

B-F2019-10: To revise the Student Government impeachment proceedings and have a Judiciary Board monitor Program Points. *To modify the Bylaws in order to establish a comprehensive impeachment process and create a Judiciary Board to monitor member Program Points and investigate formal complaints against members.*

In the General Body,

Date: September 22nd, 2019

Primary Sponsors: Suchir Govindarajan, Vice President for Governmental Affairs
 Rajbir Toor, Student Trustee

Sponsors: Jenni O'Neill, Executive Vice President
 Chris Driscoll, Alternate Student Trustee
 Jonathan DellaGatta, Speaker of the General Assembly
 Kelsey Cogan, Vice President for Academic Affairs

A Bill,

To have an SG Judiciary Board oversee the performance of SG members in terms of Negative Points and Positive Points. The Judiciary Board shall be responsible for bringing forth charges of impeachment so that when the case is presented to the General Body, it is for a vote for recall, or removal of office. This Bill adds a procedure for any constituent or member of the SG to present a grievance against another member on the basis of nonfeasance, misfeasance, or malfeasance. The Bylaws are updated to reflect the role of the Judiciary Board. Issues regarding violations of GPA maintenance, Academic Integrity Policy, and Student Code of Conduct shall adhere to standards already set in the Constitution.

Formatting:

Bylaw 04

Details

Bylaw 04 shall be renamed.

Bylaw 04 shall now be titled:

Bylaw 04: **Membership Accountability**

Bylaw 04 shall be instilled.

Bylaw 04, Section A shall be added.

Bylaw 04, Section A shall be titled:

Section A: Attendance and Points

Bylaw 04, Sections 1-11 shall be redesignated.

Bylaw 04, Sections 1-11 shall now be Bylaw 04, Section A, Subsections 1-11.

Bylaw 04, Section A, Subsection 3 shall be amended.

Bylaw 04, Section A, Subsection 3 shall read:

The Alternate Student Trustee shall have the power to both assign and revoke any and all attendance Program Points accrued during the course of the legislative year with the approval of the Executive Vice President. A member of the Cabinet or the General Assembly must email the attendance email account provided by the Alternate Student Trustee no later than midnight on the night before the meeting or event for which the member cannot attend.

Bylaw 04, Section A, Subsection 3 shall be instilled.

Bylaw 04, Section A, Subsection 4 shall be amended.

Bylaw 04, Section A, Subsection 4 shall read:

If a member of the Cabinet or the General Assembly accumulates ten (10) Negative Points, the Judiciary Board will schedule an informal meeting with the member to discuss strategies to ensure that the member does not violate his or her commitment to the organization. The Judiciary Board will document the discussion and outcomes of this meeting. The finalized document shall be signed by the elected member and Board as a contract of commitment for the member.

Bylaw 04, Section A, Subsection 4 shall be instilled.

Bylaw 04, Section A, Subsection 5 shall be amended.

Bylaw 04, Section A, Subsection 5 shall read:

If a member of the Cabinet or the General Assembly accumulates fifteen (15) Unexcused Negative Program Points, the Judiciary Board will Issue a statement of caution, warning the member of his or her attendance records, and stating the subsequent Program Point total for which that member would need to appear before the Judiciary Board again. The statement of caution will also indicate that failure to comply with the Judiciary Board's warning will result in a request for a letter of resignation.

Bylaw 04, Section A, Subsection 5 shall be instilled.

Bylaw 04, Section A, Subsection 6 shall be amended.

Bylaw 04, Section A, Subsection 6 shall read:

If a member of the Cabinet or the General Assembly accumulates twenty (20) Unexcused Negative Program Points, the Judiciary Board will request a letter of resignation. If said letter is not received by the

requested date, the Judiciary Board shall impeach the member and present a formal charge of impeachment to the prosecution, and the recall process shall begin.

Bylaw 04, Section A, Subsection 6 shall be instilled.

Bylaw 04, Section A, Subsection 7 shall be amended.

Bylaw 04, Section A, Subsection 7 shall read:

Each elected member of the Student Government shall maintain a minimum of ten (10) Program Points during each semester. Four (4) points must be accumulated by their first day of the second quarter, date determined by the official TCNJ academic calendar. Each designated program will be worth, at a minimum, one (1) point unless otherwise specified. The modes in which Student Government members may earn program participation points include, but are not limited to, the following:

Academic forums:	2 Points
Presentations:	2 Points
Candidate Forums:	2 Points
Committee Events:	2 Points
Major SG-sponsored Events:	2 Points
Table Sitting:	1 Point
Primary Sponsorship of a Resolution:	1 Point
Attending Trenton and Ewing Community Events:	1 Point

Only two points per semester may be earned through attending community events. Unearned points will be transferred to a member's attendance point total for the current semester. The Alternate Student Trustee has the authority to deem an event point-worthy. If a member's request for an event to be point-worthy is denied, he/she may appeal that decision to the Executive Vice President.

Bylaw 04, Section A, Subsection 7 shall be instilled.

Bylaw 04, Section A, Subsection 8 shall be amended.

Bylaw 04, Section A, Subsection 8 shall read:

If an elected member does not accrue 4 Positive Points by the first day of the second quarter in the fall semester, date determined by the official TCNJ academic calendar, then they will attend a meeting with the Judiciary Board. The Judiciary Board will then begin the process of keeping official documentation for every individual with which they meet. The Judiciary Board should allot a period of 2 weeks to make up for the 4 Positive Points, with the right to make exceptions based on the elected members' individual circumstances, as they see fit. If the elected member does not adhere to the standard set by the Judiciary Board by the designated date, the Judiciary Board then reserves the right to request a resignation. If the elected member does not submit a resignation by the designated date, the Judiciary Board will conduct a vote amongst themselves to impeach the member. If the Judiciary Board votes to impeach the elected member, the impeachment charge shall be sent to the prosecution and the recall process shall begin with the General Body.

Bylaw 04, Section A, Subsection 8 shall be instilled.

Bylaw 04, Section A, Subsection 10 shall be amended.

Bylaw 04, Section A, Subsection 10 shall read:

Under dire and/or extreme personal circumstances, a member of the General Assembly may make an appeal to the Judiciary Board to downwardly adjust their total participation point threshold, only in cases where the circumstances are beyond the control of the individual. If the Judiciary Board accepts an appeal, the board will determine the new positive point threshold. If the board denies an appeal, the General Assembly member is still obligated to attain the 10 Program Points required of all members of the General Assembly.

Bylaw 04, Section A, Subsection 10 shall be instilled.

Bylaw 04, Section B shall be added.

Bylaw 04, Section B shall read:

Section B: Charges of Impeachment

Bylaw 04, Section B, Subsection 1 shall be added.

Bylaw 04, Section B, Subsection 1 shall read:

If a member fails to adhere to the standards set by the Judiciary Board during their meeting, as outlined in Bylaw 04, Section A, Subsection 8, this shall be designated a nonfeasance impeachment charge. The Judiciary Board will procure a comprehensive impeachment charge outlining the member's dereliction of duty. The Judiciary Board will then present the charge to the prosecution.

Bylaw 04, Section B, Subsection 2 shall be added.

Bylaw 04, Section B, Subsection 2 shall read:

If any member of the SG, or any constituent, wishes to file a formal complaint on the basis of nonfeasance, misfeasance, or malfeasance, they must present it to the Judiciary Board via written documentation. The Judiciary Board will then proceed to collecting evidence and data on the veracity of the complaint. They may do so through meeting with members of the SG, constituents, or any faculty/staff member the board deems appropriate. If the Judiciary finds sufficient evidence, they shall meet with the accused to discuss the issue and may request a letter of resignation. If said letter is not received by the requested date, The Judiciary Board will procure a comprehensive impeachment charge outlining the member's dereliction of duty. The Judiciary Board will then present the charge to the prosecution.

Bylaw 04, Section B, Subsection 3 shall be added.

Bylaw 04, Section B, Subsection 3 shall read:

If any complaint brought forth to the Judiciary Board shows a member to be in violation of the Student Code of Conduct or the Academic Integrity Policy, the Judiciary Board, in concert with the SG Advisors, will abide by the standards set in Article VII, Section 3 and Article VII, Section 4.

Effective Date: Immediately