

Legislative By-Laws

Article 5. Procedures

Section 3. Removal of Committee Chairs

- A. A complaint concerning a Committee Chair may be filed with the Executive Committee by any member of the Student Government Association.
- B. Upon receipt of complaint, the President of the Assembly has one week to convene the Chairperson Performance Review Committee to consider the matter.
 - i. The performance review committee will be made up of the President of the Assembly, the Coordinator of each Senator Group, the Chair of the Membership and Outreach Committee, and the SGA Advisor; being chaired by the Chairperson of the Membership and Outreach Committee.
 - a. In the event the complaint raised is against the Chairperson of the Membership and Outreach Committee, the chairperson would be removed from the Performance Review Committee. The President of the Assembly shall then appoint a randomly selected Chairperson from another Internal Committee of SGA to serve in the role of Chairperson for the Performance Review Committee.
- C. The Chairperson Performance Review Committee shall use a three tiered process to investigate and determine a reasonable outcome for all parties involved.
 - a. Informal discussion: The individual who filed the complaint, complainant, shall meet with the respondent of said complaint, to discuss and resolve the matter in an informal environment
 - b. Facilitation: If the complainant and the respondent cannot reach a resolution, the two parties must meet with a non-biased third party facilitator, who shall be a member of the Executive Branch Performance Review Committee, and the SGA Advisor or his/ her designee to further understand and resolve the conflict.
 - c. Formal Performance Review Committee Hearing: If facilitation is unsuccessful, the Executive Branch Performance Review Committee shall convene to resolve the conflict. They must allow both the complainant and the respondent to speak to and answer questions from the Committee and from one another regarding the filled complaint. After the complainant and respondent have spoken the Committee may perform a further investigation that can include, but is not limited to: interviewing SGA Members, general students, University Staff, Faculty, and Administrators; going over constituent feedback, payroll records, and other pertinent documents. The Committee can recall both the Complainant and Respondent once more to discuss and ask questions regarding their findings. The Committee must then meet to decide the course of action that will be taken. All hearings and deliberations of the

Committee are to be conducted according to procedures established by the SGA Advisor. Actions that can be taken by the Committee include:

1. No action. The Committee can determine that there is no cause for complaint and dismiss the complaint. The Committee is then immediately disbanded.
2. Formal Action – Reprimand. The Committee can determine that there is cause for complaint and that the respondent has acted in a manner that is inconsistent with the expectations of being a member of the Student Government Association. A formal, written reprimand shall then be issued to the respondent, noting future expectations. The Committee is then immediately disbanded.
3. Formal Action – Probation. The Committee can determine that there is cause for complaint and that the respondent should be placed on probation and given a designated interval of time in which the respondent is required to a specified course of action with which to regain good standing within the Association. The Committee shall then meet designated times to review the progress made by the respondent. At the conclusion of the probationary period the Committee shall either release the respondent from probationary status or take additional disciplinary action. The Committee is then immediately disbanded.
4. Formal Action – Removal. The Committee can determine that there is cause for complaint and that the behavior is severe enough to warrant removal from their position as chairperson. The decision shall be communicated to the respondent in writing. The Committee is then immediately disbanded.

D. The performance review committee shall present their findings to the SGA Executive Committee along with the course of action taken.

E. The Chairperson of the Performance Review Committee shall present their decision along with the course of action taken to the entire Assembly.

F. The Committee Chair in question may appeal the decision of the Performance Review Committee to the Assembly of the Student Government Association, who has one week to rule on the matter.

Section 4. Removal of an Officer of the Assembly

A. A complaint concerning an Officer of the Assembly may be filed with the Executive Committee by any member of the Student Government Association.

B. Upon receipt of that complaint, the Student Body President has one week to convene the Assembly Officer Performance Review Committee to consider the matter.

C. The Assembly Officer Performance Review Committee will be made up of the Student Body President, the Coordinator of each Senator Group, the Chairperson of the Membership and Outreach Committee and the SGA Advisor; being chaired by the Chairperson of the Membership and Outreach Committee.

i. In the event the Assembly Officer in question is the Chairperson of the Membership and Outreach Committee or a Coordinator, they would be excused from the Performance Review Committee. The Student Body President shall then appoint a randomly selected chairperson from another Internal Committee of SGA to serve on the Performance Review Committee.

D. The Assembly Officer Performance Review Committee shall use a three tiered process to investigate and determine a reasonable outcome for all parties involved.

i. Informal discussion: The individual who filed the complaint, complainant, shall meet with the respondent of said complaint, to discuss and resolve the matter in an informal environment

ii. Facilitation: If the complainant and the respondent cannot reach a resolution, the two parties must meet with a non-biased third party facilitator, who shall be a member of the Executive Branch Performance Review Committee, and the SGA Advisor or his/ her designee to further understand and resolve the conflict.

iii. Formal Performance Review Committee Hearing: If facilitation is unsuccessful, the Executive Branch Performance Review Committee shall convene to resolve the conflict. They must allow both the complainant and the respondent to speak to and answer questions from the Committee and from one another regarding the filled complaint. After the complainant and respondent have spoken the Committee may perform a further investigation that can include, but is not limited to: interviewing SGA Members, general students, University Staff, Faculty, and Administrators; going over constituent feedback, payroll records, and other pertinent documents. The Committee can recall both the Complainant and Respondent once more to discuss and ask questions regarding their findings. The Committee must then meet to decide the course of action that will be taken. All hearings and deliberations of the Committee are to be conducted according to procedures established by the SGA Advisor. Actions that can be taken by the Committee include:

1. No action. The Committee can determine that there is no cause for complaint and dismiss the complaint. The decision shall be communicated to the respondent and the complainant in writing. The Committee is then immediately disbanded.

2. Formal Action – Reprimand. The Committee can determine that there is cause for complaint and that the respondent has acted in a manner that is inconsistent with the expectations of being a member of the Student Government Association. A formal, written reprimand shall then be issued to the respondent and copied to the complainant, noting future expectations. The Committee is then immediately disbanded.

3. Formal Action – Probation. The Committee can determine that there is cause for complaint and that the respondent should be placed on probation and given a designated interval of time in which the respondent is required to a specified course of action with which to regain good standing within the Association. The decision shall be communicated to the respondent and the complainant in writing. The Committee shall then meet

designated times to review the progress made by the respondent. At the conclusion of the probationary period the Committee shall either release the respondent from probationary status or take additional disciplinary action. The Committee is then immediately disbanded.

4. Formal Action – Removal. The Committee can determine that there is cause for complaint and that the behavior is severe enough to warrant removal from their assembly officer position. The decision shall be communicated to the respondent and the complainant in writing. The Committee is then immediately disbanded.

E. The performance review committee shall present their findings to the SGA Executive Committee along with the course of action taken.

F. The Chairperson of the Performance Review Committee shall present their decision along with the course of action taken to the entire Assembly.

G. The Officer of the Assembly in question may appeal the decision of the Performance Review Committee to the Assembly of the Student Government Association, who has one week to rule on the matter.