto a measure, he/she must veto it in its entirety and provide written notice to the Speaker of the Senate.
  - b) Failure to act within seven (7) school days of receiving the measure results in its passage.
10. Execute all measures adopted by the Senate, which have been signed by the President or vetoed by the President and subsequently overridden by the Senate, to the fullest of the President's abilities.
11. Execute all rulings of the Judicial Committee to the fullest of the President's abilities.
12. Call for a Special Meeting of the Senate, as prescribed by these Bylaws.
13. Hold regularly scheduled office hours.
14. Commit to 10 hours of work per week throughout the Summer academic calendar months.

## C. Appointment Responsibilities

The President shall:

1. Nominate for Senate appointment the individuals to fill the offices indicated in the Presidential Appointments section of the Bylaws, Article I, Section 4.
  - a) Such nominations shall be conducted in consultation with the Vice President.
2. Nominate an Elections Chair in a manner pursuant to the Bylaws, Article I, Section 4.
3. Appoint any two undergraduate students in either their third or fourth year to serve on the Student Reserve Board.
4. Appoint student representatives to University committees without the approval of the Senate.
5. Appoint a number of Senators sufficient to enable the Senate to meet quorum should the number of vacant seats become so great that the Senate can no longer meet quorum.
6. Have the authority to remove any officer whom he/she has previously appointed.
  - a) The first exception to this provision is the removal of Justices and the Elections Chair, who's removal requires a two-thirds (2/3) affirmative vote of the entire membership of the Senate.



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- b) The second exception to this provision is the removal of Senators appointed by the President for the sake of meeting quorum. Such Senators may be removed through the standard Senate Impeachment and Removal process.
- c) The third exemption to this provision is the removal of the Attorney General who may be removed by the president only after, in addition to the president's official written proposal of termination, the ASLMU Senate also votes to remove the attorney general with a 2/3 affirmative vote of the entire membership of the Senate

## **Section 3 – Vice Presidential Duties & Powers**

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- A. As the second highest-ranking executive officer of ASLMU, the Vice President shall:
  - 1. Act as an official representative of the ASLMU President in the event of the President's absence.
  - 2. Assist the President in the administration of ASLMU in a manner consistent with the best interests of the undergraduate student body and the University.
  - 3. Serve as a proxy student representative to the University Administration, University committees and the Board of Trustees.
  - 4. Present student concerns to Senate.
  
- B. Executive Responsibilities
  - The Vice President shall:
    - 1. Assume such executive functions as may be delegated by the ASLMU President.
    - 2. Assist the ASLMU President in establishing the annual goals and objectives
    - 3. Initiate and coordinate recruiting efforts for the ASLMU.
    - 4. Provided consultation on all Presidential nominations and appointments
    - 5. Serve as the non-voting Chair of Senate meetings.
    - 6. Reserve the locations for Senate meetings.
    - 7. Chair the University Affairs Department.
    - 8. Assist the ASLMU President in coordinating the activities of the Cabinet.
    - 9. Serve as a member of the Cabinet and Management Team, chair the meetings if the President is unable to do so.
    - 10. Serve as a member of the Student Reserve Board, chair the meetings if the Treasurer is unable to do so.
    - 11. Hold regularly scheduled office hours.



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12. Assist the ASLMU Advisor in the planning and execution of all organizational retreats and trainings.

## **Section 4 –Presidential Appointments**

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### A. Positions

1. In the Spring semester of his/her election, the President shall nominate for Senate approval individuals to fill the following positions:
  - a) Attorney General
  - b) Treasurer
  - c) Communications Chair
  - d) Programming Chair
  - e) Director of Campus Community Affairs
  - f) Director of Interculturalism
  - g) Director of Social Justice
  - h) Director of Environmental Responsibility
  - i) Chief Justice
  - j) Four (4) Justices
2. In the Spring semester of his/her election, the President shall appoint individuals to fill the following positions which do not require Senate approval:
  - a) Programming Department Directors
  - b) Communications Department Directors
3. In the Fall semester, the President shall nominate for Senate approval an individual to serve as the Elections Chair.

### B. Applications

1. Application for appointments shall include job descriptions and relevant eligibility requirements.
2. The Office Manager shall ensure that applications are available electronically and in the ASLMU office at the start of the General Election period for Spring appointments and at the beginning of the academic year for Fall appointments.
3. Applications for positions requiring Spring Senate approval are due electronically or physically to the ASLMU Office Manager within a timely manner following the certification of the General Election determined by the Elections Chair, before the end of the Spring semester.
4. Applications for positions not requiring Spring Senate approval are due to the ASLMU Office Manager in a timely manner following the appointment of the



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Programming and Communications Chair positions, before the end of the Spring semester.

5. Applications for the Elections Chair are due by the third week of the Fall semester.
6. The Office Manager shall distribute all completed applications to the newly elected President and Vice President.

## C. Interviews

1. Each applicant for positions requiring Senate approval, who meets the minimum qualifications outlined in the Constitution, Article I, Section 1, Item C, shall be interviewed by the President and Vice President.
2. Each applicant for positions not requiring Senate approval who meets the minimum qualifications outlined in the Constitution, Article I, Section 1, Item C, shall be interviewed by the Chair and either the President and/or the Vice President.

## D. Appointment

1. The President shall nominate and present to Senate, after the Senate term of office begins in the Spring but before the close of the academic year, one individual for each position requiring Spring Senate approval.
2. The President, the Vice President, and the pertinent Chair must come to a consensus concerning the appointment of the Programming and Communications Director positions.
3. The President shall nominate and present to Senate during the fourth week of the Fall semester one individual to serve as the Elections Chair. In the event that the President is unable to present an Elections Chair during the fourth week, the Senate will have the power to extend the time period the President has to select the Elections Chair. The President must come before the Senate biweekly after the fourth week of the semester to request an extension until s/he is able to present a potential Elections Chair candidate to the Senate for approval. An elections chair must be appointed by the second to last Senate meeting of the Fall semester.
4. The original applications of the nominees must be provided to Senate seventy-two (72) hours in advance of the approval meeting.
5. The Spring Presidential Appointments must be filled before the start of the academic year following the General Election.

## **Section 5 – Attorney General Duties & Powers**

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- A. As the chief oversight officer of ASLMU, the Attorney General shall:
1. Serve as the Parliamentarian for Senate, Cabinet, Student Reserve Board and Elections Committee meetings.
  2. Ensure that the ASLMU Officers are in compliance with the ASLMU Constitution, Bylaws, and Codes.
  3. Ensure that ASLMU consistently complies with any and all applicable University codes and policies, state and federal laws.
- B. Executive Responsibilities  
The Attorney General shall:
1. Inform the President of any violations of ASLMU Constitution, Bylaws, and Codes of Procedures perpetrated by any ASLMU Officer or any action performed with the financial or in-kind support of ASLMU.
  2. Represent the interests of ASLMU before the Judicial Committee for any violations that cannot be resolved by non-judicial means, including SRB Appeal cases.
  3. Assists with drafting and review for clarity, intent, and language all Constitution, Bylaws and Code legislation and amendments for consideration by the ASLMU Senate in accordance with the Bylaws, Article II, Section 10.
    - a) All drafting activity shall take place in strict accordance with the spirit of the legislation outlined in the Letter of Intent to Amend.
  4. Recommend for Presidential Veto all ASLMU Senate legislation passed that lacks clarity of intent and language appropriate to these Bylaws.
  5. Hold regularly scheduled office hours.
  6. Adjudicate appeals of Parking Violations as requested by the Division of Student Affairs.
    - a) In these matters, decisions of the Attorney General are final and are not subject to appeal or review by any other ASLMU entity.

## **Section 6 – Treasurer Duties & Powers**

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- A. As the chief financial officer of ASLMU, the Treasurer shall:
1. Serves as the financial officer for all facets of ASLMU.
  2. Monitor all ASLMU budgetary matters.
  3. Monitor the dispersion of all ASLMU funds.
  4. Enforce the Student Reserve Board Code.



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## B. Executive Responsibilities:

The Treasurer shall:

1. Draft the ASLMU annual budget in consultation with the President and the ASLMU Advisor.
2. Present the budget to the Senate for approval and have the authority to make recommendations to the Senate concerning the annual budget allocations.
3. Serve as the ex-officio Chair of Student Reserve Board.
4. Receive and process all requests for dispersion of ASLMU funds.
5. Receive and organize all financial records detailing the use of ASLMU funds.
6. Report to the ASLMU Senate on all SRB allocations.
7. Plan and conduct formal SRB Mandatory Workshops for clubs and organizations at least once each semester.
8. Present the financial status of ASLMU to Senate at the second Senate meeting of each month, beginning after the approval of the ASLMU budget.
10. Attend Cabinet meetings and present a brief financial report to each Cabinet Department Chair.
11. Hold regularly scheduled office hours.
12. Meet with the Student Affairs Budget Manager on a monthly basis.

## **Section 7 - Cabinet Departments**

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### A. Programming Department

1. Composed of the Programming Chair, a Director of Performance Events, a Director of Athletic Events, a Director of Special Events, and committee members.
2. The Programming Directors report directly to the Programming Chair.
3. Each Director oversees a committee comprised of volunteers.

### B. University Affairs Department

1. Composed of the Vice President as Chair and a Director of Campus Community, a Director of Environmental Responsibility, a Director of Interculturalism, a Director of Social Justice, and committee members.
2. The University Affairs Directors report to the Vice President.
3. Each Director oversees a committee comprised of volunteers.

### C. Communications Department



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1. Composed of the Communications Chair, a Director of Technology, a Director of Marketing Development, a Director of Marketing Distribution, and committee members.
2. The Communications Directors report to the Communications Chair.
3. Each Director oversees a committee comprised of volunteers.

## D. Responsibilities of Department Chairs

The Department Chairs shall:

1. Chairs assume responsibility for all actions of their Departments and shall be held accountable to the Cabinet and the Senate for proper conduct and efficient administration of their Department.
2. Work with his/her Department in establishing the annual Department goals and objectives for ASLMU within sixty (60) calendar days following his/her approval by the Senate. These goals are subject to review and approval by the President and shall be made publicly available on either the ASLMU website or on a website operated by the University.
3. Coordinate and manage all activities of his/her subordinate Directors.
4. Intercede in the activities of his/her Directors when a Director fails to meet previously assigned expectations/duties or otherwise fails to fulfill his/her job description.
5. Schedule and conduct weekly Department meetings.
6. Hold regularly scheduled office hours.
7. Report to the President with weekly updates on the Department's activities.
8. Report the activities of the Department to the Senate upon request.



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## **Section 8 – Programming Department**

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### A. Responsibilities of the Programming Chair

The Programming Chair shall:

1. Serve as the chief of ASLMU's recreational programming.
2. Serve as the primary liaison to the Communications Department for all Programming Department publicity needs.
3. Attend all University Event Planning meetings before large-scale events.

### B. Responsibilities of the Director of Performance Events

The Director of Performance Events shall:

1. Coordinate performance events in association with the rest of the Programming Department such as but not limited to:
  - a) Concerts/Musical Performances
  - b) Comedians
  - c) Spoken Word
2. Coordinate all other performance events as requested by the Chair or President.
3. Complete a report each semester detailing performance event issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

### C. Responsibilities of the Director of Athletic Events

The Director of Athletic Events shall:

1. Coordinate athletic events in association with the rest of the Programming Department such as but not limited to:
  - a) Madness at Midnight
  - b) Homecoming Week
  - c) Pep Rallies
  - d) Sponsorship of Intercollegiate Athletic contests
2. Serve as the liaison to the Athletics Department.
3. Complete a report each semester detailing athletic event issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

### D. Responsibilities of the Director of Special Events



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The Director of Special Events shall:

1. Coordinate special events in association with the rest of the Programming Department such as but not limited to:
  - a) Convocation Hour activities
  - b) Educational or Entertaining Speakers
  - c) Crimson and Blue Awards Ceremony
2. Coordinate all other special events as requested by the Chair or President.
3. Complete a report each semester detailing special event issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

## **Section 9 – University Affairs Department**

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### A. Responsibilities of the University Affairs Chair

The University Affairs Chair shall:

1. Serve as the chief of ASLMU's efforts concerning student and community issue advocacy.
2. Serve as the chief of ASLMU's programmatic responses to student and community issues.
3. Serve as the primary liaison to the Communications Department for all University Affairs publicity needs.

### B. Responsibilities of the Director of Intercultural Affairs

The Director of Intercultural Affairs shall:

1. Plan and co-sponsor educational events that promote intercultural dialogue about our diverse cultures, histories, ethnicities, genders, sexual orientations, and beliefs in order to alleviate cultural tensions, celebrate individual differences, and reveal the commonalities between individual heritage and global cultures.
2. Facilitate communication, cooperation, and collaboration among the various student-led cultural clubs and organizations and the different entities on campus, including but not limited to the offices of Ethnic and Intercultural Services, Ethnic Studies, and academic departments.
3. Be the principal ASLMU advocate and voice for student concerns regarding diversity, sexual orientation, gender, and issues regarding students with disabilities both within the university and in the larger community.



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4. Advise the President and Cabinet on matters pertaining to diversity and intercultural advancement and coordinate diversity training within ASLMU.
5. Assist and encourage all facets of the University in its efforts to recruit and retain faculty, staff and students from historically underrepresented groups, and to provide affirmative and supportive environments for work and life at LMU.
6. Complete a report each semester detailing University-wide intercultural issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

## C. Responsibilities of the Director of Social Justice

The Director of Social Justice shall:

1. Plan and co-sponsor philanthropic, service-oriented, and social-justice related events that promote awareness of and seek solutions to justice issues.
2. Facilitate communication, cooperation, and collaboration among the various service and justice oriented student organizations and the different entities on campus, including but not limited to the Center for Service and Action, Campus Ministry, and the Human Rights Coalition.
3. Be the principal ASLMU advocate and voice for student concerns regarding issues of economic, social, and environmental justice both within the University and in the larger community.
4. Advise the President and Cabinet on matters pertaining to justice.
5. Assist and encourage all facets of the University in its efforts to recruit and retain faculty, staff and students who support and advance the cause of justice.
6. Complete a report each semester detailing University-wide justice issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

## D. Responsibilities of the Director of Campus Community

The Director of Campus Community shall:

1. Plan and co-sponsor events that promote community building.
2. Facilitate communication, cooperation, and collaboration among student clubs, organizations, programs and different departments on campus.
  - a) Collect, maintain and provide to the Communications Department, within two (2) weeks following the fall club and organization registration deadline, a roster of leadership contact information and regularly scheduled meeting times for all student clubs, organizations and programs.



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- b) Hold monthly meetings with the student leadership and staff administrators responsible for the Greek Council and the Service Organization Council.
    - c) Assist the Treasurer in informing the student club and organization leaders about the Student Reserve Board process.
  3. Be the principal ASLMU advocate and voice for commuter student concerns.
    - a) Implement programs that serve the needs of undergraduate commuter students such as but not limited to: networking events, 'Good Neighbor' education, and housing and financial management workshops.
    - b) Serve as the liaison to University departments that work with off campus student life and the commuter student population.
  4. Serve as a liaison between ASLMU and Academic Affairs.
    - a) Hold a 'State of the College' meeting with the Dean of each academic college at least once per semester.
    - b) Coordinate and advise the President on his/her appointments of students to the University Committees.
    - c) To the extent permitted by the University, take part in all major curricular revisions.
  5. Complete a report each semester detailing campus community issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.
- E. Responsibilities of the Director of Environmental Responsibility
- The Director of Environmental Responsibility shall:
1. Serve as the Manager of the LMU Farmers' Market
  2. Plan and co-sponsor events to cultivate an ethic of environmental awareness and activism
  3. Be the principal ASLMU advocate and voice for student concerns regarding resource consumption, recycling and waste management, decisions about sustainability on-campus, and environmental justice, impact and preservation in the greater Los Angeles area.
  4. Advise the President and Cabinet on matters pertaining to environmental responsibility.
  5. Serve as a liaison between the University Sustainability Coordinator and any University committees regarding environmental sustainability
  6. Manage a committee to assist in executing responsibilities
  7. Complete a report each semester detailing University-wide environmental issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.



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## **Section 10 – Communications Department**

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### A. Responsibilities of the Communications Chair

The Communications Chair shall:

1. Serve as head of ASLMU publicity development and distribution.
2. Act as a liaison to the Programming Chair and the University Affairs Chair concerning the publicity needs of their Departments.
3. Develop and nurture a healthy working relationship with the major Campus Media organizations to the fullest extent feasible.

### B. Responsibilities of the Director of Technology

The Director of Technology shall:

1. Maintain and update any digital means of information dissemination that is regularly administered by ASLMU. This includes but is not limited to the following:
  - a) The ASLMU website.
  - b) University-hosted webspace such as ManeGate.
  - c) Groups, Messaging, or Bulletin Boards within social networking sites.
  - d) Email message-groups or list-serves.
2. Ensure that at least the following items are publicly available on either the ASLMU website or a website operated by the University.
  - a) The annual ASLMU Presidential goals and objectives by the start of the academic year following the General Election.
  - b) The annual goals for each Cabinet Department by the start of the academic year following the General Election.
  - c) Senate meeting minutes within 24 hours following their approval by the Senate.
  - d) Elections Committee decisions within 24 hours following their publication.
  - e) Judicial Committee decisions within 24 hours following their publication.
  - f) A calendar of ASLMU events including regularly scheduled Senate and SRB meetings.
  - g) Elections Information Packets for the duration of the Election Period.
  - h) Complaint Forms.
  - i) SRB Proposal Packets.



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3. Be the principal ASLMU advocate and voice for student technology concerns by maintaining a working relationship as the liaison with the Administration and representing ASLMU on all relevant University committees.
  4. Work to obtain the best possible technology (hardware) to assist ASLMU to function at an optimal level.
  5. Complete a report each semester detailing technology issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.
- C. Responsibilities of the Director of Marketing Development  
The Director of Marketing Development shall:
1. Work in close coordination with the Communications Chair and the Director of Marketing Distribution to develop a written marketing plan, to be approved by the President, for each event, program, or issue being publicized by ASLMU.
  2. Design, create, and print the necessary marketing implements as outlined in the marketing plan.
  3. Complete a report each semester detailing marketing development issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.
- D. Responsibilities of the Director of Marketing Distribution  
The Director of Marketing Distribution shall:
1. Work in close coordination with the Communications Chair and the Director of Marketing Development to develop a written marketing plan, to be approved by the President, for each event, program, or issue being publicized by ASLMU.
  2. Disseminate all information and items for each marketing plan to reach as many people as possible.
  3. Complete a report each semester detailing marketing distribution issues and advancements to be distributed to the ASLMU President, Cabinet, Senate, and any member of the University community upon request.

## **Section 11 –Programming Guidelines**

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- A. All events and programs coordinated by ASLMU must adhere to the following procedures.



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1. Complete planning documentation, as deemed necessary by the ASLMU Advisor and ASLMU President, for all performance events that have been agreed upon by the respective Cabinet Department.
  - i) Excludes projects funded through the Student Reserve Board
2. Present the planning documentation for a proposed event or project to the Department Chair, who then presents it to the President, Treasurer and the ASLMU Advisor for written approval.
3. Make any changes mandated by the President or the ASLMU Advisor.
3. Execute the event or project planning within the dollar amount budgeted for that event or project in the ASLMU Budget for the year in which your event or project will take place. Spending in excess of the amount budgeted for a specific event or project must first be approved by the President, Treasurer and the ASLMU Advisor before any excess transactions are made.
4. Schedule and attend University event planning meetings for large-scale events.
5. Serve as the primary contact for performers and production contractors for the event.
6. Oversee and manage the activity of all Officers required to assist the Cabinet Department during the event.
7. Submit a one-page post-event debrief to the Department Chair and the President within two weeks following the event including:
  - a) Successes of the event
  - b) Weaknesses of the event planning or execution
  - c) Difficulties encountered in the University Administration
  - d) Recommendations to anyone planning this event in the future

## **Section 12 – Executive Vacancies & Succession**

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### A. Presidential Vacancy

1. In the event of a Presidential vacancy or incapacitation such that the President cannot perform the functions of office, the Vice President shall succeed to the Presidency. He/she shall nominate any current undergraduate student of his/her choosing to serve as Vice President and present him/her to the Senate within ten (10) school days of taking office.
  - a) This nomination process will be conducted in the same manner as a Chair nomination. The Senate must approve the nomination by a majority vote.
  - b) A Vice President, when called upon to succeed to the Presidency, may not refuse the succession and still retain his/her position as Vice President.



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Should the Vice President be unwilling to succeed, he/she will be considered to have resigned.

## B. Dual Vacancy

1. In the event of a simultaneous Presidential and Vice Presidential vacancy or incapacitation such that the President and Vice President cannot perform their functions of office, the Speaker of the Senate shall act as Interim President.

a) The Speaker of the Senate shall appoint any current undergraduate student of his/her choosing to serve as Interim-Vice President.

1) Such an appointment requires the approval of a majority of the Senate.

b) The Senate shall select a new Speaker of the Senate in the manner prescribed in these Bylaws.

c) The Interim President shall retain his/her Senate seat but forfeit the right to serve any Senatorial duties, including discussion and voting as long as he/she is the Interim President.

2. A special election to fill both offices, conducted by the Elections Committee, must be held within fifteen (15) school days of the vacancy, provided that such vacancy occurs more than ninety (90) calendar days before the General Election. If the vacancy occurs within ninety (90) calendar days of the General Election, the Interim President will fulfill the presidential duties until the traditional transfer of power at undergraduate commencement.

## C. Non-Presidential Executive Branch Vacancies

1. Vacancies in non-presidential Executive Officers must be filled according to the Presidential Appointment Procedures outlined in these Bylaws.

2. During the period following a vacancy and prior to the appointment of a permanent replacement, an interim officer may serve at the pleasure of the President.

a) Interim officers may not receive compensation for their duties.



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## **Section 13 – Impeachment, Removal & Recall**

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- A. The President or the Vice President is considered to have effectively resigned in the event of:
1. Loss of eligibility according to the Constitution, Article I, Section I, Item C.
  2. Incarceration for more than five (5) calendar days or conviction of any criminal offense.
    - a) Automatic removal shall not occur due to citable offenses such as traffic violations.
    - b) Automatic removal shall not occur due to incarceration derived from acts of civil disobedience.
      - 1) The determination of civil disobedience as it applies in this section shall be derived from the applicable laws of the incarcerating jurisdiction.
- B. Impeachment and Removal of the President and/or Vice President by the Senate
1. Impeachment
    - a) Impeachment is defined as the indictment of the President or the Vice President on charges of improper conduct. Impeachment is required to initiate Removal or Recall proceedings.
    - b) Impeachment may occur only by a two-thirds (2/3) vote of the entire membership of the Senate.
    - c) The grounds for Impeachment are:
      - 1) Egregious and/or intentional violations of official ASLMU or University, rules, policies, or procedures as they relate to the individual's duties as President/Vice President.
      - 2) Conduct that violates the mission of ASLMU or the University.
      - 3) Conduct that severely damages the integrity or authority of ASLMU or the office held by the individual in question.
    - d) Appointment and/or legislative activity shall not serve as grounds or as support of grounds for impeachment.
    - e) Impeachment Procedure
      - 1) Any undergraduate student may present an impeachment complaint to the Senate with a list of potential witnesses.
        - i) Complaints must include at least a description of the alleged improper conduct and the grounds for impeachment.
        - ii) Complaints must be physically distributed to each Senator.
      - 2) A motion and a second are required to commence impeachment proceedings.



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- i) Following a successful motion to commence impeachment, the Senate shall approve by a simple majority a list of relevant Officers of ASLMU required to appear before the Senate during the proceeding.
  - 3) During the next regularly scheduled Senate meeting following the meeting during which the impeachment proceedings are commenced, a hearing shall be held by the Senate to determine the validity of the complaint
    - i) The Speaker of the Senate shall serve as Chair of the hearing and determine the format.
    - ii) The student filing the original complaint must be present.
    - iii) The individual facing impeachment may be present.
    - iv) The Senate may only question present witnesses listed on the complaint form and officers of ASLMU required to appear.
  - 4) A motion and a second is needed to adjourn the questioning and discussion.
  - 5) Following the discussion, the Senate shall vote on the Impeachment.
  - f) Impeachment is subject to review upon complaint by the Impeached party to the Judicial Committee.
    - 1) The case shall be treated as a Conduct Complaint.
    - 2) Impeachment decisions may only be reversed if it is determined that:
      - a) The alleged improper conduct does not qualify as grounds for impeachment.
      - b) The due process of the impeached officer was violated in a manner that significantly prejudiced the proceedings against the Officer.
2. Removal
- a) At the next regularly scheduled Senate meeting following a successful Impeachment vote, the Senate shall vote on the Removal of the individual in question.
    - 1) A vote to remove may not take place until all formal ASLMU and University appeals of the Impeachment decision have been exhausted.
    - 2) A three-fourths (3/4) vote of the entire membership of Senate is necessary to achieve removal.
    - 3) Should the vote be insufficient to achieve removal, a majority vote of the entire membership of Senate may bring a recall referendum vote to the student body. The recall referendum is to be conducted by the Elections Chair and in a manner pursuant to the Elections Code.
    - 4) The matter shall be closed following either a failure to garner a majority during a removal vote or a failure to bring a referendum before the electorate.



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- 5) Removal by the Senate is not subject to appeal or review by the Judicial Committee and cannot be reversed.
3. Both the President and the Vice President are subject to recall by the student body as provided for in the Elections Code, Section 10, Item A.
4. Any vacancy created by either impeachment, removal or recall must be filled according to the procedures outlined in the Bylaws, Article I, Section 12.



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## Article II – Legislative Branch

### Section 1 – General Provisions

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- A. Legislative Branch Purpose is to:
1. Serve as a representative of and advocate for the needs and interests of all undergraduate students at LMU and provide accountability and competence through oversight. The legislative authority of the ASLMU shall be vested in the Senate.
- B. Membership of the Senate consists of:
1. Eleven (11) undergraduate students.
  2. Nine (9) shall be elected in the ASLMU General Election.
  3. Two (2) first year undergraduate students shall be appointed in the Fall term.
- C. Meetings
1. The Senate shall meet every Wednesday during the academic year at 1:00 p.m., excluding holidays and school break periods.
    - a) The meetings shall be publicized to the LMU community using both electronic and physical means by the Vice President until the Speaker of the Senate is selected and assumes responsibility.
  2. The Vice President shall chair the meeting. In his/her absence, the Speaker of the Senate shall chair the meeting.
  3. Quorum for Senate meetings shall be six (6) Senators.
  4. A quorum of Senators must be present to commence a meeting of the Senate.
    - a) Loss of a quorum during a duly commenced Senate meeting shall not cause that meeting nor the official business transacted thereat to fail.
  5. Any regular meeting may be cancelled by a two-thirds (2/3) vote of the Senate.
  6. A Special Meeting may be called at the will of the ASLMU President or by a petition of a majority of the seated Senators.
    - a) Notice of a Special Meeting must be posted and presented in writing or electronically to each Senate member no less than twenty-four (24) hours before the meeting is to be held
  7. Meetings of the Senate shall be open to the public.
    - a) All persons shall be guaranteed the right to speak before the Senate, subject to its procedural rules.
    - b) All agendas must be posted publicly seventy-two (72) hours in advance.



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8. The proceedings of the Senate shall be conducted according to the most recent edition of “Robert’s Rules of Order.”
9. Senators shall be punctual to Senate meetings.
10. A Senator may not miss more than three meetings in a single semester.
11. At the first meeting of the Senate’s term, a majority vote will be required to designate a common meeting hour for the following semesters.
  - a) This meeting time can be utilized at the discretion of the Senate.
  - b) All individuals are required to maintain this open hour, which should be during the normal business hours of a five day week.
  - c) Meetings can consist of the entirety of Senate, committees, or collaborative efforts with students or administrators.
  - d) This meeting hour may not be constituted as an office hour.

## D. Compensation

1. Stipends shall be paid according to a Student Employment Services schedule.
2. Each Senator shall be provided a yearly stipend of \$1,000.
3. Each Senator must complete two (2) office hours per week.
4. The Speaker of the Senate must complete six (6) office hours per week.
5. The Speaker of the Senate, in consultation with the ASLMU Advisor, may suspend or reduce compensation of a Senator for improper conduct, such as violating punctuality, attendance, or office hour requirements or failure to fully execute their assigned duties.

## **Section 2 -Senator Appointment Procedure**

[\*Click to Return to Table of Contents\*](#)

- A. The Senate must have a total of eleven (11) senators within fourteen (14) calendar days of the start of the academic year.
- B. General Election Vacancies
  1. If fewer than nine (9) Senators are elected in the General Election, these vacant positions shall be appointed in the Spring semester by the elected Senate.
- C. General Election Resignations
  1. Should any of the nine (9) elected Senators resign prior to the completion of the Spring semester in which their elected, the losing Senate candidate(s) garnering the most votes in the General Election shall fill the vacancy(s), provided that the former candidate(s) desire the position.



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a) If he/she/they decline the position, the opportunity(s) shall be presented to the next place finisher(s) and the offering of the position(s) shall continue until all remaining non-elected former Senate candidates have declined the position(s).

b) The Elections Chair shall be responsible for contacting the former Senate candidate(s) to notify them of the opportunity to serve.

c) If the position(s) remain vacant after all losing candidates have been exhausted, replacement(s) shall be appointed as early as the Spring semester by the elected Senate.

1) If the number of vacant seats is so great that Senate can no longer meet quorum, the President shall appoint a number of Senators sufficient to enable the Senate to meet quorum. These appointments shall take place during the Spring Presidential Appointments and shall be conducted using the Chair appointment procedures. The remaining Senators shall hereby be explicitly authorized to approve/reject the nominees despite the lack of quorum.

## D. First Year Senators

1. Two (2) first-year, full-time undergraduate students shall be appointed in the Fall semester by the Senate using the Senator Appointment Procedures.

## E. Mid-Year Vacancies

1. Vacancy in a Senate seat that occurs fourteen (14) calendar days after the start of the academic year shall be filled using the Senator Appointment Procedure.

2. Mid-Year vacancies shall be filled within twenty-one (21) school days following the removal/resignation.

3. If the number of vacant seats is so great that Senate can no longer meet quorum, the President shall appoint a number of Senators sufficient to enable the Senate to meet quorum. These appointments shall be conducted using the Chair appointment procedures and the remaining Senators shall hereby be explicitly authorized to approve/reject the nominees despite the lack of quorum.

## F. Applications

1. The Office Manager shall ensure that a standard application for Senate vacancies is available in the ASLMU office and on the ASLMU Website within two (2) school days after the vacancies occurs.

2. The Vice President is responsible for vigorously promoting and publicizing the application process. The Speaker of the Senate shall assume this duty once selected.



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3. The Office Manager shall collect completed applications and forward them to the Vice President.
4. The Vice President shall ensure that an applicant meets the eligibility requirements and schedule a time for the applicant to come before the Senate for interview and appointment. The Speaker of the Senate shall assume this duty once selected.

## G. Selection Procedures

1. Prior to interviewing the applicants, the Senate shall set by majority vote a fixed amount of time per interview, equal for each applicant and no less than two (2) minutes in length.
2. After all applicants have been interviewed, each Senator shall rank all applicants in order of preference.
3. The rankings shall be collected and tabulated by the Vice President and the ASLMU Advisor.
4. Each applicant on each ranking shall be given points according to their rank
  - a) The first-ranked applicant shall be given one (1) point.
  - b) The second-ranked applicant shall be given two (2) points and so on.
5. The points for each applicant shall be totaled. The most preferred applicants will have received the fewest points.
6. The applicants receiving the fewest points shall fill the positions.
7. Should a tie occur, Senators shall cast a vote to appoint one of the tied applicants. The applicant garnering a majority of tie-breaking votes shall be appointed.
8. Newly appointed Senators shall begin their duties at the next Senate meeting.

## **Section 3 – Speaker of the Senate Selection & Vacancy**

[\*Click to Return to Table of Contents\*](#)

### A. Selection

1. The Speaker shall be an elected member of the Senate.
2. The Speaker shall be selected by a public vote of the entire membership of the Senate.
3. The Speaker shall be selected after the Senate term of office begins in the Spring but before the close of the academic year.
  - a) All senate seats requiring appointment must be full prior to selection of the Speaker.
4. The Speaker of the Senate shall be selected in the following fashion:



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- a) The Vice President shall begin the proceedings by reading the sections of the ASLMU Bylaws that pertain to the Speaker's responsibilities and job description.
- b) Following the reading, candidates for Speaker shall be nominated by a motion and a second.
  - 1) Candidates may move to nominate themselves.
- c) All nominees for Speaker must have equal time, fixed by a majority vote, to state their qualifications for the position.
- d) Any other Senators may question each candidate for Speaker following the presentation of his/her qualifications.

## 5. Voting Procedure

- a) After all applicants have been interviewed, each Senator shall rank all applicants in order of preference.
  - b) The rankings shall be collected and tabulated by the Vice President and the ASLMU Advisor.
  - c) Each applicant on each ranking shall be given points according to their rank
    - 1) The first-ranked applicant shall be given one (1) point.
    - 2) The second-ranked applicant shall be given two (2) points and so on.
  - d) The points for each applicant shall be totaled. The most preferred applicants will have received the fewest points.
  - e) The applicants receiving the fewest points shall fill the positions.
  - f) Should a tie occur, Senators shall cast a vote to appoint one of the tied applicants. The applicant garnering a majority of tie-breaking votes shall be appointed.
  - g) The newly appointed Speaker of the Senate shall begin their duties immediately.
6. The Senate may vote by two-thirds (2/3) to assess a fine of up to \$500.00 to any Senator who resigns within thirty (30) calendar days following a failed attempt to become the Speaker of the Senate.

## B. Vacancy

- 1. The Speaker of the Senate may designate a Senator to serve on his/her behalf for no more than two (2) consecutive weeks.
- 2. If the Speaker is unable to fulfill the responsibilities of his/her office for more than two (2) weeks, he/she will be considered to have permanently vacated his/her position as Speaker.
- 3. If a permanent vacancy occurs in the position of Speaker of the Senate, the vacancy shall be filled in the manner provided for in the Bylaws, Article II, Section 3, Item A.



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## **Section 4 – Senate Duties & Powers**

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### A. Legislative Responsibilities

The Senate shall:

1. Be vested with the legislative authority of ASLMU.
2. Be authorized to amend the Bylaws and Codes of ASLMU by an affirmative two-thirds (2/3) vote of the entire membership of the Senate.
3. Be authorized to determine general rules, regulations and policies of ASLMU.
4. Be authorized to pass non-binding resolutions for the purpose of expressing approval or disapproval on issues, events, or policies over which the Senate lacks legislative jurisdiction.
5. Be authorized to override a Presidential Veto by an affirmative three-fourths (3/4) vote of the entire membership of the Senate.
6. Approve the ASLMU Budget.
7. Be authorized to approve Presidential Appointments.

## **Section 5 – Speaker of the Senate Duties & Powers**

[\*Click to Return to Table of Contents\*](#)

### A. As the chief legislative officer of ASLMU, the Speaker of the Senate shall:

1. Administer Senate in a manner consistent with the best interests of the members of ASLMU and the University.
2. Speak on behalf of the Senate when working with faculty and administration.
3. Represent the Senate at University committee meetings when Senate presence is requested.
4. Serve as the administrative manager of the Senate.
5. Chair the Senate meetings in the Vice President's absence.

### B. Speaker of the Senate Responsibilities:

The Speaker of the Senate shall:

1. Coordinate and manage the Senate subcommittees.
2. Ensure that the Vice President has scheduled the Senate meetings for the year and reserved appropriate locations.
3. Collect and electronically post and distribute the Senate agenda no less than seventy-two (72) hours before the meeting is to occur.



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4. Accompany Cabinet members to University Committees upon request.
5. Maintain a record comprised of all resolutions, letters, amendments, minutes and any other official documents written in each semester.
6. Serve as a member of the Management Team and designate another Senator to attend meetings if he/she is unable to do so.
7. Attend one Cabinet Meeting per month and update the Cabinet on the activities of the Senate or designate another Senator to do so if he/she is unable to attend.
8. Serve as a member of the Student Reserve Board.

## **Section 6 – Conflict of Interest**

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- A. Each Senator's duty requires that he/she make a full disclosure of any potential conflicts of interest that might arise in any ASLMU transaction.
- B. At the beginning of each semester, each Senator and the Vice President shall complete and sign a standard written disclosure form.
- C. Should such a conflict of interest arise, the Senator should make a full public disclosure of that interest and is strongly encouraged to abstain from voting on the proposed transaction.
  1. Failure to disclose a conflict of interest or abstain from voting when a conflict exists may be grounds for removal.

## **Section 7 – Confirmation of Appointments**

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- A. Senate shall have the sole authority to approve or reject the:
  1. President's nominations for the following positions:
    - a) Treasurer
    - b) Attorney General
    - c) All Directors in the Department of University Affairs
    - d) Programming Chair
    - e) Communications Chair
    - f) Chief Justice
    - g) Four (4) Justices
    - h) Elections Chair
  2. Elections Chair's nominations for the members of the Elections Committee.



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## B. Approval Procedures

1. After each nominee has been publicly interviewed and discussed by the Senate, a majority vote of the Senate is needed to approve the appointment.
  - a) Votes shall be conducted publicly.
2. If a nominee fails to garner a majority vote, the President must nominate and present to the Senate another applicant at a future meeting.

## C. Removal of Appointments

1. The removal of a Justice and members of the Elections Committee shall take place according to the procedures outlined in the pertinent sections of these Bylaws and Codes.
2. The Senate does not have the authority to authorize the removal of any other Officer of ASLMU.
  - a) The sole exception to this rule is the impeachment and removal of a sitting President or Vice President.
3. The Senate may pass a non-binding resolution recommending to the controlling authority the removal of non-appointed individuals.

## **Section 8 – Student Reserve Board & Senate Committees**

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### A. Student Reserve Board

1. Three (3) Senators shall be selected by their peers to serve on the Student Reserve Board (SRB).
2. Nominations for the three (3) SRB positions shall occur following the selection of the Speaker of the Senate but no later than twenty-one (21) calendar days after the beginning of the academic year.
3. The SRB members shall be selected in the following fashion:
  - a) The Vice President shall begin the proceedings by reading the sections of the Code that pertain to the mission, responsibilities, and time commitments of the SRB.
  - b) Following the reading, candidates for SRB shall be nominated by a motion and a second.
    - 1) Candidates may move to nominate themselves.
  - c) All nominees for SRB must have equal time, fixed by a majority vote, to state their qualifications for the position and list all affiliations with registered on-campus organizations.
  - d) Other Senators may question each candidate for SRB following the presentations.



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- e) Subsequent to all presentations and questioning, the Senate shall vote by a majority to begin the voting procedure.
4. If exactly three (3) senators are nominated for the Student Reserve Board:
  - a) A majority vote shall grant a nominee a position on the SRB.
  - b) Should the nominee fail to garner a majority, nominations shall take place again.
5. If more than three (3) senators are nominated for the Student Reserve Board:
  - a) After all applicants have been interviewed, each Senator shall rank all applicants in order of preference.
  - b) The rankings shall be collected and tabulated by the Vice President and the ASLMU Advisor.
  - c) Each applicant on each ranking shall be given points according to their rank
    - 1) The first-ranked applicant shall be given one (1) point.
    - 2) The second-ranked applicant shall be given two (2) points and so on.
  - d) The points for each applicant shall be totaled. The most preferred applicants will have received the fewest points.
  - e) The applicants receiving the fewest points shall fill the positions.
  - f) Should a tie occur, Senators shall cast a vote to appoint one of the tied applicants. The applicant garnering a majority of tie-breaking votes shall be appointed.

## B. Standing Committees

1. There shall be in the ASLMU Senate the following Standing Committees:
  - a) University Policy
  - b) Academic Affairs
  - c) Senate Public Relations
2. Once selected, the Speaker may choose to:
  - a) Chair any one of the (3) Standing Committees.
  - b) Assign a willing Senator to chair any of the Standing Committees.
  - b) Assign a willing Senator to serve on any of the Standing Committees.
3. Nominations for any remaining Committee Chair positions shall occur following the selection of the Speaker of the Senate but no later than twenty-one (21) calendar days after the beginning of the academic year following this process.
  - a) Senators shall be nominated for Chair positions by a motion and a second.
    - 1) Candidates may move to nominate themselves.
    - 2) Chairs of the Standing Committees may also serve on SRB.
  - b) Nominated Senators shall be given time to state their qualifications for the position.



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- c) Other Senators may question each candidate following the presentation of his/her qualifications.
- d) Each Senator shall vote for one candidate.
- f) The candidate garnering the majority vote shall be granted the Chair position.
- 4. Chairs of Standing Committees may be removed at the discretion of the Speaker or by a majority vote of the Senate.
- 5. Each Standing Committee shall have the jurisdiction and related functions assigned to it by the Senate motions and resolutions throughout the Senate term.

## C. Ad Hoc Committees

- 1. An Ad Hoc Committee is one that is established for a particular purpose outside the jurisdiction of the Standing Committees.
- 2. Ad Hoc Committees are created and dissolved by a majority vote of the Senate and shall be automatically dissolved at the close of the academic year during which they were created.
- 3. The Chair of a given Ad Hoc Committee is selected and removed in the same fashion as the Chair of a Standing Committee.
  - a) The Speaker of the Senate may choose to Chair any Ad Hoc Committee.
- 4. Ad Hoc Committees may choose to collaborate with any interested member of the LMU Community.

## **Section 9 – Fiscal Review**

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### A. Summer Spending

- 1. In preparation for the Fall semester, the President may spend up to 1/5<sup>th</sup> of the budget during the period following his/her election and prior to the approval of the budget.

### B. Budget Approval

- 1. The budget must be presented to the Senate by the Treasurer no later than the fourth Senate meeting of the Fall semester.
- 2. Any Senator may question the Treasurer and request a verbal explanation of specific budget allocations.
- 3. A two-thirds (2/3) vote is needed to make a line-item amendment to the budget.
  - a) Amendments shall only be used to reduce a line item or remove a specific allocation(s) and must be remanded back for re-allocation.
- 4. A simple majority is required to approve the budget.



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a) Each semester the President may reallocate up to \$3,000 between Executive Branch accounts. All reallocations must be reported to the Senate at the next regularly scheduled meeting following the reallocation, but are not subject to Senate approval.

## C. Account Freezes

1. The Senate may freeze any Executive Branch account with a three-fourths (3/4) vote.
2. Accounts shall not remain frozen for longer than fourteen (14) calendar days without further action taken by the Senate.
3. The Judicial Committee may reverse the freezing of accounts following a challenge.
  - a) The Speaker of the Senate or a proxy designated by the Speaker shall serve as the respondent in such a case.

## D. Co-Sponsorship Funds

1. ASLMU funding, other than those already allocated to the Student Reserve Board, may not be used to co-sponsor, or otherwise fund in cash or in-kind, any organization or entity that is eligible for an SRB funding allocation.

## **Section 10 – Bylaw & Code Amendments**

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A. Bylaw and Code amendments may be initiated by either the President or a Senator by drafting a document describing the intent of the amendment and rationale for the amendment, referred to as a “Letter of Intent to Amend.”

B. The Letter of Intent to Amend shall be forwarded to the Attorney General, who will, within 14 calendar days from receipt of the letter, draft the language of the proposed amendment in consultation with the primary author(s) of the Letter of Intent and forward the completed draft and the Letter of Intent to the Senate.

C. The Senate may take either one of the following actions:

1. Adopt the proposed amendment by two-thirds (2/3) vote and forward it to the President for action.
2. Return it to the Attorney General with a simple majority vote along with items for reconsideration, redrafting and resubmission.



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D. Should the proposed amendment fail to garner a simple majority vote for revision, redrafting and resubmission, the proposed amendment shall be considered dead.

E. The ASLMU Advisor shall keep in its files the Letter of Intent to Amend and multiple draft revisions for the purpose of later Judicial Committee interpretation of those actions.

F. The Speaker of the Senate shall maintain a record comprised of all resolutions, letters, amendments, minutes and any other official documents written in each semester.

## **Section 11 – Impeachment and Removal**

[\*Click to Return to Table of Contents\*](#)

### A. Impeachment and Removal of Senators

#### 1. Impeachment

- a) Impeachment is defined as the indictment of a Senator or the Speaker of the Senate on charges of improper conduct. Impeachment is required to initiate Removal proceedings.
- b) Impeachment and Removal proceedings may be used to remove a Senator from the Senate or from his/her position on a committee, as Chair of a committee, as a member of the Student Reserve Board, or as Speaker of the Senate.
- c) Proceedings to remove a Senator from a given position and proceedings to remove an individual from the Senate may not occur simultaneously
  - 1) Any Senator removed from the Senate shall automatically forfeit his/her position(s).
- d) Impeachment is achieved by a simple majority vote of the entire membership of the Senate.
- e) The grounds for Impeachment are:
  - 1) Egregious and/or intentional violations of official ASLMU or University, rules, policies, or procedures as they relate to the individual's duties as a Senator or Speaker of the Senate.
  - 2) Conduct that violates the mission of ASLMU or the University.
  - 3) Conduct that severely damages the integrity or authority of ASLMU or the office held by the individual in question.
- f) Appointment and/or legislative activity shall not serve as grounds or as support of grounds for impeachment.
- g) Impeachment Procedure



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- 1) Any undergraduate student may present an impeachment complaint to the Senate with a list of potential witnesses.
    - i) Complaints must include at least a description of the alleged improper conduct and the grounds for impeachment.
    - ii) Complaints must be physically distributed to each Senator.
  - 2) A motion and a second are required to commence impeachment proceedings.
    - i) Following a successful motion to commence impeachment, the Senate shall approve by a simple majority a list of relevant Officers of ASLMU required to appear before the Senate during the proceeding.
  - 3) During the next regularly scheduled Senate meeting following the meeting during which the impeachment proceedings are commenced, a hearing shall be held by the Senate to determine the validity of the complaint
    - i) The Speaker of the Senate shall serve as Chair of the hearing and determine the format. Should the Speaker of the Senate be the subject of the hearing then the Vice President shall serve as Chair.
    - ii) The student filing the original complaint must be present.
    - iii) The individual facing impeachment may be present.
    - iv) The Senate may only question present witnesses listed on the complaint form and officers of ASLMU required to appear.
  - 4) A motion and a second is needed to adjourn the questioning and discussion.
  - 5) Following the discussion, the Senate shall vote on the Impeachment.
  - h) Impeachment is subject to review upon complaint by the Impeached party to the Judicial Committee.
    - 1) The case shall be treated as a Conduct Complaint.
    - 2) Impeachment decisions may only be reversed if it is determined that:
      - a) The alleged improper conduct does not qualify as grounds for impeachment.
      - b) The due process of the impeached officer was violated in a manner that significantly prejudiced the proceedings against the Officer.
2. Removal
- a) At the next regularly scheduled Senate meeting following a successful Impeachment vote, the Senate shall vote on the Removal of the individual in question.
    - i) A vote to remove may not take place until all formal ASLMU and University appeals of the Impeachment decision have been exhausted.



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- ii) A two-thirds (2/3) vote of the entire membership of Senate is necessary to achieve removal.
  - iii) Should the vote be insufficient to achieve removal, the matter shall be closed.
  - iv) Removal by the Senate is not subject to appeal or review by the Judicial Committee and cannot be reversed.
- b) Any vacancy created by either impeachment, removal or recall must be filled according to the procedures provided for in the relevant section of the ASLMU Bylaws.



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## **Article III – Judicial Branch**

### **Section 1 – Purpose**

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#### A. Self-Governance

1. ASLMU respects the privilege of peer review and values ethical and moral behavior by all of its members.
2. The ASLMU Judicial Committee strives to create and maintain a highly competent judicial body that makes responsible decisions in the best interest of the student body.

#### B. Accountability

1. ASLMU values personal and organizational integrity and will strive to hold itself and its members accountable to the high standards set forth in the ASLMU Constitution, ASLMU Bylaws, and any and all policies and procedures that result from these documents.

### **Section 2 – General Provisions**

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#### A. Jurisdiction & Authority

1. Subject to the superseding and overriding jurisdiction of the Student Conduct Code, including without limitation the “Code of Superseding Authority” and “Reservation of Rights” provisions stated therein, and the Office of Judicial Affairs, the ASLMU Judicial Committee has the jurisdiction to interpret the ASLMU Constitution, Bylaws, Codes and any policies and procedures that are implemented pursuant to the directives established in these documents.
2. The jurisdiction of the ASLMU Judicial Committee hereunder is supplemental. This means that, unless prevented or removed from doing so by the Office of Judicial Affairs under the superseding authority of, or the reservation of rights under, the Student Conduct Code, the Judicial Committee shall have the authority to conduct its proceedings hereunder separately or concurrently and unaffected by any corollary or similar actions or proceeding by or before any other University peer boards, actions or proceeding undertaken pursuant to the Student Conduct Code or actions or proceeding by or under the authority of the State of California.



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3. The Judicial Committee may not initiate a review of ASLMU policy, legislation or enforcement nor give advice on pending legislation or other political questions.

## B. Burden of Proof

1. The burden of proof shall be upon the complainant, who must establish the responsibility of the respondent by a preponderance of the evidence.

## C. Statute of Limitations

1. The complainant must file a complaint against the respondent within at most three months of the alleged incident.
2. Any other explicit period of limitations defined in the ASLMU Constitution, Bylaws, Codes, rules or policies supersedes the authority of this clause.

## **Section 3 – Judicial Committee**

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### A. Composition of the Judicial Committee

1. The five (5) voting members of the Judicial Committee shall be undergraduate students.
  - a) One (1) student shall serve as the Chief Justice.
  - b) Four (4) students shall serve as Associate Justices.
3. The Judiciary Advisor(s) shall be designated by the Senior Vice President of Student Affairs or his/her designee. The Judiciary Advisor(s) will not participate in the course of the proceedings, but will attend all hearings and provide advice to the Chief Justice and the Judicial Committee.
4. The quorum for Judicial Committee hearings is three (3) voting members.

### B. Eligibility

1. All Justices must be full-time undergraduate students entering at least into their second academic year at LMU by the start of the academic year immediately following their approval by the Senate.
2. Justices shall not hold an ASLMU elected or appointed office or serve on a committee concurrent with membership in the Judicial Committee.
3. Justices may not be a volunteer or compensated member of any campus media organization.
4. Justices running officially or unofficially for an ASLMU position shall be ineligible to serve on the Judicial Committee during the election period as defined by the Election Code.



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5. Justices shall serve no more than two terms. Each term consists of one academic year.

#### D. Selection of the Chief Justice and Associate Justices

1. Selection shall occur according to Presidential Appointment Procedures proscribed in the Bylaws, Article I, Section 4.

#### E. Responsibilities of the Chief Justice

The Chief Justice shall:

1. Chair the Judicial Committee and preside over all hearings.
2. Serve as a voting member of the Judicial Committee.
3. Coordinate the training of the Judicial Committee along with the Judiciary Advisor, Student Leadership & Development and the Office of Judicial Affairs.
  - a) Subjects shall include but are not limited to; the purpose of the Judicial Committee, ASLMU Constitution & Bylaws, hearing procedures, proper questioning techniques, the rights of the complainant and respondent, the evaluation of evidence, deliberations and sanctioning.
4. Coordinate arrangements for hearings including date, time, location, meeting room reservations, set-up, and notification of hearing to involved parties.
5. Provide all parties with an outline of the Judicial Committee procedures.
6. Inform, in writing, the complainant, respondent, ASLMU President, and Judiciary Advisor of the hearing, decision, and sanctions (if applicable).
7. Ensure the maintenance of all records on file in the ASLMU Office.
8. Report, or designate a Justice to do so, on all hearings, decisions, and problems of the Judicial Committee to the ASLMU Senate at least once per semester.
9. Inform any member of the LMU community on the judicial process upon request.
10. Fulfill the same regular duties of an Associate Justice.
11. Fulfill other duties prescribed by the ASLMU Constitution, Bylaws, policies and other procedures.

#### F. Responsibilities of the Associate Justices

The Associate Justices shall:

1. Participate in training and education sessions.
2. Conduct fair and impartial hearings.
3. Maintain confidentiality before, during and after each hearing.



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## G. Conflict of Interest and Confidentiality

1. Should a conflict of interest arise, the Justice must make a full public disclosure of that interest and recuse himself/herself from all transactions potentially influenced by that conflict interest.
2. Each Justice must keep confidential all transactions that are not explicitly open to the public.
3. Each Justice must sign a standard written agreement at the onset of his/her term expressly acknowledging these duties.

## H. Restrictions on Activity

Neither the Chief Justice nor any Associate Justice shall:

1. Be eligible for election to any ASLMU elected office in an academic year during which they have served more than fourteen (14) calendar days on the Judicial Committee, regardless of resignation from the committee.
2. Be eligible to hold any ASLMU position attached to a stipend in the academic year following the year during which they have served on the Judicial Committee, regardless of resignation from the committee.
  - a) The sole exceptions to this provision are the positions of Elections Chair and Attorney General.
3. Partake in any campaign for or against any candidate, Constitutional amendment, referendum, or recall effort.
4. Be absent from more than three Judicial Committee meetings regardless of excuse.
  - a) Justices who violate this provision shall be considered to have vacated their position. The Chief Justice must notify the Senate of any vacancies at the first regular Senate meeting following a vacancy.
  - b) The only exception to this absence clause is in cases of extenuating circumstances. These are defined as circumstances beyond the control of the absent member and include but is not limited to:
    - 1) Severe illness.
    - 2) Severe illness or death of a close relative or partner.
    - 3) Physical attack.
    - 4) Witnessing a seriously distressing event or other events of comparable effect.

## I. Compensation, Tenure, Removal, and Vacancies of the Justice Positions

1. No Justice shall receive a stipend or any other form of compensation.



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2. The tenure of the Justice shall be the entirety of the academic year in which he/she was appointed unless a Justice is removed from office or resigns.
3. Removal proceedings may be used to remove the Chief Justice or Associate Justice from the Judicial Committee.
  - a) The grounds for removal are:
    - i) Egregious or intentional violations of official ASLMU or University rules, policies, or procedures as they relate to the individual's duties as a Justice.
    - ii) Conduct that violates the mission of ASLMU or the University.
    - iii) Conduct that severely damages the integrity or authority of ASLMU or the office held by the individual in question.
  - b) A Justice's decision-making conduct may not serve as grounds for removal.
  - c) Any member of ASLMU may present a request to remove any Justice directly to the Senate.
    - i) Requests must include at least a description of the alleged improper conduct and indicate the grounds for removal into which the conduct falls.
    - ii) Requests must be physically distributed to each Senator.
  - d) A motion and a second are required to commence removal proceedings.
    - i) Following a successful motion to commence impeachment, the Senate shall approve by a simple majority a list of relevant Officers of ASLMU required to appear before the Senate during the proceeding.
  - e) A discussion shall be conducted by the Senate to determine the validity of the complaint during the next regularly scheduled Senate meeting following the meeting during which the removal proceedings are commenced.
    - i) The Speaker of the Senate shall serve as Chair of the hearing and determine the format.
    - ii) The student filing the original complaint must be present.
    - iii) The individual facing impeachment may be present.
    - iv) Senate may only question witnesses listed on the complaint form should they be present.
  - f) A motion and a second is needed to adjourn the discussion.
  - g) Following the discussion, the Senate shall vote on the removal of the individual or position in question.
    - i) A two-thirds (2/3) vote of the entire membership of the Senate shall achieve removal.
    - ii) Failure to garner a two-thirds (2/3) vote during a removal vote shall indicate the close of the matter.
    - iii) Removal decisions are not subject to review by the Judicial Committee and cannot be reversed.



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4. Vacancy of the Justice Positions
  - a) If a Justice position is vacated at any time other than the Elections Period the President shall appoint a new Justice in a manner pursuant to the Presidential Appointment Procedure provided for in the Bylaws, Article I, Section 4.
  - b) Should a Chief Justice position vacated during the Elections Period the Associate Justices shall appoint from among themselves a new Chief Justice.
  - c) Should an Associate Justice position be vacated during the Elections Period, the position need not be filled unless the Judicial Committee is unable to meet quorum.
    - 1) If the Judicial Committee is unable to meet quorum during the Elections Period, the President shall appoint a new Associate Justice in a manner pursuant to the Presidential Appointment Procedure provided for in the Bylaws, Article I, Section 4.
  - d) The replacement(s) for any vacancy(s) in the position of Justice shall be nominated and filled within fourteen (14) calendar days of the occurrence of the vacancy.

## **Section 4 – Complaints**

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- A. Complaints shall fall into the following categories:
  1. Conduct Complaints are suspected violations of the ASLMU Constitution, Bylaws and other policies and procedures including decisions made by Senate.
  2. Elections Conduct Complaints are suspected violations of the Elections Code by an Elections Committee member.
  3. Election Committee Decision Appeals are based on the grounds for appeal stated in the Elections Code.
  4. Student Reserve Board Decision Appeals are based on the grounds for appeal stated in the SRB Code.
  
- B. Persons filing a complaint are required to provide information pertinent to the case by completing the standard Complaint Form and shall appear before the Judicial Committee if a hearing is commenced.
  1. Complaints may not be submitted anonymously.
  2. Conduct Complaints must be submitted by a full-time undergraduate student.
  3. Elections Conduct Complaints must be submitted by a full-time undergraduate student.



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4. Appeal of an Election Committee decision must be submitted by an affected respondent in the original case.
5. Appeal of a Student Reserve Board decision must be submitted by the President of an affected club or organization.

C. Complaints shall be submitted and processed according to the following procedures:

1. Conduct Complaint
  - a) Complaint Forms shall be physically submitted to the ASLMU Office Manager using a standard form and be time-stamped upon receipt.
  - b) The Office Manager shall notify the Chief Justice of the existence of the report no more than twenty-four (24) hours after the filing time.
  - c) The Chief Justice shall receive the original report or a copy thereof within two (2) school days of the filing time.
2. Elections Conduct Complaint
  - a) Complaint Forms shall be submitted in writing and physically or electronically delivered to the Chief Justice and be time-stamped upon receipt.
  - b) Complaints filed electronically must be accompanied by a phone call to the Chief Justice alerting him/her of the existence of a complaint.
3. Appeal of an Election Committee Decision
  - a) Complaint Forms shall be submitted in writing and electronically delivered to the Chief Justice no later than twenty-four (24) hours after written notification of the Elections Committee decision and be time-stamped upon receipt.
  - b) Complaints filed electronically must be accompanied by a phone call to the Chief Justice alerting him/her of the existence of a complaint.
4. Appeal of a Student Reserve Board Decision
  - a) Complaint Forms shall be submitted in writing and physically delivered to the ASLMU office manager no later than forty-eight (48) hours after written notification of the Student Reserve Board's decision and be time-stamped upon receipt.
  - b) The Office Manager shall notify the Chief Justice of the existence of the appeal no more than twenty-four (24) hours after the filing time.
  - c) The Chief Justice must receive the original appeal or a copy thereof within two (2) school days of the filing time.

## **Section 5 – Jurisdiction Review**

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A. The Chief Justice and Judicial Committee Advisor shall review complaints to determine whether there is sufficient evidence to charge a violation and to hold a hearing.

B. Written notification must be provided for all dismissed cases, citing the reason for dismissal.

## **Section 6 – Due Process**

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Parties involved in a Judicial Committee hearing are accorded the following procedural protection:

### A. Hearing Notification

1. The Chief Justice, by way of electronic written statement, will notify both the complainant and the respondent:
  - a) At least two (2) school days before the hearing date for all Conduct Complaints & appeals of a Student Reserve Board decisions.
  - b) No less than eight (8) hours prior to the hearing for all Elections Conduct Complaints and appeals of an Election Committee decision.
2. The Chief Justice shall telephone the notified parties following delivery of the electronic statement.
3. Written notification shall include:
  - a) A summary of the charges and citations of the violated codes.
  - b) The hearing date, time, and location.
  - c) The location of a copy of the most current ASLMU Constitution & Bylaws and Codes.
  - d) The names and relevance of any witnesses requested by the Judicial Committee.
  - e) A copy of the complainant's Complaint Form.
  - f) An explanation of the due process rights.

### B. Hearing

1. A hearing shall be held during which the respondent shall have the opportunity to respond to the complaint/appeal.
2. All hearing procedures shall provide for fair and equal treatment for both the complainant and respondent.
3. Conduct Complaint hearings shall be held within seven (7) school days of the filing time.



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4. Elections Conduct Complaint hearings shall take place no less than twelve (12) hours and no more than forty-eight (48) after the decision to hold a hearing is made.
  5. Election Committee Decision appeal hearings shall be held to within twenty-four (24) hours of the filing time.
  6. Student Reserve Board Decision appeal hearings shall be held within seven (7) school days of the filing time.
- C. Explanation during the hearing
1. During the hearing, the Judicial Committee shall:
    - a) Explain the ASLMU judicial system.
    - b) Explain the due process.
    - c) Provide a copy of the ASLMU Constitution, Bylaws, Codes and other applicable polices and procedures.
    - d) Explain that the hearing shall become part of the file relating to the case.
- D. Reasonable access to evidence
1. Reasonable access to the evidence supporting the charge will be made available to the respondent, upon request, prior to the hearing.
- E. Advisors
1. The respondent and complainant may be advised by no more than one (1) individual at the hearing.
    - b) Advisors may not speak publicly during the hearing but may confer privately with the advised party.
    - b) The advised party must notify the Chief Justice in electronically in writing at least four (4) hours prior to the hearing if an advisor will be in attendance.
    - c) An advisor may not appear in lieu of the advised party.
- F. Witnesses or witness statements
1. Parties may have the support of witnesses in Conduct Complaint hearings and Elections Conduct Complaint hearings only.
  2. The Chief Justice must be notified four (4) hours prior to the hearing if witnesses will be provided.
  3. Witnesses must serve to provide relevant information pertaining to the case. Character witnesses are not allowed.
- G. Sanctions



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1. A sanction shall be levied if it is determined that the party is responsible for the violation. If not, the charge will be dismissed.

## **Section 7 – Hearing Procedures**

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### A. Judicial Committee Hearing Rules

1. The purpose of the hearing is to give the members of the Judicial Committee the opportunity to gather the information necessary to fairly, accurately, and impartially adjudicate the issue in question.
2. The hearing must be held on campus and begin and end between the hours of 9:00am and 11:00pm.
3. The quorum for Judicial Committee hearings is three (3) voting members.
  - a) Should an even number of Justices be present at a hearing, the Justices shall pick lots at random to determine who shall not participate.
    - 1) The picking of the abstaining Justice shall occur prior to the commencement of the hearing and the non-participating justice should not participate at all in the hearing or the deliberations.
4. If either the respondent or complainant fails to appear at the hearing, the Judicial Committee, by way of majority vote, will select to either reschedule the hearing or continue with the proceeding and render a decision based on the available information.
5. Challenging Judicial Committee Members
  - a) Both parties may challenge up to one (1) member of the Judicial Committee on the grounds of personal bias or conflict of interest.
  - b) The Chief Justice, in close consultation with the Judiciary Advisor, shall determine the outcome of any disqualification challenges against any Justices.
  - c) The Judiciary Advisor shall determine the outcome of a disqualification challenge against the Chief Justice.
  - d) Forced disqualification may not occur if it will reduce the Judicial Committee to below quorum.
6. The Chief Justice shall explain the hearing process and verbally note the following:
  - a) LMU student media may attend but may not use audio, video, photographic or other recording devices at any time during the hearing.
    - 1) Violations of this provision may result in the lifetime permanent expulsion of the violating LMU journalist following a decision of the Chief Justice.



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- b) LMU student media may not participate in the hearing in any way unless called as an official witness.
  - c) All hearings shall be recorded by the Judicial Committee using a digital audio recording device. The audio will not be released.
- 7. The burden of proof shall be upon the complainant, who must establish the responsibility of the respondent by a preponderance of the evidence.
- 8. Witnesses are only permitted in non-appellate hearings.
  - a) Witnesses shall be asked to affirm that their testimony is truthful and made to understand that perjury is an offense punishable under the Student Conduct Code.
  - b) Prospective witnesses, other than the complainant and the respondent, may, at the discretion of the Chief Justice, be excluded from the hearing during the testimony of other witnesses.
- 9. Written statements shall not be admitted into evidence unless signed by the affiant and witnessed by the Judiciary Advisor or a designee.
- 10. Judicial Committee hearings are not a formal court of law; therefore formal rules of evidence and discovery are not applicable in this forum.
  - a) The Judicial Committee shall give general consideration to privacy, privilege, and confidentiality but shall otherwise admit all relevant matters that reasonable persons may consider gathered from within the scope of ordinary student life into evidence.
  - b) Unduly repetitious or irrelevant evidence may be excluded at the discretion of the Chief Justice.
- 11. All hearings shall abide by the following provisions:
  - a) Hearings are open to one (1) representative from each official university-affiliated student media organization, but shall be closed to all other individuals whose presence is not explicitly permitted in these bylaws.
    - 1) Campus Media may not use audio, video, photographic or other recording devices at any time during the hearing.
    - 2) Campus Media may not be heard during or participate in the hearing in any way unless called as an official witness.
    - 3) Violations of these provisions may result in the lifetime permanent expulsion of the violating journalist following a decision of the Chief Justice.
  - b) Hearings shall be recorded by the Judicial Committee using a digital audio recording device.
    - 1) Official written or digital records of audio recordings may be discarded no earlier than the close of the academic year.
    - 2) The audio will not be released.



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- 3) Digital audio recordings shall be coordinated and their records maintained by the Judiciary Advisor.
- 4) The digital audio record taken during Elections Committee hearings is admissible upon complaint or appeal.
- c) Hearsay evidence is permissible.
  - 1) Appropriate measure must be taken to bring in the original declarant to testify on his/her own behalf
  - 2) The facts supported by hearsay evidence shall be understood as having less convincing force than those supported by non-hearsay evidence
12. The Chief Justice shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of present individuals. Any individual, including advisors, who disrupts the hearing or who fails to adhere to the rulings of the Judicial Committee, may be excluded from the proceedings.

## B. Hearing Agenda

- 1) Call to order by Chief Justice or appointed designee.
- 2) Introductions of the parties and their advisors.
- 3) Chief Justice specifies the exact nature of the allegation or of the decision made by the lower body, basis of the hearing, and reviews the hearing procedures.
- 4) Five (5) minute opening statement by the complainant(s).
- 5) Five (5) minute opening statement by the respondent(s).
- 6) Presentation of Evidence.
  - a) Presentation and explanation of evidence by the complainant.
  - b) Questioning of the complainant by the respondent regarding the evidence.
  - a) Presentation and explanation of evidence by the respondent.
  - b) Questioning of the respondent by the complainant regarding the evidence.
- 7) Call of witnesses (non-appellate hearings only).
  - a) Call of witnesses for the complainant and direct examination by the complainant.
  - b) Cross-examination of the complainant's witnesses by the respondent.
  - c) Call of witnesses for the respondent and direct examination by the respondent.
  - d) Cross-examination of the respondent's witnesses by the complainant.
- 8) Judicial Committee members reserve the right to ask questions of any party at any point during the course of the hearing.
- 9) Five (5) minute closing statement by the complainant(s).
- 10) Five (5) minute closing statement by the respondent(s).
- 11) Adjournment by the Chief Justice.



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## **Section 8 – Deliberation Procedures**

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- A. Deliberations shall be held in a closed session with only the Chief Justice, participating Justices and Judiciary Advisor.
1. Deliberations are confidential, and the comments are not to be reported outside of the deliberations.
- B. Deliberations shall be conducted according to the following procedure:
1. The Chief Justice shall begin deliberations with a review of the charges against the respondent(s).
  2. The Judicial Committee shall discuss the evidence relating to the case and determine the facts.
  3. The nature or degree of sanctions (if applicable) shall not be discussed until all alleged violations have been decided upon.
  4. For each alleged complaint violation, the Judicial Committee shall by majority vote render one of the following two (2) decisions:
    - a) Responsible
      - 1) The complaint is supported by a preponderance of evidence (as defined in Article IV).
      - 2) Appropriate sanction(s) shall be determined if the respondent is found to be responsible.
    - b) Not Responsible
      - 1) If there is insufficient evidence to support the allegation, the complaint shall be dismissed.
  6. For each issue in an appeal, the Judicial Committee shall by a majority vote render one of the following decisions:
    - a) Uphold the entirety of the original Opinion.
    - b) Overturn the part or all of the original decision.
    - c) Modify some or all of the original sanction(s).
    - d) Remand the case back to the original body with instructions for further proceedings with the intent to remedy procedural errors and/or incorporate newly discovered relevant evidence.

## **Section 9 – Sanctions**

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- A. A majority vote of the Judicial Committee shall determine the most appropriate sanction(s). The nature and degree of the sanctions may be recommended by any member of Judicial Committee or by the Judiciary Advisor.
- B. Factors to be considered when determining sanctions shall be:
1. The severity of the violation(s).
  2. The nature of the offense(s).
  3. The severity of any damage, injury or harm resulting from the violation(s).
  4. All previous violations and sanctions issued against a given individual.
    - a) In order to discourage multiple, consecutive, or subsequent violating activities, sanctions levied against repeat-violators may be more severe than sanctions levied against first-time violators for the same violation.
  5. All precedents set by the current and former Judicial Committee(s) governed under versions of the ASLMU Constitution, Bylaws, and Codes originally revised in the 2006-2007 Academic Year.
    - 1) Precedent is non-binding
- C. The purpose of imposing sanctions is both to serve as an appropriate remedy for the violation and to deter future improper conduct.
- D. One or more of the following sanctions may be imposed by the Judicial Committee (in order of severity):
1. Warning Letter
    - a) A written reprimand to the responsible parties for the violations specified, including notice that repeated violations may be cause for further Judicial Committee action.
  2. Formal letter of apology
    - a) A letter written by the respondent apologizing to those individuals or organizations affected by the responsible party's violation(s).
  3. Creative educational projects
    - a) Defined as a social service, educational or public apology project determined by the Judicial Committee that would be completed by the responsible party for the benefit of their members or the University community.
  4. Restitution or reimbursement for damages or lost property.
  5. Probation status
    - a) Defined as a specific period of time which the responsible party must abide by all established policies and regulations, with the knowledge that more



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severe Judicial Committee actions will be taken as a result of future violations.

6. Loss of privileges
  - a) Defined as the exclusion of the responsible party from participating in ASLMU activities and/or removal of duties and responsibilities.
  - b) This may also encompass the removal of offensive or damaging materials.
7. Loss of right to seek or hold elected or appointed office
  - a) Individuals who commit severe violations that seriously or irreparably undermine the integrity of the ASLMU may lose their right seek or hold elected or appointed office in ASLMU for a future period determined by the Judicial Committee. This prohibition may not extend to participation in ASLMU activities normally open to member participation.
  - b) It is recommended that this degree of sanction be used as a last resort for individuals who cannot be sanctioned by any other means.
  - c) Individuals currently holding office may not be removed by the Judicial Committee.
8. Other Sanctions or Course of Action
  - a) The Judicial Committee retains the right to impose additional sanctions, or course of action according to the specific needs of a situation.

E. Failure to comply with a sanction or course of action may result in further judicial action and more severe sanctions.

## **Section 10 – Publication of Judicial Committee Opinions**

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A. The Opinions of the Judicial Committee shall include a summary of the testimony, the findings of fact, decisions on each case, and sanction(s) or course of action. All decisions shall be reviewed by the Judiciary Advisor prior to delivery.

B. Opinions shall be sufficiently detailed to permit review as provided for in this Code.

C. Non-election related Opinions regarding violations and sanctions shall be delivered electronically in writing to the respondent within two (2) school days of the hearing.

D. Elections-related Opinions regarding violations and sanctions shall be delivered in writing to the respondent within six (6) hours of the hearing.



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1. If six (6) hours past the adjudication falls during the period of time between 12:00am (midnight) and 7:00am, the delivery shall take place not later than 12:00pm (noon) on the calendar day following the day on which the hearing began.
- E. Immediately following electronic delivery to the respondent, all Opinions shall be made available for review upon request by any undergraduate Student.
1. No audio documentation shall be released.
  2. The Opinion shall be posted on an access-controlled ASLMU or University operated webspace within 24 hours of the delivery to the respondent.



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## **Section 11 – Further Appeals**

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A. Subject to the superseding and overriding jurisdiction of the Student Conduct Code, decisions of the Judicial Committee are final and may not be challenged.

## **Section 12 – Files & Records**

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A. The Judiciary Advisor and Chief Justice shall be responsible for the safekeeping of Judicial Committee case files and decisions, in hard-copy version, for a minimum of five (5) years.

## **Section 13 – Amendments**

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- A. Article III may be amended according to the standard Bylaw Amendment procedures of the Senate as described in the Bylaws.
- B. Any amendments to this Article shall not be in conflict with the Student Conduct Code.



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## **Article IV – Definitions**

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These definitions apply to the ASLMU Constitution, Bylaws, Codes, rules, policies, and procedures.

“**Advisor**” means any current faculty, staff or religious community member, but not Law School students, faculty, and staff. Off-campus individuals, parents, or those who have no affiliation with the University cannot serve as advisors. Current faculty or staff cannot act as advisors to their familial relations.

“**Associate Justice**” serves as a member of the Judicial Committee.

“**Calendar Days**” means all days including Saturday and Sunday.

“**Campaign Period**” means the span of time between the beginning of campaigning and end of the campaigning.

“**Campus Media**” means any University sponsored student media organizations.

“**Chief Justice**” means the Chair of the Judicial Committee.

“**Committee Member**” means all students selected to serve on a Cabinet Department Committee within this Association.

“**Complainant**” means the party who makes the complaint.

“**Complaint**” means the report submitted by the Complainant.

“**Elections Committee Member**” means all students appointed to serve as members of the Elections Committee.

“**Election Period**” means the period beginning when elections information packets become available and ends with the certification of the election.

“**Entire Membership of the Senate**” means all of the Senate seats, regardless of vacancy or absence.



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“**Executive Officer**” means all students elected or appointed to serve within the Executive Branch of this Association.

“**Filing Time**” means the time-stamp made when a Violation Report Form was received by the controlling party.

“**First Year Student**” means a student who is in their first year of attendance at LMU including those who have transferred from another institution.

“**Initiative**” means the procedure enabling a specified number of undergraduate students, by petition, to propose legislation by submission to a vote of the membership.

“**Institution**” and “University” mean Loyola Marymount University.

“**Judiciary**” means the ASLMU Judicial Committee.

“**Judiciary Advisor**” means the University staff member serving as the advisor to the ASLMU Judicial Committee.

“**Justice**” means a member of the ASLMU Judiciary Committee, including the Chief Justice.

“**LMU**” means Loyola Marymount University.

“**Majority Vote**” means a majority of individuals present at a duly commenced meeting.

“**Member**” means all fulltime and part-time students pursuing undergraduate studies. During the recess period between semesters or the summer period, membership includes individuals who have completed the immediately preceding term and are eligible for either enrollment or graduation.

“**Officers**” mean all Executive Officers, Senators, Elections Committee Members, Justices and Committee Members within the Association.

“**Official Candidate**” means a candidate who has declared their candidacy by the deadline.

“**Party**” means the complainant or respondent.



# BYLAWS

Associated Students of Loyola Marymount University

“**Preponderance of Evidence**” means the evidentiary standard that that has been met when the evidence presented by the complainant, when weighed against the evidence presented by the respondent, has more convincing force and the greater probability of truth. Note that the amount or sheer quantity of evidence is irrelevant to meeting a standard of preponderance. Thus, one clearly knowledgeable witness may provide a preponderance of evidence over a dozen witnesses with hazy testimony, or one signed agreement with definite terms may outweigh numerous opinions or speculation about what the signing parties intended.

“**Recall Leader**” means the leader of the recall effort.

“**Referendum**” means the practice of submitting to a vote of the membership a measure passed upon or proposed by the Senate for such purpose.

“**Retaliation**” means any adverse action taken against a Party in response to the filing of a Complaint.

“**Respondent**” means the party a complaint is made against.

“**School Day**” means days when undergraduate classes are scheduled. It shall not include Saturdays, Sundays, summer sessions or administrative holidays.

“**Senator**” means all students elected by the student body or appointed by the Senate of this Association for the position of Senator.

“**Student**” includes all persons taking courses at the University, both fulltime and part-time, and pursuing undergraduate studies. During the recess period between semesters or the summer period, it includes one who has completed the immediately preceding term and is eligible for enrollment or graduation.

“**Student Body**” means all members of the Association.

“**SRB**” means the Student Reserve Board.

“**University Community**” means students, employees, faculty or religious community members of the University.



# BYLAWS

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Associated Students of Loyola Marymount University

“**University Premises**” means the University campus including, without limitation, all buildings or grounds owned, leased, operated, controlled or supervised by the University at the relevant time.

“**Voting Period**” means the time bloc when voting occurs during an election.

The terms of “**will**” or “**shall**” are used in the imperative sense. The term “**may**” is used in the permissive sense.



# BYLAWS

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Associated Students of Loyola Marymount University

**Revision History:**

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-Passed into Action: February, 21 2007

-Drafted By: Matthew S. Schechter (Class of 2007) and ASLMU 2006-2007

-Revised: [Date]

-Revision by: [Name]

-Revision Summary: [Summary]