

Appalachian State University Student Government Association
The Committee on Rules Bylaws

Revised on the thirteenth day of November, year two thousand and seventeen

Historical records maintained and transitioned by Walt J. Grayson (50th & 51st Sessions Director of Legislative Operations) in accordance with the provisions set forth in Article V, Section 5, Subsection B, Number 4 of the Constitution of the Student Government Association of Appalachian State University.

The Rules Committee Preamble

The Senate Committee on Rules (*hereafter referred to as "the Rules Committee"*) of the Student Government Association of Appalachian State University is established in accordance with the SGA Constitution. The Rules Committee Chairperson supervises the committee exclusively with support from the Ranking Member, the Sergeant at Arms, the Parliamentarian, the Administrative Assistant and the Student Government Secretary. The committee is part of the legislative branch of the Student Government Association and reports to the Vice President. As a legislative committee it is composed of Senators who serve as voting members of the committee. The committee is charged with the responsibility of reviewing legislative initiatives introduced in the Senate, selected appointments made by the President and Vice-President, including cabinet appointments, issuing formal recommendations to Senate, and recommending constitutional and bylaw initiatives. This responsibility includes assisting Senators with the development of legislation and reviewing legislation for the purpose of verifying research, anticipating the outcomes of legislation, ensuring adherence to the Senate Rules Committee Legislative Guidelines and mandates, and the student impact of the legislation. The appointments screened by Rules are for the purposes of determining that the candidate meets the necessary qualifications and is prepared to go before Senate for review. With regard to Student Government, the Rules Committee is responsible for ensuring that the SGA Constitution, Bylaws, and legislation are not in conflict with one another and are written in a manner consistent with existing rules, while also having been properly researched.

Authority Clause

The Rules Committee is a standing committee of the Student Senate under the supervision of the Vice President, and chaired by the Director of Legislative Operations as prescribed in Article V, Section 4, and Subsection "E" of the Constitution of the Student Government Association. The Rules Committee Bylaws govern the legislative and appointment process and procedure in their entirety and preempt any implied and expressed governing instruments of The Appalachian State University Student Government Association with exception to the Constitution.

ARTICLE I: Standing Objectives

1. The purpose of the Rules Committee is to review all actions and items that come before the floor of the Senate to assure a full investigation of all concerns before the Senate acts; additionally review existing Bylaws and procedures of the Senate to guarantee efficiency, accountability, and due process within the Student Government Association.
2. The Senate Rules Committee reserves the right to review any and all items and actions outside of legislation, appointments, and constitutionality (commonly referred to as "non-traditional items") within the Student Government Association, and develop review and recommendation guidelines to appropriately report the findings of such a review to the Student Senate.
 - a. In accordance with this provision, the Senate Rules Committee, with a 3/4ths vote of members present, may add items (*both traditional and non-traditional*) to the Committee's agenda as New and/or Old Business as the committee deems appropriate. This clause preempts Robert's Rules of Order and complies with the

Supremacy Clause found in the Authority Clause of the Senate Rules Committee Bylaws.

3. The Committee shall establish procedures and guidelines for the development and review of all student legislation and issue formal recommendations and ratings to the Senate accordingly.
4. All formal rules committee recommendations and committee reports shall be read to the full Senate before a vote shall be permitted.
 - a. Article I, Section 4 may be suspended temporarily with the consent of both the Vice President and the Director of Legislative Operation.
5. The Committee shall establish procedures and guidelines for the review of all nominations made by the President and/or Vice President and make recommendations to the Student Senate about each nomination to ensure appropriate qualifications as prescribed by the position to be filled.
6. Review and make a recommendation to the full Senate on any legislation under Consideration.
7. Research developing, pending, and passed legislative initiatives and business that is under consideration by the Senate in an effort to better inform the Senate.
8. Review the Constitutionality of Legislation, Appointments, Bylaws, and actions taken by SGA Cabinet, Senate, or members (*as prescribed in the Constitution*), and render recommendations to accordingly. The Committee reserves the sole right to develop the processes and procedures through which they will review the constitutionality of items (*reference Article V, Section 5, Subsection B, Number 3 of the Constitution*).
9. Assisting Senators, Cabinet Members, and SGA committees in developing legislative initiatives.
10. Review appointments made by the President and Vice-President.
11. Develop legislative initiatives designed to address student concerns and needs related to proper operations and internal affairs of the Student Government Association.

ARTICLE II: Membership

1. The committee will meet weekly, provided the existence of new or pending business before Senate, which will be used as a basis of its agenda. The committee and its agenda are under the direct supervision of the Chairperson.
2. The Rules Committee shall be organized by the Chair, who is appointed by the Vice President of the Student Government Association with the advice and consent of the Senate. Membership shall consist of no less than eight (8) and no more than (14) senators.

3. The Rules Chair will announce the Committee membership to the Senate no later than the second regularly scheduled meeting of the Senate in the fall semester. The Senate must approve the committee members by a simple majority vote.
4. Each Committee member shall have (1) vote. The Chair shall only be allowed to vote in the case of a tie or in the case the committee invokes the Alternative recommendation and rating system (*Article V, Section 1, Subsection 3 and Article V, Section of the Rules Committee Bylaws*).
 - a. In all other cases, the chair shall refrain from making motions for a vote.

ARTICLE III: Officers

1. The Rules Committee officers shall comprise of the Chairperson, who will serve as the Director of Legislative Operations, the Ranking Member, the Sergeant at Arms, the Parliamentarian, the Administrative Assistant, and the Secretary.
2. The specific duties of the Director of Legislative Operations, who will chair the committee, include:
 - a. Continue throughout their term to educate and guide the Rules Committee members on the goals and purposes of the committee by providing them with any information deemed necessary.
 - b. Meet with or delegate committee members to meet with any introducer(s) and sponsor(s) of legislation before it is introduced to Rules and subsequently Senate to ensure accurate research and the fulfillment of the legislative research form.
 - c. Keep the Cabinet up to date on any expectations they have for them or any legislation involving their committee.
 - d. Reserve the right to facilitate and foster discussion in the form of questioning during closed session meetings of the Committee.
 - e. Ensure the committee members research and verify any and all questions they have while reviewing a piece of legislation individually before its appearance in front in of the committee.
 - f. Ensure that there is well-written, well-researched, feasible, necessary legislation before it is sent to the floor of Senate.
 - g. Report any information to the Senate, Cabinet, or Vice-President upon request.
 - h. Schedule all persons involved in being screened or representing/sponsoring/authoring legislation to appear before Rules for a formal review session.
 - i. Provide services deemed necessary for the Vice-President.
 - j. Assign committee members as liaisons to other committees.
 - k. Conduct or facilitate legislative workshops each semester as deemed necessary.
 - l. Maintain historical records and institutional knowledge within the Association with the assistance of the Secretary.
 - m. Oversee Senate Elections in conjunction with the Director of Elections (reference Section 1, Subsection 8 of the Elections Bylaws).
 - i. Oversee the vote counting and results (reference Section 10, Subsection 6 of the Elections Bylaws).

- ii. This provision is in accordance with the Director of Legislative Operations responsibility to oversee and facilitate internal Constitution and Statute changes, and the institutional knowledge requirements herein prescribed.
 - n. Chair the SGA Elections Bylaws Review Committee (reference Section 1, Subsection 9 and 10 of the Elections Bylaws)
 - i. This provision is in accordance with the Director of Legislative Operations responsibility to oversee and facilitate internal Constitution and Statute changes, and the institutional knowledge requirements herein prescribed.
- 3. Other duties of the Chairperson include:
 - a. Set the agenda, organize, and serve as the presiding officer at the Rules Committee meetings.
 - b. Report actions taken and recommendations made by the Rules Committee to the Senate. In the event that they are unable to carry out this function, The Ranking member of the Rules Committee shall be delegated this task. If the ranking member is unable to carry out this task, it shall be delegated to the next individual in the line of succession.
 - c. Receive and number all legislation to be scheduled for the Senate's consideration and make special assignments when necessary to provide complete research for all pieces of legislation.
 - d. Appoint special subcommittees to study the specific problems or concerns that falls within the scope of responsibilities of the Committee.
 - e. Appoint parliamentary assistance in the absence or inability of the parliamentarian of the Senate.
 - f. Assist the President of the Senate in setting the agenda for all meetings of the Senate.
 - g. To add or remove members of the committee as deemed necessary with appropriate due process.
 - h. Shall have the power to create or omit any additional positions within the Rules Committee with a simple majority vote of the members present.
 - i. Determine the Capability of Rules Committee Officers to carry out their duties with appropriate due process.
 - j. Assign Senators to Screen Legislation: The Rules Committee Chair may assign new legislation to a Rules Committee member(s) for coordination of the review process.
 - i. The Committee member is responsible for the following:
 - 1. Meeting with the introducer of the bill to discuss the legislation
 - 2. Reviewing research completed by the introducer to ensure credibility
 - 3. Report to the entire Committee as to the findings.
 - 4. The other members of the Committee should have prepared questions in advance of the meeting. A list of example questions is provided below:
 - a. How did you become aware of this problem/issue/concern?
 - b. Have you met with any administrators/other SGA officials?
 - c. Did you conduct a survey of the students (if applicable)?

- d. What is the history behind the current issue?
 - e. What cost, if any, will this be to the University?
 - f. Are there any alternative solutions?
 - g. Are there any similar ideas at other universities?
 - h. What will be the overall impact on the University?
 - i. What constitutes all of your research?
4. The officers of the Rules Committee shall be comprised of the Chairman, who will serve as Director of Legislative Operations, the Ranking Member, Sergeant at Arms, Parliamentarian, Administrative Assistant and Secretary. The Ranking Member, Sergeant at Arms, Parliamentarian, Administrative Assistant and any other Chair appointed positions shall be nominated and voted on by members of the Rules Committee. Confirmation requires a simple majority vote.
 - a. The criterion on which the Rules Committee officers shall be nominated and considered is merit based.
 - i. Merit based considerations may include, but are not limited to the following:
 1. The quantity and quality of legislation written and passed by Senators.
 2. The amount of time served on the Rules Committee.
 3. Former leadership positions held on the Rules Committee
 4. Former leadership positions held in the Senate.
 - b. The line of succession shall be as follows:
 - i. Chair Person
 - ii. Ranking Member
 - iii. Sergeant at Arms
 - iv. Parliamentarian
 - v. Administrative Assistant
 - vi. Any other established positions, placed in the line of succession at the discretion of the Chair.
 - vii. General Rules Members appointed at the discretion of the acting Chair.
5. The specific duties of the Ranking Member include:
 - a. Assume the duties of the Chair temporarily in the event of their absence or ineligibility to carry out his or her duties.
 - b. At the request of the chair, assist the Rules Committee in preparing for and organizing committee meetings.
 - c. At the request of the chair, assist in meeting with any introducer(s) of legislation before it is placed on New Business for the docket.
 - d. At the request of the chair, assist with keeping Committee members informed and guiding them with the goals and purpose of the Rules Committee.
 - e. At the request of the chair, assist with verifying senator's research and being a resource for about new legislation.
 - f. Carry out other assignments given by the Chair relating to the Rules Committee.
6. The Specific Duties of the Sergeant at Arms include:
 - a. At the request of the chair, assist with preparing and scheduling all meetings for individuals before the start of the meetings.

- b. Assume the Ranking Member's role when they are temporarily absent or deemed incapable of fulfilling their duties.
 - c. At the request of the chair, remove, any guest(s) or member(s) deemed disruptive to the normal business proceedings of the committee.
 - d. To secure and transport the National Colors to and from the chambers, if requested by the Chair.
 - e. Maintain order and decorum in meetings at the request of the Chairperson.
7. The Specific Duties of the Parliamentarian include:
 - a. Ensure the committee properly complies with Roberts Rules of Order Newly Revised.
 - b. Provide parliamentary assistance at the request of the chair.
 - c. Assume the Sergeant at Arm's role when they are temporarily absent or deemed incapable of fulfilling their duties.
8. The Specific Duties of the Administrative Assistant include:
 - a. Assisting the chairperson and full membership in all reasonable requests.
9. The Student Government Association Secretary, who is a member of the Executive Branch, will retain ex officio status on Rules Committee and serve as the Secretary for the Committee. The Secretary will have no other standing in the committee, including that of voting.
 - a. The specific duties of the Secretary shall include:
 - i. Record attendance for the Rules Committee meetings.
 - ii. Record the minutes of the proceedings of the Rules Committee.
 - iii. Assist with preparing and scheduling all meetings for individuals before the start of the meetings.

ARTICLE IV: Committee Meetings

1. The committee shall meet weekly while the Senate is in session at a time and place determined by the Chair, so long as there is pending or new business before senate.
2. All members shall be required to be on time to all Rules Committee meetings. Two (2) tardies per semester will constitute one (1) absence.
3. All members are required to attend all Rules Committee meetings. More than one (1) unexcused absence per semester will constitute removal from the committee.
4. All meetings shall be made public, unless the Chair of the committee calls for an executive session.
5. The Chair shall have the authority to call special meetings of the committee when deemed necessary.
6. Upon the presentation of a petition of two-thirds ($\frac{2}{3}$) or more of the voting membership to the Chair, members of the committee can call special meetings.

- a. A petition must contain member's names, signatures, banner identification, and an objectively formatted explanation as to the purpose of the meeting.
 - i. The Chair will construct the meeting's agenda in accordance with the provisions set forth by the committee membership in the petition.
7. Quorum shall consist of fifty (50) percent with the truncated decimal of the voting membership plus the Chair. Should quorum not be established, the committee may conduct no official business.
8. Any committee member may appeal the decision of the Chair. The Chair's decision may be overridden with a two-thirds ($\frac{2}{3}$) vote of the voting members present. The Chair retains the right to state their case before a final vote.
9. The rules contained in the current edition of Robert's Rules of Order Newly Revised Edition shall govern the Rules Committee in all cases to which they are applicable and in which they are not deemed inconsistent with these Bylaws and any special rules of order of the Committee, or the Student Government Association as a whole, may adopt.
10. All individuals presenting legislation, appointments, non-traditional items, or writs of constitutional review must be present at their hearing in order to provide the committee insight into their consideration or items of consideration.
11. All legislation not passed by the conclusion of the Legislative term shall be deemed dead (reference Article IV, Section 2, Subsection C, number 1 of the Constitution).
12. Specific Duties of committee members during meetings include, but are not limited to:
 - a. Be prompt to meetings.
 - b. Be prepared by reviewing proposed legislation/appointments and have questions and proposed amendments ready to be asked/discussed prior to the scheduled meeting.
 - c. Keep any closed discussion within the body confidential.
 - d. Respect the opinions of the other Committee members and, when need be, disagree in a civilized manner.
 - e. Participate in discussion and questioning.
 - f. Remain objective in voting.
 - g. Keep discussions focused around the issues of research and context of the legislation.
 - h. Pay attention to relevant details.
 - i. Always keep in mind the Committee Bylaws.

ARTICLE V: Committee Rating & Recommendation Guidelines

1. **Recommendation Guidelines:** The following Guidelines are the categories of recommendations the Senate Rules Committee may issue to the Student Senate.
 - a. **Legislative Guidelines:** The Rules Committee shall review student legislation and make recommendations to the Senate (*Article I, Section 1.1; Rules Bylaws*) to each bill's Solvency, Significance, Technical Merit and Constitutionality as defined below (*Article V, Section 5.1, Subsection a-c; Rules Bylaws*).

- i. **Solvency** (*referred to as "Objective"*). Solvency: How effective the bill will be in solving the problem it seeks to address.
 1. The bill must describe the issue in sufficient detail.
 2. The bill must be directed towards the correct departments or administrators.
 3. The bill must provide adequate details for implementation.
 - ii. **Significance** (*referred to as "Research"*). Significance: Determining the significance of a bill through qualitative and quantitative research.
 1. **Qualitative Research**
 - a. Research concerning the values and goals of the bill
 - b. Research enforcing the promotion of Equity and Justice
 - c. Saliency – The issues the bill addresses should be to a degree prominent on campus are in the community; should be proven through research.
 - d. Examples of qualitative research: Quotes, Petitions, Values, Personal testimony, etc.
 2. **Quantitative Research**
 - a. Polling and Student Surveys
 - b. Research of Peer and Sister Institutions
 - c. Research of History
 - iii. **Technical Merit.** Adherence to the Committee on Rules Legislative Mandates; the overall organization, objectivity, and extensiveness of research.
 1. Organization – Grammar, Formatting, and Structure
 2. Objectivity – All Research should be objectively presented
 3. Extensiveness of Research – meeting research requirements, and completion of the research form
 - iv. **Constitutionality.**
 1. The bill complies with all provisions of the Student Government Association Constitution and Governing Bylaws.
 - a. If a bill receives an unfavorable in constitutionality, the bill will be tabled for one additional Rules Meeting, unless the committee votes to send the bill to the senate floor by a 3/4 vote.
- b. **Nomination and Appointment Guidelines:** The Rules Committee shall review all appointments and nominations and make recommendations to the Student Senate about each based on the following guidelines (*Article V, Section 5.2, Subsection a-c*).
- i. **Prescribed Qualification Fulfillment**
 1. The Appointee must prove through sufficient presentation that they possess a thorough understanding of the position for which they were appointed.
 2. The Appointee must prove through sufficient presentation that they possess an appropriate level of qualifications to adequately fulfill the expectations laid out in the position descriptions released by the Administration.
 - ii. **Substantive Merit**
 1. Appointee must prove through sufficient presentation that they possess a level of merit worthy to fulfill the positions for which

they were appointed. Merit will be rated on the following three categories:

- a. Leadership Experience – The Leadership roles, positions, qualifications, etc. the appointee possesses/possessed.
- b. Relevant Experience – Experience that relates to the position in which the appointee has been appointed.
Example Question: What Campus Health and Safety experience does the Director of Health and Safety possess?
- c. Vision – The substantive ideas and tangible goals the appointee possess for the academic year.

iii. Academic and Behavioral Standing

1. GPA Requirement
2. Student Conduct Violations

iv. Constitutionality

1. Each nomination and/or appointment complies with all provisions of the Student Government Association Constitution and Governing Bylaws for the respective position.

- c. **The Alternative Recommendation System Provision:** With three fourths (3/4) vote of the members present, the committee may invoke the Alternative Recommendation System Provision. This provision allows the committee members to adopt a temporary recommendation system. A temporary recommendation system may be used in order to adjust to any non-traditional items of consideration, or in order for the committee to increase the thoroughness of review. Before the use of an alternative system, the new system must be completely documented in the minutes and voted on by the committee with simple majority vote.

- i. The Alternative Recommendation System Provision changes shall always include the Constitutionality Recommendation category as prescribed in these bylaws.

2. **Rating Guidelines:** The following Guidelines are the categories of ratings the Senate Rules Committee may issue for each recommendation to the Student Senate.

- a. The Rules Committee is tasked with rating items to be considered. There are three different rating systems; each specifically based on the item being considered. Legislative ratings pertain to legislation, Appointment and Nomination ratings pertain to any appointment or nomination to be considered before the senate, and the alternative rating system pertains to legislation, appointees, or any additional items to be considered by the senate that may require a more specific or specialized rating system.

- i. **Legislative Ratings:** There are three categories of ratings the committee may render as they relate to legislation:

1. *Favorable* - The bill exceeds requirements mandated in Article V, Section 5.1 of the Rules Bylaws.
2. *General* - the bill sufficiently meets requirements mandated in Article V, Section 5.1, of the Rules Bylaws.
3. *Unfavorable* – The bill does not meet requirements mandated in Article V, Section 5.1, of the Rules Bylaws.

- ii. **Appointments and Nominations Ratings:** There are two categories of ratings the committee may render as they relate to appointments and nominations:
 - 1. *Sufficient* – The Appointee/Nominee meets the requirements mandated in Article V, Section 5.2, of the Rules Bylaws.
 - 2. *Insufficient* – The Appointee/Nominee does not meet the requirements mandated in Article V, Section 5.2, of the Rules Bylaws.
 - iii. **Constitutionality:** There are two categories of ratings the committee may render as they relate to Constitutionality of Items:
 - 1. *Favorable* - The item complies with all provisions of the Student Government Association Constitution and Governing Bylaws
 - 2. *Unfavorable* – The item fails to comply with all provisions of the Student Government Association Constitution and Governing Bylaws.
- b. **The Alternative Rating System Provision** - With three fourths (3/4) vote of the members present, the committee may invoke the Alternative Rating System Provision. This provision allows the committee members to collectively interchange the legislative rating system with the appointment and nomination rating system, and/or adopt a temporary rating system. A temporary rating system may be used in order to adjust to any non-traditional items of consideration, or in order for the committee to increase the thoroughness of review. Before an interchange of existing systems, and/or use of a temporary system, the new system must be completely documented in the minutes and voted on by the committee with simple majority vote.
- i. The Alternative Rating System Provision may not be invoked for the recommendation category of Constitutionality.

ARTICLE VI: Legislative Mandates and Definitions

- 1. **Legislation:** Types of Legislation: There are two distinct categories of Legislation: Internal Bills and External Bills
 - a. **Internal Bills** – The Committee mandates the following bills be used to address all matters over which the Student Government Association has authorized jurisdiction.
 - i. **Statute Bill** – The Senate Rules Committee Mandates that a statute bill is legislation creating or affecting a change in the Association Constitution, Student Senate Bylaws, Elections Bylaws, Committee Bylaws, or other governing document internal to the Student Government Association. The required vote for passage of a Statute Bill shall be governed by the amendment clause of the governing document, which it aims to amend.
 - ii. **Enabling Bill** – The Senate Rules Committee Mandates that an enabling bill is legislation carrying out an internal power or responsibility of the Student Government Association that does not require the amendment of a governing document, including but not limited to: setting elections

dates, establishing or amending the budget of the Student Government Association, calling a referendum of the student body, impeachment or other punitive measure, or establishing a new program of the Student Government Association. The required vote for passage of an Enabling Bill shall be a simple majority (50%+1) of voting members.

- b. **External Bills** – The committee mandates the following bills be used to address all matters over which the Student Government Association does not have authorized jurisdiction.
 - i. **Supporting Bill** – All legislation endorsing an action or accomplishment of an individual or institutional member of the university community, used to act as a formal declaration of appreciation from the student body. The required vote for passage of a Supporting Resolution shall be a simple majority (50%+1) of voting members.
 - ii. **Policy Bill** – All legislation requesting a change in any policy or policies governed by authorities external to the Student Government Association, including but not limited to the University Administration, Student Affairs, Academic Affairs, Business Affairs, other student organizations officially recognized by the university, and/or the local, state, and federal governments or agencies. The required vote for passage of a Policy Resolution shall be a simple majority (50%+1) of voting members.
2. **Student Government Official Definitions:** The Rules Committee recognizes the following definitions as the formal definitions for the purposes of the Appalachian State University Student Government Association.
- a. **Bill Number:** In order to correctly and efficiently categorize legislation. This shall be composed of three numbers to designate the Senate session and three more to identify the actual legislation number, for example: “044-001”.
 - b. **Type of Legislation:** This is where it needs to be established whether this is a Statute Bill, Enabling Bill, Policy Resolution, or a Support Resolution.
 - c. **Long Title:** This should clearly state the purpose and what the act seeks to do. This should be concise and “to-the-point.”
 - d. **Short Title:** The short title will be used for classification purposes. This should be the long title, just shortened to a few words, for example: “Part Bus Act”.
 - e. **Introducer:** The senator introducing the bill itself. This must be a voting member of the Student Senate representing his or her constituency.
 - f. **Sponsor:** Any person or group of people may sponsor a bill. This is just showing that the person or group supports the legislative initiative.
 - g. **First Reading Date:** The date in which the legislation will be formally brought before either the Rules Committee or the Student Senate (if the Rules are suspended).
 - h. **Version Date:** The date in which the bill was drafted by the introducer(s).
 - i. **Version:** Either “Initial” or “Final” for the bill after Senate.
 - j. **Reference Line:** From which committee the legislation arose.
 - k. **Whereas Clause:** To explain the need for the legislation and the basic purpose. Does not need to tell a story, just a brief explanation. Each line shall begin with the word “Whereas” and shall contain only one sentence each, ending in a semicolon along with the word “and”. The last clause in the “Whereas” shall end in a semicolon along with the words “now, therefore, be it”.

- l. **Resolved Clause:** To state the action(s) that needs to be taken in addressing the issue/concern/idea. If there is a time frame that needs to be established, it would be listed in the clause. After the “Whereas” clause, it shall begin with the word “Resolve” and shall end in a period.
 - m. **Senate Vote and Signatures:** Here is where the formal vote is taken that was made in the Student Senate as well as the signatures of the President and Vice President (if not vetoed or if the legislation fails). This shall only be included in the Final Edition of the bill.
3. **Amendment Procedures for the Official Student Government Definitions:**
 - a. Proposed definitions and amendments must be submitted to the Rules Committee Chair in the form of a recommendation.
 - b. The chair will place the item on the agenda as a recommendation to the rules committee.
 - c. Definitions will be adopted with a three-fourths vote (3/4) of the members present, and will not require a vote of the Senate.
4. **The Rules Committees Mandates on Student Government Legislation**
(Created and Upheld by the powers provided in Article I, Section 1.1, 1.2, & 1.7; Rules Bylaws)
 - a. The Rules Committee mandates that a research form accompany all legislation in order to fulfill a basic level of technical merit.
 - b. The Rules Committee Mandates that there will be 4 permanent classifications of bills as mentioned in *Article VI, Section 1, Subsections a & b*.
 - c. Surveys for Legislative Initiatives must meet the following mandates to be considered valid by the Rules Committee.
 - i. Surveys are highly recommended for Policy Bills.
 - ii. Surveys are recommended for Support Resolutions, Statute Bills, and Enabling Bills, however they are not required.
 - iii. Surveys must have a minimum of 100 participants, unless otherwise approved by the Senate Rules Committee Chair.
 - d. Grammar - legislation containing few and infrequent grammatical errors may qualify as a favorable in the category of technical merit, provided sufficiency in other stated criteria.
 - e. When an introducer wishes to have legislation placed on the Docket, they must email the Director of Legislative Operations the appropriate documents (*legislation, research form, addenda, survey questions and answers, etc.*), in which the Director will forward to the Vice President for consideration and placement/or denial.
 - f. The committee reserves the right to render unfavorable verdicts to legislation not meeting the guidelines prescribed under Article V and IV.

ARTICLE VII: Student Senate and Senate Rules Committee Training Curriculum:

1. The Rules Committee Mandates the following materials be supplied to all Senators at the beginning of their term. A physical or electronic copy is deemed admissible. Additionally the committee mandates the following curriculum be incorporated in the

Senate and Senate Rules Committees Training Processes (*created and upheld under the powers provided in Article I, Section 1.2 & 1.7; Rules Bylaws*).

2. The Legislative Mission

- a. "Legislation is the most important way the Student Senate is able to reflect the needs, desires, and opinions of the students. It is an effective tool for implementing change within the University, keeping students engaged in decision-making, informing administrators and faculty, and developing civic responsibility."

3. The Informal Legislative Use Guide

- a. The Rules Committee mandates the following as "The Informal Legislative Use Guide" and acknowledges that legislation may be written in order to address additional concerns.
- b. Legislation may be written in order to:
 - i. Make recommendations to the University.
 - ii. Make recommendations for changes.
 - iii. Make recommendations on improving existing programs.
 - iv. Make recommendations to eliminate unnecessary programs, policies, etc.
 - v. Represent constituent needs.
 - vi. Change or develop Constitutional and/or Bylaw initiatives.

4. Overview of the legislative process: The Rules Committee mandates the following as "The Informal Overview of the Legislative Process" and acknowledges the process may vary per bill.

- a. The Legislative Process will entail:
 - i. A need or opinion is expressed.
 - ii. Research is conducted into this need and its desirability.
 - iii. Solutions and desired outcomes are identified.
 - iv. The bill and Research Form are reviewed by the Rules Committee.
 - v. After review by the Committee, the bill is introduced before the Senate.
 - vi. The President of SGA signs or vetoes the passed legislation.
 - vii. The legislation is brought to the proper administrator if signed.
 - viii. If the legislation is vetoed, it returns to the Senate floor for a possible override.

5. Overview of Legislative Development and Research: The Rules Committee mandates the following as "The Informal Overview of Legislative Development and Research" and strongly advises Senators to note the contents when drafting legislation.

- a. "The development of legislative initiatives within the Senate is one of the most important roles of the body. In order for legislation to be well written, adequately and fairly reviewed, and seriously considered by the University, it must be researched fully. The process of researching legislation begins with whatever idea, need, concern, etc. is brought to the attention of a senator or student leader. It is important to differentiate between a need and a want as this will have an impact on the writing of the legislation. It is equally important that a senator recognize that not all issues require legislative initiatives. Many concerns can be addressed simply by discussing the idea or concern with the appropriate person and seeking a solution.

- b. The process of research begins with adequately defining the need, issue, or concern to be considered. It is important that the senator clearly define this so that an adequate solution can be recommended. Once defined, it is necessary to begin with the “active” research process. This includes researching past legislation and inquiry into the topic by the Senate, talking with the individual(s) responsible for oversight, assessing student needs and opinions on the issue, assessing cost and benefit factors including, but not limited to: financial cost, institutional resources, personnel, political considerations, alternatives that are in place elsewhere, etc. (sga.appstate.edu) Once this research is completed, a solution or recommendation can be developed if appropriate. It is important to note that legislation should be written after research on an idea is completed. There is no need to write legislation if any idea or concern does not have merit. Research will help determine the feasibility of an idea and therefore should be completed before a solution is suggested.
 - c. In writing the legislation, itself, it is important to include relevant information in the legislation. This can be done in the legislative history as well as the resolved clause. It is also important that any ideas for legislation be discussed with the Rules Chair so that they can provide the Appalachian State University Student Government Association Committee on Rules senator with insight into process and consideration in writing. Once a piece of legislation is introduced into the Senate, it is referred to the Rules Committee for review and screening.”
6. **The Role of the Rules Committee in the Legislative Process:** The Rules Committee mandates the following as “The Rules Committee's Role in the Legislative Process” and acknowledges that the committee is more involved in the process than the simple definition.
 - a. “The Rules Committee is responsible for ensuring that all legislation is well researched and well written. Committee members must understand the purpose of legislation and their roles in reviewing it.”

ARTICLE VIII: The Senate Rules Committee Code of Ethics

1. Each Committee member shall be expected to uphold the Rules Committee Member Code of Ethics, which includes the following provisions:
 - a. Committee members are expected to rate legislation based solely upon the parameters established in Article V. They are prohibited from rating legislation based on personal bias and other external factors. Committee members who are unable to vote without personal bias should recuse themselves from the committee until that piece of legislation has received its rating.
 - b. Committee members should treat all affiliates of SGA with respect.
 - c. Committee members should not pressure senators to author legislation, or discourage them from authoring legislation as a result of their personal biases.
 - d. Committee members should follow the processes and procedures of the Rules Committee. Thus, they are prohibited from disclosing information obtained during executive session (i.e. debate, voting) to other senators or cabinet members. Substantive questions regarding executive session are to be deferred to the Chair.

- e. Rules Committee members are to refrain from sharing Rules Committee minutes with anyone outside of the committee, and must defer any requests for the minutes to the Chair.
 - f. Violation of the Code of Ethics constitutes grounds for removal from the Rules Committee upon the decision of the Chair following an investigation from the Ethics and Compliance Officer.
2. The Senate Rules Committee Ethics and Compliance Officer
- a. The Rules Committee Ethics and Compliance Officer shall be responsible for conducting all investigations relating to Rules Committee Members conduct and these Bylaws.

ARTICLE IX: The Writ of Constitutional Review and the Constitutional Review Hearing Procedure

1. In accordance with Article I, Section 7 of these Bylaws and Article V, Section 5, Subsection B, number 3 of the Constitution, the Committee has a distinct responsibility to review the Constitutionality of Legislation, Appointments, Bylaws, and actions taken by SGA Senate, Advisor, Cabinet, and members (as prescribed in the Constitution), and render recommendations to accordingly. The following guidelines encompass the processes and procedures with which the committee will review the constitutionality of items.
2. **The Senate Rules Committee Judicial Hearing Procedure and Guidelines:** Students of Appalachian State University and members of The Student Government Association may seek recourse against unconstitutional actions, items, bylaws, appointments and legislation and more through the Judicial hearing Process.
 - a. **The Writ of Constitutional Review:** To file a complaint an individual should complete the "Writ of Review Form" (an addendum to the Senate Bylaws).
 - i. The Writ of Review Form shall consist of the following mandates.
 1. State the name of the Complainant(s) (the individual filing the report).
 2. State the date and time the complaint is filed.
 3. State the name of the alleged violator(s) (commonly referred to as the respondent).
 4. State the alleged offense that is in violation of the Constitution and/or Bylaws. This should include evidence such as witness testimony, thorough documentation, etc.
 5. State the Constitutional Articles, Sections, Subsections, etc. and/or Bylaw Sections, Subsections, etc. that are allegedly being violated.
 6. Upon completion of the above mandates, the complaint must be submitted to the Rules Committee Chair.
 - i. If the complaint involves the chair, the complaint must be submitted to the Ranking Member. If the Ranking Member and Chair are involved then complaints should be filed with those in the line of succession under the

Ranking member (Sergeant at Arms, Parliamentarian, Administrative Assistant, Etc.).

b. Procedural actions following a formal complaint:

- i. The Chair must review the complaint by verifying the information provided is in accordance with the provisions set forth in Rules Bylaws Article IX, Section 1, Subsection a, numeral i, letter f (*the "letter f provision"*) and brief the Vice President accordingly.
- ii. Once the "*letter f provision*" has been verified, the Chair must compile the complaint and all addenda into a single document (commonly referred to as the "File Report").
 1. The Chair must include the name of the case (*Complainant's name(s) V Respondent's name(s)*) in the File Report.
 2. The date, time, and location for the hearing shall be included in the File Report.
 - i. The Hearing must be held within 7 academic days of the Chair notifying all parties involved.
 - ii. The meeting location should accommodate 10 more individuals than the combined number of complainants, respondents, and Committee members.
 3. In the event that the Rules Committee cannot meet quorum or is unable to officiate a Judicial Hearing, the hearing will be sent directly to the full Senate.
 - i. The Vice President of the Senate will serve the role of Chair.
 - i. If the Vice President is unable to serve their role, then the President Pro-Tempore of the Senate will serve as Chair.
 - ii. If the President Pro-Temp of the Senate is unable to serve, then the Senate will elect a provisional Chair to oversee the hearing to its completion.
 - ii. The Senate will follow the same agenda as established in Article IX, Section d, Letter a.
 - iii. The Senate hearing will follow all of the same rules for the hearing as the Rules Committee would if they officiated the hearing.
 - iv. The chair must complete the *File Report* within one (1) academic day of receiving the complaint.
- iii. Once the File Report is complete, the Chair must notify the respondent(s) and committee members of the hearing.
 1. This notification should contain a copy of the File Report, the meeting location, date, and time, and the "Formal Rules and Regulations of a Judicial Hearing".

c. The Hearing

- i. Agenda: The Chair is responsible for creating the agenda for the Judicial Hearing.
 1. The Agenda shall contain the following:
 - i. Roll Call Attendance
 - ii. The Reading of the Formal Rules and Regulations of the Hearing
 - iii. The Complainant's Case

- i. Opening Statement
- ii. Questioning
- iii. Closing Statement
- iv. The Respondent's Case
 - i. Opening Statement
 - ii. Questioning
 - iii. Closing Statement
- v. Executive Session Deliberations
- vi. The Reading of the Formal Rationale
- 2. The Chair reserves the right to add items to the agenda as deemed necessary and relevant on a case-by-case basis.

d. The Formal Rules and Regulations of the Judicial Hearing:

- i. Due process shall be provided to all parties by adhering to the provisions set forth in Article IX, Section 3, Subsection b, letter b.
- ii. The respondent and complainant both are allowed opening and closing statements accompanied by a time for the committee to ask questions to the parties.
- iii. Both the respondent and complainant may submit at most five (5) germane questions prior to the hearing to be asked by the Chair.
- iv. The complainant and respondents parties are permitted to invoke the *closed hearing provision* at any time during the hearing.
 - 1. The *closed hearing provision* requires all individuals, with exception to the complainant and respondent parties, committee members, and committee chairperson to leave the hearing chamber for the duration of the meeting.
 - 2. Once the *closed hearing provision* is invoked, it may not be rescinded at any time during the hearing.
- v. The complainant and respondent are allowed to appoint representation and/or counsel for the purposes of the hearing by motioning for counsel.
 - 1. If a party motions for counsel, they must submit the name and any appropriate titles and positions of their counsel prior to the commencement of the hearing.
 - 2. Parties motioning for counsel must be present at their hearing.
- vi. Attendance is mandatory for the Respondent and Complainant at a hearing.
 - 1. If a party fails to attend their hearing they will be found in violation of Rules Bylaws Article IX, Section 3, Subsection c, letter b, numeral iv and will be subject to a formal issuance of findings before the Senate.
- vii. Each violation brought against a party must be reviewed, deliberated, and voted on separately.
 - 1. Example: If a respondent is alleged of violating a subsection of Article IV of the Constitution and a subsection of The Senate Bylaws, each allegation must be reviewed separately under the procedure provided in Article IX, Section 3, Subsection c, letter b, numeral ii.
- viii. Rules Committee Members must be supplied physical copies of the Constitution and Bylaws as they relate to the filed complaints.

e. Committee Hearing Procedure

- i. Once the committee has entertained opening, and closing statements, and questioning (*as provided in Article VIII, Section 3, Subsection c, letter b, numeral ii*) the committee will move into executive session for deliberation and the issuance of a verdict.
- ii. Committee members and the chair must remain impartial for the entire duration of the hearing.
- iii. The determination of a verdict must be based on the standard of “the preponderance of the evidence”
- iv. The committee must issue one of three verdicts for each individual charge:
 1. *In Violation*: The respondent is found in violation of the constitutional and/or bylaw charges filed against them.
 2. *Not in Violation*: The respondent is not found in violation of the constitutional and/or bylaw charges.
 3. *Undecided*: The committee is unable to render a verdict and the case shall be forwarded to the Student Government Board of Appeals (SGBA) for review and a verdict (*Reference Article IX, Section 2, Subsection d, letter c, numeral iii, number 3*).

f. Sanctioning

- i. The committee may not issue a formal sanction for a violation, but rather issue a Rationale.
- ii. The Rationales and Considerations
 1. Violation
 - i. The committee must determine if a rule has been violated.
 2. Saliency
 - i. The committee must determine how severe a violation is.
 - ii. The following metrics of saliency must be used to determine the severity of a violation. The metrics are listed in order of importance from 1 being least important, to 3 being most important.
 - i. Basic rule violation
 - ii. Injury caused
 - iii. Impediment of the functioning of student government
 3. Intent
 - i. The committee must establish the intent of the respondent. An unintentional violation carries less gravity than an intentional violation.
 - ii. The committee must establish the cause of the violation (*how or why*) in order to prevent future violations.
 - i. The violation was unintentionally committed.
 1. How was the violation committed?
 - ii. The violation intentionally committed.
 1. Why was the violation committed?

g. Resolution and Verdicts

- i. All verdicts shall be forwarded to the Advisor and Vice-President by the acting chair of the Senate Rules Committee.
 1. The Advisor and Vice-President shall submit a report to the Committee within 10 academic days as to the resolution of the violation.

- ii. The Director of Legislative Operations shall upload all rationales to the website.
- iii. The committee may not vote for a formal announcement of charges to be made the senate in the case of a Senate Bylaws violation.
- iv. The committee may vote for a formal announcement of charges to be made to the Senate in cases regarding a violation of the Rules Bylaws.
- v. The committee must send a formal announcement of the charges to the senate in the cause of a violation of the Constitution.
- vi. In the case that the Respondent is found not responsible, they have the ability to prevent the announcement of the charges to the Senate.

h. Appeals

- i. Respondents and Complainants may appeal verdicts issued by the committee to the Student Government Board of Appeals on the following grounds:
 - 1. A party's due process rights were violated.
 - 2. A party was not allowed an opening statement, closing statement, or a questioning period.
- ii. The Student Government Board of Appeals (SGBA): The SGBA shall comprise of the Director of Legislative Operations, the Director of Elections, and the Senate Pro-Tempore, Senate Sergeant at Arms, and Senate Parliamentarian, the Rules Committee Ranking Member, and the Rules Committee Sergeant at Arms.
 - 1. When conflicts of interest arise, members of the SGBA shall recuse themselves.
 - i. If at any point there is an even number of members on the SGBA, the line of succession for the position will be used to fill the seat on the SGBA, if there is no line of succession, the Senate will hold a snap election to fill the seat on the SGBA.
 - ii. All appeals shall be submitted to the Director of Legislative Operations, no later than eight (8) academic days following the committee's initial verdict.
 - iii. The SGBA must review and issue a formal report of their findings no later than eight (8) academic days following the reception of an appeal.

i. Precedents

- i. The Director of Legislative Operations shall be responsible for documenting all rationales and ensuring documents are transitioned to their successor.
 - 1. The Director of Legislative Operations shall maintain a record all precedents on the official ASU-SGA website, that is easily accessible and open to the general public.
 - i. Sensitive material may be redacted from publically available precedents with the approval of the Chair.

ARTICLE X: Amendment Procedures & the Historical Record

1. The Bylaws of the Rules Committee may be amended by a majority vote of the Student Senate pursuant to Article V, Section 4, subsection E of the Constitution of the Student Government Association of Appalachian State University.
2. These Bylaws are effective upon passage, and all previous Bylaws are hereby declared null
3. Upon passage of the Student Senate, the Director of Legislative Operations will record in this clause the date the amendments were passed and will accompany the dates with their signature:
Date of Last Revision:
Fall 2017
Dates of all Previous Bylaws Changes:
 - i. *Spring 2014*
 - ii. *Fall 2015*
 - iii. *Fall 2017*b. Signature of Director of the Legislative Operations:
 - i. *Nathan P. Bailey*
 - ii. *Rena H. Hooker*
 - iii. *Walt J. Grayson*

4. **The Historical Record of The Senate Rules Committee**

- a. In the 50th year of the Senate Rules Committee, Walt J. Grayson (*Director of Legislative Operations*), proposed a historical record of the Rules Committee Chairs and Committee accomplishments be retained in order to trace the rich and successful history for decades to come. The Appalachian State Student Government Rules Committee was founded in 1966. The following detailed record dates to the 47th year of the committees History. The format of this historical guide should reflect that of the founding purpose.

47th Year: Russell Page Administration

Chair: Alexandra R. Cotton and John C. Secrest

Accomplishments: Redrafted the SGA Constitution and restructured the Senate in order to be more representative of the Student Body. Senators were selected and voted on based on housing previously, and upon the passage represented classes, organizations, colleges, and more.

48th Year: Rich Tassitino Administration

Chair: Nathan P. Bailey

Accomplishments: The Legislative and Appointment Guidelines that provided structure for the organization were passed as an addendum to the Rules Bylaws, and the committee passed legislation updating the terms “Chairman” to “Chairperson” and “Sergeant of Arms” to “Sergeant at Arms”. Chairman Bailey championed internal reforms and left lasting contributions on the ASU-SGA Governing Documents.

49th Year: Rich Hamrick Administration

Chair: Rena H. Hooker

Accomplishments: Incorporated a code of ethics into the bylaws and restructured the rating and recommendation process. The committee transitioned from blanket rating items to rating items on the categories of Purpose, Feasibility, and Technical Merit. Chairwoman Hooker initiated the drafting of the Senate Rules Committee Code of Ethics to promote increased oversight and transparency.

50th Year: Howard Dawson Administration

Chair: Walt J. Grayson

Accomplishments: Expanded the rating and recommendation system by providing detailed provisions and definitions for each individual category. Developed a detailed training curriculum, maintained governing documents, and oversaw the largest constitutional reform effort in a decade.

51st Year: Clayton Lee Administration

Chair: Walt J. Grayson

Accomplishments: Brought forth the largest expansion and most thorough review of the Rules Committee and Elections Bylaws to date. Fought to expand the constitutional role of the committee, and recorded long standing committee procedure. Further solidified the committee and organizations records keeping guidelines and process.