

# The Bylaws and Operational Code

of

## The University Park Undergraduate Association (UPUA) Assembly of Student Representatives

**Date of Origin: January 2007**

**Amended: October 23<sup>rd</sup>, 2019**

### Article I

#### Authorities and Definitions

§1.1 These Bylaws shall serve as a supplement to the University Park Undergraduate Association (UPUA) Constitution and Modern Rules of Order. They shall not conflict with the UPUA Constitution, but may clarify it on matters not covered by the Constitution. The procedures as outlined in this document are entirely intended for the organization and operation of the UPUA Assembly of Student Representatives, henceforth called the UPUA. Exceptions to this are when specific actors or officers of another entity within the UPUA are mentioned for a task or reasonable duty. Such mention shall be considered a binding Policy and thus an Act under Article V of the UPUA Constitution.

§1.2 Definitions:

§1.2.1 The UPUA shall be considered the collection of all Representatives, which shall include all persons with general voting rights in the Association along with all appointed liaisons from organizations including the Graduate and Professional Student Association (GPSA), the Council of Commonwealth Student Governments (CCSG), the Off-Campus Student Union (OCSU), the Borough Council Representative, the University Park Allocation Committee (UPAC), the Association of Residence Hall Students (ARHS), International Student Council (ISC), and the Reserve Officers Training Corps (ROTC).

§1.2.2 All voting requirements are strictly based on voting members present and voting unless specifically mentioned otherwise.

§1.2.3 The UPUA is vested with all fundamental decision-making authority but recognizes that certain individuals given their position or office are best suited to present the student body subject to the approval and oversight of the UPUA.

§1.2.4 The UPUA, for the purpose of legislating, shall have two sessions. The first session shall be the Fall Academic Semester and the second session shall be Spring Academic Semester. April of the Spring semester shall be reserved for the next Assembly and shall be considered part of that Assembly's Fall session. This year shall be referred to as the Assembly year.

§1.2.5 Academic Units: The following Colleges shall be considered Academic Units: College of Agricultural Sciences, College of Arts and Architecture, Smeal College of Business, College of Communications, College of Earth and Mineral Sciences, College of Education, College of Engineering, College of Health and Human Development, College of Information Sciences and Technology, College of the

44 Liberal Arts, Eberly College of Science, College of Nursing, Schreyer Honors  
45 College and the Division of Undergraduate Studies.

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47 §1.2.6 Community Groups: The Community Group that will have representation in the  
48 UPUA Assembly shall be determined by the Judicial Board, with Assembly  
49 Confirmation (2/3rd vote), via the procedure stipulated in Section §9.5 of the  
50 Bylaws and Operational Code.

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52 §1.2.7 A liaison shall be defined as an appointed person from another organization who  
53 may be granted the privilege of speaking on the Assembly floor on behalf of their  
54 organization, but will not be allowed to hold a position, vote, either in Committee  
55 or in the General Assembly meetings, will not be allowed to hold membership in  
56 any Committee, and shall not be granted the privilege of making motions or  
57 presenting or signing legislation. New liaison positions must fulfil the following  
58 criteria:

59 cl. i Permanent liaisons shall be instated by a Bylaws amendment or appointed  
60 at will by the Speaker and confirmed by the Steering Committee and General  
61 Assembly.

62 cl. ii Overarching organizations that either govern some portion of the student  
63 body or those that have a significant impact on the student body.

64 cl. iii These organizations must prove that their voice on the UPUA is of positive  
65 impact to the undergraduate student population and is mutually beneficial  
66 to both the UPUA and the organization in question.

67 cl. iv A liaison is a full-year position. Exceptions may be determined at the  
68 discretion of the Steering Committee by a majority vote.

69 cl. v Organizations that are political in nature may not receive liaison positions.

70 cl. vi Liaisons shall participate actively in the UPUA and its events.

71 cl. vii These positions shall all be evaluated for effectiveness at the beginning of  
72 each new Assembly by the Steering Committee in order to retain the seat.

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75 **Article II**  
76 **Officers and Duties**

77 §2.1 The UPUA shall elect the following officers from its membership:  
78 §2.1.1 An overall Chair, referred to as the Speaker of the Assembly.  
79 §2.1.2 A Chair for each Critical for Operations, Research, and Execution (CORE)  
80 Committee.

81 §2.2 The Speaker of the Assembly shall be empowered to appoint, with majority approval of  
82 the UPUA, the following positions which may not be held by a Representative.

83 §2.2.1 A Parliamentarian  
84 cl. i Provide advice to the General Assembly on matters concerning parliamentary  
85 procedure.

86 §2.2.2 A Secretary Pro-Tempore  
87 cl. i Refer to Article II §2.3.4.

88 §2.2.3 Liaisons from the UPUA to other organizations

89 §2.3 Officers shall have the following duties:

90 §2.3.1 The Speaker of the Assembly shall:

- 91 cl. i Be the recognized voice of the Assembly.
- 92 cl. ii Work in collaboration with the President and Vice President to develop  
93 goals and tasks for the committees.
- 94 cl. ii Set the Agenda of the Assembly and compile the reports that pertain to it.
- 95 cl. iii Chair the General Assembly Meetings in the absence of the Vice-President.
- 96 cl. iv Appoint the positions listed in §2.2.
- 97 cl. v Serve as a non-voting, ex-officio member of all other UPUA CORE  
98 Committees.
- 99 cl. vi Authorize the cumulative expenditure of up to three (3) percent of the  
100 unrestricted account per Assembly year for purposes relating to business of  
101 the UPUA, provided this expenditure is reported at the next scheduled  
102 Assembly's meeting.
- 103 pt. a This privilege may be revoked by a two-thirds vote of the  
104 UPUA.
- 105 pt. b This privilege may be reinstated by a two-thirds vote of the  
106 UPUA.
- 107 cl. vii Ensure full membership of the UPUA General Assembly.
- 108 cl. viii Have the reasonable discretion to adjust meeting times with the advice and  
109 consent of the President provided twenty-four (24) hours' notice via email  
110 to the UPUA.
- 111 cl. ix Be required, unless with a reasonable excuse, to attend Executive Board  
112 meetings.
- 113 cl. x Serve as the UPUA Student Representative to the Faculty Senate in such  
114 cases where the Academic Affairs Chair is already a Faculty Senator.
- 115 pt. a In the case that both the Speaker of the Assembly and the  
116 Academic Affairs Chair are Faculty Senators, the Speaker shall  
117 appoint a designee that must be approved by a majority of Steering  
118 that shall fill the position.
- 119 cl. xi Oversee the attendance record held by the Secretary to ensure  
120 Representatives' compliance.
- 121 cl. xii Move to expel members as defined by Article VI.
- 122 cl. xiii Maintain an accurate and complete transition materials will provide  
123 historical testament to the UPUA's research, investigations, programs, and  
124 works.
- 125 cl. xiv Coordinate the UPUA's Support Staff.
- 126 pt. a Process the UPUA's Support Staff Applications, which  
127 include but are not limited to the Clerk and Staffers
- 128 pt. b Be empowered to appoint and remove Staffers with  
129 reasonable discretion.
- 130 pt. c Act as the liaison between the Support Staff and the UPUA.

131 §2.3.2 Committee Chairs shall:

- 132 cl. i Be the recognized voices of their respective committees.
- 133 Cl. ii Work in collaboration with the President, Vice President, and Speaker to  
134 develop goals and tasks for their committee.
- 135 cl. ii Chair their respective committees.

- 136 pt. a Present any necessary Standing Rules to be approved by  
 137 their committee within two weeks as instatement as  
 138 Committee Chair.
- 139 pt. b Organize and coordinate committee meetings.
- 140 pt. c Present agendas to members.
- 141 pt. d Conduct fair, honest, and in-depth research.
- 142 pt. e Be a fair arbiter and follow parliamentary procedure as  
 143 pertain to the Committee's Standing Rules.
- 144 cl. iii Establish weekly meeting times
- 145 pt. a Reserve a room suitable for the conduct of a meeting
- 146 cl. iv Submit weekly written reports on the progress of the committee's work and  
 147 other documents to the Speaker of the Assembly, for distribution to the  
 148 Assembly to the Executive Board via the weekly Agenda.
- 149 cl. v One member of each Standing Committee shall be the chair of the  
 150 committee and one member shall be the vice chair. Committee Chairs shall  
 151 be elected by a majority of non-vacant Representative seats of the  
 152 Assembly. The Vice Chairs will be elected internally within each  
 153 committee as prescribed by the rules of that committee.
- 154 pt. a In the event that a CORE committee chair is absent the Vice  
 155 Chair assumes the responsibilities of that respective chair  
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- 157 §2.3.3 Representatives shall:
- 158 cl. i Fulfill their Constitutional required obligations.
- 159 cl. ii Work towards the betterment of student life.
- 160 cl. iii Attend Assembly and their committee meetings contribute actively to  
 161 both.
- 162 cl. iv Attend a minimum of two (2) external functions within every four (4)  
 163 academic weeks.
- 164 pt. a External functions are defined as events in the community  
 165 sponsored or hosted by an outside organization or entity.
- 166 pt. b External functions will be distributed through an electronic  
 167 system. This electronic system shall be updated with events no less  
 168 than two (2) weeks prior to the start of any academic week by the  
 169 Steering committee, or their designee.
- 170 cl. v Research matters and propose solutions to university problems.
- 171 cl. vi Actively promote the UPUA and its events/programs, by means of word-  
 172 of-mouth and electronic word-of-mouth.
- 173 cl. vii Abide by any and all charges passed within legislation.
- 174 cl. viii Accomplish the tasks assigned by the leadership of the Assembly, including  
 175 the Chairs and Speaker.
- 176 cl. ix Actively seek initiatives and new projects for consideration and  
 177 collaboration.
- 178 cl. x Hold an open line of communication with the Chair(s) of the committee(s)  
 179 on which the Representative sits.
- 180 cl. xi Provide weekly updates to the Chair(s) of the committee(s) on which the  
 181 Representative sits, noting the progress of initiatives, meetings, and all work



- 228 a meeting.  
229 cl. vi Release all minutes to the public one (1) academic day after approval of the  
230 past General Meeting minutes.  
231 cl. v Keep attendance to General Meetings of all Assembly members.  
232 cl. vi Update and publicly publish legislation based upon motions and actions of  
233 the Assembly.  
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### **Article III Meetings**

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238 §3.1 Initial Meetings  
239 §3.1.1 The first meeting of any incoming Assembly shall be considered the Initial  
240 Meeting. All other meetings shall follow the format of a General Meeting and be  
241 one of the three (3) meeting types established below:  
242 cl. i During the Initial Meeting, the Assembly will be required to establish  
243 holders of all offices of the Assembly. Refer to Article V for the procedure  
244 for electing committee chairs and method of committee assignment.  
245 §3.2 General Meetings  
246 §3.2.1 The Assembly shall convene for the transaction of business every Wednesday  
247 during the Fall and Spring Semesters at 8:00PM EST. These proceedings shall be  
248 considered General Meetings.  
249 §3.2.2 The Agenda shall be set by the Speaker of the Assembly and published by the  
250 Secretary for public viewing at least two (2) academic days in advance of a General  
251 Meeting. The Agenda shall consist of:  
252 cl. i Call to Order and Opening Roll Call.  
253 cl. ii Adoption of the Agenda.  
254 cl. iii Adoption of the past General Meeting minutes.  
255 cl. iv Special Presentations.  
256 cl. v Open Student Forum.  
257 cl. vi Report by the President.  
258 cl. vii Report by the Vice President.  
259 cl. viii Liaison Reports.  
260 cl. ix Old Business.  
261 cl. x Caucus Breakouts.  
262 cl. xi New Business.  
263 pt. a Elections/Appointments/Nominations/Swearing-In.  
264 pt. b Policies  
265 pt. c Bills.  
266 pt. d Resolutions.  
267 cl. xii Report by the Chief Justice of the Judicial Board.  
268 cl. xiii Report by the Chief of Staff and Executive Directors.  
269 cl. xiv Report by the Speaker of the Assembly.  
270 cl. xv CORE Committee Reports.  
271 cl. xvi Comments for the Good of the Order.  
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273 cl. xvii Closing Roll Call and Adjournment.

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275 §3.2.3 The Agenda shall further include written reports from each Standing Committee,  
276 appropriate contact information, and the date, time and location of the next meeting.  
277 §3.2.4 The Agenda must be distributed to the public and General Assembly a minimum of  
278 forty-eight (48) hours in advance of the start of the General Assembly meeting.  
279 §3.2.5 Limits on Floor Use  
280 cl. i Open Forum: Use of the Floor for presentation is limited to five (5) minutes  
281 per speaker or group. Representatives may ask questions for five (5)  
282 minutes after presentation.  
283 cl. ii Reports: Each period of reporting shall be ten (10) minutes for review of  
284 each report and questioning of appropriate persons.  
285 cl. iii Caucus breakouts: Either five (5) or ten (10) minutes as decided by the  
286 presiding officer of the meeting.  
287 cl. iv Comments for the Good of the Order: Limited to two (2) minutes per  
288 member.  
289 cl. v Members may not speak to a specific issue or motion more than two (2)  
290 times per piece of legislation. Motions, amendments, and other  
291 parliamentary activities are not counted against this limit.  
292 cl. vi All established time limits may be extended by a simple majority.  
293 §3.3 Town Hall Meetings  
294 §3.3.1 Town Hall meetings may be scheduled by a vote of the Assembly at a General  
295 Meeting.  
296 §3.3.2 The agenda for a Town Hall Meeting shall contain the same provisions as a General  
297 Meeting with the following modifications:  
298 cl. i Limits on Floor Use  
299 pt. a Town Hall Open Forum: Groups or speakers will present in  
300 the order they queue. No speaker or group should be denied  
301 the right to speak for any reason.  
302 pt. b Use of the Floor for presentation is limited to five (5)  
303 minutes per group or individual speaker.  
304 pt. c Representatives may ask questions for five (5) minutes after  
305 the presentation.  
306 pt. d Representatives may move to extended time of discussion.  
307 §3.4 Work-Session Meetings  
308 §3.4.1 The assembly may schedule a “work-session” meeting by a vote on the floor  
309 wherein the standing committees will meet at the specified time to allow for  
310 additional time to complete projects and collaborate.  
311 §3.5 Committee of the Whole Meetings  
312 §3.5.1 The assembly may schedule a “Committee of the Whole” Meeting by a vote on the  
313 floor wherein the representatives will meet at the specified time to allow time to  
314 collaborate as an entire body.  
315 §3.5.2 In cases where the UPUA convenes in Committee of the Whole, any attempts to  
316 vote on non-procedural decisions shall be grounds for immediate adjournment.  
317 cl. i The item of discussion for a meeting of the UPUA as a Committee of the  
318 Whole shall be prescribed by the motion to convene in such a format.  
319 §3.6 Special Meetings

320 §3.6.1 The Speaker of the Assembly may call a Special Meeting if circumstances require  
321 it.  
322 cl. i Quorum of the General Membership must be intact.

323 §3.7 Summer Session Meetings  
324 §3.7.1 Assembly Officers' Meetings  
325 cl. i The Assembly Officers may meet in limited form during the summer  
326 session for the transition and coordination of business.  
327 cl. ii Meetings of said type will require a majority of officers for quorum either  
328 by physical or electronic presence.  
329 cl. iii The Officers may issue Assembly Standing Orders that can authorize all  
330 actions in the name of the Assembly to provide necessary guidance and to  
331 authorize necessary immediate actions in the interest of the UPUA.  
332 pt. a Such Standing Orders must be reported at the next general  
333 meeting and disposed of as normal legislation being  
334 considered brought to the floor by two-thirds (2/3rds).  
335 pt. b All Standing Orders will expire after the conclusion of the  
336 next general meetings of the Assembly.  
337 pt. c All Standing Orders, unless internal to the operation of the  
338 Assembly, shall be considered legislation and must be  
339 approved by the President according to Article VI §2.2.2 of  
340 the UPUA Constitution.  
341 pt. d Standing Orders cannot amend or repeal any previously  
342 passed legislation, bylaws nor amend the UPUA  
343 Constitution.  
344 pt. e Standing Orders may not disperse any funds.

345 §3.7.2 Summer General Assembly Meetings  
346 cl. i The Assembly may convene during the summer session electronically or  
347 physically for the transaction of normal business by either a motion calling  
348 for such action on a specific date or on a date specified by the Chair.  
349 pt. a One (1) week's notice will be required for such  
350 meetings.  
351 pt. b Quorum shall be two-thirds (2/3rds) of  
352 Representatives.

353 §3.8 Closed UPUA Meetings  
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355 §3.8.1 All UPUA meetings will be open to the public and have meeting times established  
356 and available prior to each meeting.  
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358 cl. i Suspension of the above bylaw is only permitted with two-thirds (2/3)  
359 consent of the appropriate voting members of the UPUA Assembly present  
360 at any meeting where the suspension will occur. This suspension must fall  
361 under one of the following exemptions, with no additional reasons being  
362 considered germane:  
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364 pt. a Privileged or confidential discussions of finances,  
365 information, and contracts.

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- pt. b Interviews for the appointments of Representatives and other officials.
  - 1. Discussion pertaining to the aforementioned interviews will always occur in closed session.
  - 2. Interviews and discussions pertaining to the appointments and other officials within committees will be closed at the request of one voting member of the committee.
- pt. c Suspension shall be immediately dissolved upon completion of discussion of the exempted topic.
- pt. d For the aforementioned motion to be considered germane, the reason for suspension (pt. a or b) must be included in any motion to close a UPUA meeting.

**Article IV**  
**Committees**

- § 4.1 All Standing Committees are required to include at least seven (7) Representatives, including the Committee Chair and Vice Chair.
- §4.2 One member of each Standing Committee shall be the chair of the committee and one member shall be the vice chair. Committee Chairs shall be elected by a majority of non-vacant Representative seats of the Assembly. The Vice Chairs will be elected internally within each committee as prescribed by the rules of that committee.
- §4.3 The Assembly shall retain the following Standing Committees:
  - § 4.3.1 Student Life
    - cl. i Have jurisdiction to identify and address issues within the realm of housing and food services, safety, event planning and management, residence life, off-campus living, counseling and psychological services, disability services, student health, student recreational services, athletics, diversity and inclusion, student conduct, and sexual violence awareness and prevention.
    - cl. ii Have jurisdiction over all university issues that affect, but are not limited to, the protected classes defined by the University as well as international students.
    - cl. iii Be charged with outreach to and development of positive relationships with diversity groups on and off campus.
    - cl. iv Have jurisdiction to identify events and programs that may be of importance to the student body.
    - cl. v Organize and plan informational student events and programs that are necessary and beneficial to the student public.
    - cl. vi Retain the Assembly-elected Movin' On Spring Music Festival Liaison as a voting member of the committee.

412 cl. vii Have jurisdiction to identify and address issues within the realm of external  
413 fee boards, including the University Park Fee Board.

414 cl. viii Have jurisdiction to identify and address issues within the realm of  
415 University Strategic Planning, the Board of Trustees issues, University  
416 contracts, and fee boards and committees as relevant to the committee  
417 responsibilities as described above in §4.3.1.

#### 418 § 4.3.2 Facilities

419 cl. i Have jurisdiction to identify and address issues within the realm of Housing  
420 and Food Services, capital expenditures, permanent structures,  
421 transportation and parking, University facilities, and the Office of the  
422 Physical Plant.

423 cl. ii Have jurisdiction to identify and address issues within the realm of external  
424 fee boards, including the University Park Fee Board, the Student  
425 Technology Advisory Committee, and the Student Sustainability Advisory  
426 Committee.

427 cl. iii Have jurisdiction to identify and address issues within the realm of  
428 University Strategic Planning, the Board of Trustees membership and  
429 structure, University contracts, and fee boards and committees as relevant  
430 to the committee responsibilities as described above in §4.3.2.

#### 431 §4.3.3 Governmental Affairs

432 cl. i Have jurisdiction to identify and assess issues within the realm of the  
433 federal government, state government, and local government.

434 cl. ii Establish and maintain working relationships with pertinent figures in the  
435 federal, state, and local governments for the purposes of legislative outreach  
436 and petition.

437 cl. iii Coordinate relations with other governing entities affecting students at  
438 University Park by: Investigating laws, procedures, rules, or policies having  
439 effects on students.

440 cl. iv Plan and organize, with the appropriate Directors of the Executive Board,  
441 events related to tuition, voter registration and mobilization, and other  
442 governmental matters.

443 cl. v Retain the internally elected and Borough-appointed Non-Voting Student  
444 Representative to the State College Borough Council as a voting member  
445 of the Committee.

446 cl. vi Have jurisdiction to identify and address issues within the realm of  
447 University Strategic Planning, the Board of Trustees membership and  
448 structure, University contracts, and fee boards and committees as relevant  
449 to the committee responsibilities as described above in §4.3.3.

#### 450 §4.3.4 Academic Affairs

451 cl. i Have jurisdiction over all matters academic.

452 cl. ii Maintain through committee membership at least one representative from  
453 all of the Degree-Conferring Academic Colleges, the Division of  
454 Undergraduate Studies, and the Schreyer Honors College, as well as  
455 delegates as determined by the Committee in conjunction with the body  
456 which they are representing.

- 457 cl. iii Retain a committee chair who sits on the University Faculty Senate  
458 Committee on Education, the Administrative Council on Undergraduate  
459 Education (ACUE), and the University Advising Council (UAC), as  
460 prescribed in the governing policies of each body.  
461 cl. iv Serve as a forum to focus student concerns regarding academics and relay  
462 those concerns to the academic councils, deans, administration, and  
463 University Faculty Senate.  
464 cl. v Have jurisdiction to identify and address issues within the realm of  
465 University Strategic Planning, the Board of Trustees issues, University  
466 contracts, and fee boards and committees as relevant to the committee  
467 responsibilities as described above in §4.3.4.

#### 468 §4.3.5 Steering

- 469 cl. i Have jurisdiction over the business of the General Assembly.  
470 cl. ii Be chaired by the Speaker of the Assembly.  
471 cl. iii Be composed of all Standing CORE Committee Chairs.  
472 pt. a The President, Vice-President, Secretary, Director of  
473 Communications, Chief of Staff, and Chief Justice shall be  
474 considered non-voting members with floor privileges.  
475 cl. iv Be required, at its first meeting, to assign all Representatives to CORE  
476 committees based on the following procedure:  
477 pt. a Each Representative's name shall be read and then discussion of  
478 the qualifications of the Representative for service on committees  
479 based on their priority(s) shall begin.  
480 pt. b A motion for assignment for a specific committee shall be made  
481 and then debated. This shall continue until a vote passes by  
482 majority, and then the next Representative shall be reviewed.  
483 pt. c Every Representative shall be assigned to one committee before  
484 any Representative is assigned to two committees.  
485 cl. v Be required to recommend to the General Assembly, an individual to fill  
486 each vacant Assembly seat, after a thorough screening and interview  
487 process per §6.8.  
488 cl. vi Act on all questions concerning the Assembly by coordinating the  
489 Assembly's actions and Business.  
490 cl. vii Review all legislation for grammar and formatting, as well as make all  
491 necessary amendments to reflect the most accurate facts and data available  
492 excluding changes in monetary value, and to ensure the legislation is in  
493 compliance with University and UPUA policies.  
494 pt. a Any amendment made by the Steering Committee must be explicitly  
495 outlined and explained when the legislation is being introduced on  
496 the Assembly floor.  
497 pt. b The Steering Committee may not make any amendment that would  
498 change or alter the spirit of the legislation.  
499 pt. c The Speaker of the Assembly shall have the power to re-number  
500 legislation, when appropriate.  
501 cl. viii The Steering Committee may recommit legislation back to the committee  
502 of origin with a three-fourths (3/4) vote of the Steering Committee.

- 503 pt. a The Steering committee must provide a written explanation of  
504 specific grievances or inaccuracies to the Chair of the Committee of  
505 origin to be forwarded to all committee members within 24 hours of  
506 the vote to recommit.
- 507 pt. b Legislation that has been recommitted to its Committee of origin by  
508 the Steering Committee may still be brought to the floor of the  
509 General Assembly by two-thirds.
- 510 pt. c The Steering Committee may not recommit a piece of legislation  
511 based on the spirit of the legislation excluding contracts of  
512 obligation.
- 513 cl. viii Be required to commit the proposed legislation to the appropriate  
514 committee of the Assembly, at which time it shall be considered pending  
515 business of that Committee. If the Steering Committee cannot decide what  
516 committee the proposed legislation is to be committee to, then it shall be  
517 introduced to the Assembly under new business at the next General  
518 Meeting.
- 519 cl. ix Retain the authority to review and author revisions to the UPUA's  
520 Governing Documents when circumstances warrant such action.
- 521 pt. a Reviews and revisions may be conducted by the Steering committee  
522 or an ad-hoc committee, as decided by a majority vote of the  
523 Steering Committee.
- 524 1. The Steering Committee must, when charged by a two-thirds  
525 (2/3) vote of the General Assembly, form an ad-hoc  
526 committee to addresses the relevant issues with the  
527 Governing Documents brought forth by the General  
528 Assembly.
- 529 pt. b All revisions must be brought to the General Assembly Floor for  
530 consideration, following a majority vote of the Steering Committee.
- 531 cl. x Be charged with the vetting followed by the confirmation or dismissal of all  
532 Presidential nominations.
- 533 cl. xi Compile and maintain accurate records of all assets of the UPUA to be made  
534 available to the Judicial Board in investigative matters regarding their use.
- 535 §4.3.6 Committee Jurisdiction Overlap
- 536 cl. I Matters appropriate for consideration by more than one standing committee  
537 may be referred, by the Speaker of the Assembly, to one committee or  
538 subcommittee.
- 539 § 4.4 No Assembly member may serve as a general voting member on more than two (2)  
540 Standing CORE Committees. Individuals considered ex-officio or non-voting members  
541 of a committee do not count against the total membership of a committee nor towards  
542 quorum.
- 543 §4.5 Interviews pertaining to the appointment of representatives and other officials within  
544 committees shall be closed at the request of one voting member of the committee.
- 545 §4.5.1 Discussions on candidates are closed unless opened with a majority vote by the  
546 voting members of the Steering Committee.
- 547 §4.5.2 A quorum in a committee shall be considered a majority of the number of  
548 registered voting members in the official record.
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## Article V

### Elections, Nominations, and Appointments

- §5.1 The following order shall be used to determine the priority of the internal elections: Speaker of the Assembly, Committee Chairs (in the order listed in the Article IV), the UPUA Representative to the Faculty Senate (if necessary), the Non-Voting Student Representative to the State College Borough Council.
- §5.2 All candidates, except when addressing the Assembly, shall remain outside the chamber during the debate period.
- §5.3 Internal Elections Process
  - §5.3.1 The presiding officer of the Assembly (Vice President, Chair, or Chair Pro Tempore) will open nominations of all officers listed in §5.1 sequentially one at a time.
  - §5.3.2 Upon closure of each nomination round for an office, each candidate will be given five (5) minutes to address the Assembly. After that time has expired, the Presiding Officer will open the floor for questions addressed to the candidate for no longer than ten (10) minutes.
  - §5.3.3 After the conclusion of the Question and Answer period, the debate period will begin. Members will be limited to two (2) minutes per speech and two (2) speeches per candidate.
  - §5.3.4 The vote will be taken by secret ballot. A candidate needs a majority of votes cast to win. Votes will continue to be taken until one candidate has secured a majority of the vote. If a majority vote for one candidate is not received after the first vote, the candidate with the least number of votes will be removed from the race and the vote will be taken again. This process will be repeated until there are only two candidates left.
    - cl. i Vote totals shall not be publicly announced during the Meeting, but shall be recorded in the Meeting minutes.
  - §5.3.5 Votes shall be tallied by the Presiding Officer with the help of the Secretary, the Speaker of the Assembly and the Chief Justice (when necessary).
- §5.4 Committee Voting Member Selection
  - §5.4.1 The Speaker of the Assembly will collect the Committee preferences from all Representatives by the Friday after the first General Assembly meeting.
  - §5.4.2 Representatives will be assigned committee membership by the Speaker of the Assembly in consultation with all other officers at the first Steering Committee meeting.
    - cl. i Representatives may appeal the decision of the Steering Committee to the Speaker of the Assembly, who shall either confirm or deny the appeal based upon the merit of the appeal. If denied, the Representative shall remain on the selected CORE committee(s). If the Speaker approves the appeal, the Representative shall be re-assigned by the Steering Committee at the next Steering meeting.
- §5.5 Confirmations and Appointments
  - §5.5.1 Nominations required and submitted by the President shall be vetted, confirmed or dismissed by the Steering Committee.

597 cl. i Nominees will have five (5) minutes to address the Assembly and will  
598 entertain questions for ten (10) minutes.

599 §5.5.2 Appointments by the Chair will be represented to the Assembly for approval. The  
600 nominees will have five (5) minutes to address the body and will entertain  
601 questioning for five (5) minutes.  
602

603 **Article VI**  
604 **Attendance, Expulsion, and Vacancies**  
605

606 §6.1 Attendance of the General Assembly, Work Session, Committee of the Whole, and  
607 Committee Meetings is mandatory for all members of the Assembly.  
608

609 §6.1.1 For the purpose of Representative attendance at General, Work Session, and  
610 Committee of the Whole Meetings, roll shall only be called twice, counting as one  
611 half (1/2) of an absence each time at the discretion of the Presiding Officer.

612 §6.1.2 For the purpose of Representative attendance at committee meetings, roll shall only  
613 be called twice, counting as one quarter (1/4) of an absence each time at the  
614 discretion of the Presiding Officer.

615 §6.2 Absences from any and all scheduled meetings of the General Assembly and CORE  
616 Committees meetings shall result in the absent Representative accruing deficiency point(s).

617 §6.2.1 In the case of personal or family emergencies, examinations, religious obligations,  
618 or events for which the Representative has a Faculty Senate Excused absence form,  
619 deficiency points will not be accrued due to the Representative's absence, only if it  
620 is for one or more of the aforementioned reasons.

621 cl. i Representatives who encounter the aforementioned circumstances outlined  
622 in §6.2.1 must e-mail both the Speaker of the Assembly and the Secretary  
623 outlining the reason for their absence no later than 24 hours after the  
624 conclusion of the General Assembly meeting from which the  
625 Representative was absent, in order to not accrue deficiency point(s).

626 §6.2.2 For the purpose of Representative attendance at General Assembly, Work Sessions,  
627 and Committee of the Whole Meetings, roll shall be called once at the beginning of  
628 the meeting, and once at the conclusion of the meeting, counting as one half (1/2)  
629 of a deficiency point each time at the discretion of the Presiding Officer.

630 §6.2.3 For the purpose of Representative attendance at committee meetings, roll shall be  
631 called once at the beginning of the meeting, and once at the conclusion of the  
632 meeting, counting as one quarter (1/4) of a deficiency point each time at the  
633 discretion of the Presiding Officer.

634 cl. i Representatives who encounter the aforementioned circumstances outlined  
635 in §6.2.1 must e-mail the respective Committee chair outlining the reason  
636 for their absence no later than 24 hours after the conclusion of the  
637 Committee meeting from which the Representative was absent, in order to  
638 not accrue deficiency point(s).

639 cl. ii For the purpose of the meetings of Standing Committees, the Committee  
640 Chair may, in extreme circumstances, at his or her discretion, accept

641 additional reasons not outlined in §6.2.1 as justification for not assigning  
642 deficiency points.

643 §6.2.4 For the purpose of Representative attendance at any special function deemed  
644 mandatory by the Steering Committee, a sign-in sheet will be made available for  
645 Representatives to sign in at the beginning of the event. Failure to attend a special  
646 function deemed mandatory by the Steering Committee will result in one (1) full  
647 deficiency point.

648 cl. i Representatives who encounter the aforementioned circumstances outlined  
649 in §6.2.1 must e-mail both the Speaker of the Assembly and the Secretary  
650 outlining the reason for their absence no later than 24 hours after the  
651 conclusion of the General Assembly meeting from which the  
652 Representative was absent, in order to not accrue deficiency point(s).

653 cl. ii For the purpose of special functions deemed mandatory by the Steering  
654 Committee, the Speaker of the Assembly, in extreme circumstances, at his  
655 or her discretion, accept additional reasons not outlined in §6.2.1 as  
656 justification for not assigning deficiency points.

657 cl. iii For the purpose of special functions deemed mandatory by the Steering  
658 Committee, the number of deficiency points a Representative will be  
659 assigned for an absence will be specified no later than two weeks prior to  
660 the event.

661 §6.2.5 For the purpose of Representative attendance at any special function deemed  
662 mandatory for the members of a Respective Committee pursuant to §6.8.2, a sign-  
663 in sheet will be made available for the voting members of said Standing  
664 committee to sign in at the beginning of the event. Failure to attend a special  
665 function deemed mandatory by a Respective Committee will result in one half  
666 (1/2) deficiency point.

667 cl. I Representatives who encounter the aforementioned circumstances outlined  
668 in §6.2.1 must e-mail both the Chair of the respective Standing Committee  
669 and the Secretary outlining the reason for their absence no later than 24  
670 hours after the conclusion of the Special Event from which the  
671 Representative was absent, in order to not accrue deficiency point(s).

672 cl. ii For the purpose of special functions deemed mandatory by the Standing  
673 Committee, the Chair of the respective Standing Committee may, in  
674 extreme circumstances, at his or her discretion, accept additional reasons  
675 not outlined in §6.2.1 as justification for not assigning deficiency points.

676 pt. a Previously scheduled or mandated UPUA events and meetings  
677 shall not count against a Representative in the instance that the  
678 aforementioned event creates a situation wherein a Representative  
679 is unable to attend the mandated event.

680 §6.2.6 For the purpose of Representative attendance at any external function set by  
681 the Steering Committee, or their designee, a sign-in sheet will be made  
682 available for Representatives to sign in at the beginning of the event. Failure  
683 to attend two (2) external functions in any four (4) academic week span shall  
684 result in the accumulation of one half (½) deficiency point.

685 cl. i Representatives who encounter the aforementioned circumstances  
686 outlined in §6.2.1 must e-mail both the Speaker of the Assembly and the

687 Secretary outlining the reasons for their deficiency in attendance of external  
688 functions no later than 1 (one) academic day after the accrual of a deficiency  
689 point.

690 cl. ii For the purpose of external functions deemed mandatory by the  
691 Steering Committee, or their designee, the Speaker of the Assembly, in  
692 extreme circumstances, at his or her discretion, may accept additional  
693 reasons not outlined in §6.2.1 as justification for not assigning deficiency  
694 points.

695 §6.2.7 A current record of all Representatives' respective names, attendance  
696 records, and deficiency points will be publicly available for all  
697 Representatives to view on the UPUA website.

698 §6.3 If a Representative or Assembly Staff member accumulates more than three (3) whole  
699 deficiency points per semester from General Assembly, Work Session, Committee of the  
700 Whole, Special Functions, External Functions, or Committee Meetings, he or she shall  
701 automatically be subject to the following violation procedure for this and every additional  
702 one (1) whole deficiency point. The Speaker of the Assembly shall ensure the prompt  
703 enforcement of this policy.

704 §6.3.1 Following the violation of the above policy, the Representative or Assembly staff  
705 member in question will be automatically removed from the UPUA.

706 §6.3.2 The Representative or Assembly staff member has the option within five (5)  
707 academic days of their removal to either accept their removal or notify the Speaker  
708 of the Assembly that they wish to appeal to the Assembly during New Business as  
709 to why they should be reinstated.

710 pt. a If the Representative or Assembly staff member chooses to appeal, he or  
711 she will go before the Assembly at the next General Assembly meeting after  
712 he or she notifies the Speaker of the Assembly.

713 §6.3.3 The Secretary shall read all recorded absences of the member in question. The  
714 member shall then have up to five (5) minutes to discuss their absences, followed  
715 by up to ten (10) minutes of questioning by the UPUA.

716 §6.3.3 The member in question shall then leave the meeting room for a discussion not to  
717 exceed ten (10) minutes and then a secret ballot vote to reinstate the Representative  
718 or Assembly staff member from to the UPUA will be taken. The vote shall require  
719 a two-thirds majority of those present and voting to pass. If no additional relevant  
720 motions are made following a failed vote to reinstate the member in question, he or  
721 she shall not return to the UPUA and business shall continue.

722 §6.4 Staffers and Liaisons

723  
724 §6.4.1 Staffers may be removed by either a majority vote of the Assembly or the discretion  
725 of the Speaker of the Assembly.  
726

727 §6.4.2 The individual fulfilling the liaison position may have their title revoked either by  
728 a majority vote of the Assembly or at the discretion of the Speaker of the Assembly,

729                   except in cases where the person is the only permitted spokesperson of their  
730                   organization. The Speaker of the Assembly must immediately coordinate with the  
731                   representing organization to fill the position.  
732

733 §6.5    Votes of expulsion, removal, or removing a title are their own line in the agenda as a subset  
734           of New Business and must be submitted to the Secretary before a General Meeting. The  
735           member, staffer, or liaison in question must be given one (1) week's notice.

736 §6.6    If a Representative steps down from a CORE Committee, and is still a voting member on  
737           at least one (1) other CORE Committee, the absences he or she accumulated on the CORE  
738           Committee he or she stepped down from are removed from their record.

739 §6.7    With a majority vote of the Steering Committee, if the Steering Committee determines an  
740           event to be important for UPUA Representatives to be present at, then with no less than  
741           two (2) weeks notice, Steering can make attendance at the event mandatory.

742           §6.7.1 There shall be up to three (3) extra mandatory events per semester.

743           §6.7.2 Voting members of Steering will be required to also attend.

744           §6.7.3 Any Representative will accrue one (1) deficiency point in the event of an absence.

745 §6.8    Any standing CORE Committee may, with a majority vote, make attendance at an event  
746           that is sponsored, co-sponsored, or hosted by the UPUA mandatory for only those  
747           Representatives who are voting members of the respective Standing Committee, with no  
748           less forty-eight (48) hours notice prior to said event.

749           §6.8.1         All voting members of the respective Standing Committee will be required  
750                         to also attend.

751           §6.8.2 Any absent Representative will accrue one half (1/2) deficiency point,

752                         pt. a    All Steering mandated events and deficiency point assessments supersede  
753                         those of a Standing Committee and take precedence.

754 §6.9    Vacancies.

755           §6.9.1 A seat is considered to be vacant after a Representative has tendered his/her  
756           resignation or has been expelled and is no longer a voting member of Assembly.  
757           Additionally, a seat is vacant if no member has been sworn in.

758           §6.9.2 Within five (5) academic days of the effective date of the resignation, expulsion or  
759           absence, the Speaker of the Assembly shall notify the Assembly or the appropriate  
760           student organization as defined in the Constitution in order to fill the vacancy via  
761           email.

762           cl. i If the vacancy is within the Assembly's jurisdiction to fill, the seat(s) shall be  
763           publicly advertised for a minimum of one (1) academic week.

764           cl. ii In the case of Academic College representatives, according to the UPUA  
765           Constitution and the Academic Affairs Committee Bylaws, the respective  
766           Academic College Student Council shall have ten (10) academic days to  
767           nominate a new representative from that College to the Assembly. If that  
768           Council does not nominate a student the Speaker of the Assembly shall solicit  
769           nominations for that position as defined in §6.9.2 of the Assembly Bylaws. The  
770           nominated candidate(s) will be screened by the Steering Committee, per §6.9.4.

771           cl. iii In the case of Community Group Representative vacancies, the respective  
772           student organization representing the Community Group shall have the  
773           responsibility to elect a replacement via the process outlined in the UPUA  
774           Elections Code.

775 §6.9.3 The Speaker will collect the applications for the vacancy. The Speaker shall check  
776 that the applicant(s) meets all requirements set forth in the UPUA Constitution and  
777 the current elections code. If an applicant(s) does not meet all criteria they shall be  
778 rejected.

779 §6.9.4 The Steering Committee will be required to recommend to the General Assembly,  
780 one individuals to fill each vacant Assembly, after a thorough screening and  
781 interview process.

782 cl i The screening process shall be based solely upon the merit of the respective  
783 candidate's application for membership, resume, and short-answer  
784 responses.

785 cl ii The Committee must interview at least half (50% of the total) of all  
786 applicants, or five (5) total applicants, whichever number is greater but no  
787 more than ten (10).

788 cl. iii All interviewees, both their name and major, shall be made available to the  
789 Assembly by the Speaker, following a request by any Representative.

790 cl iv In the event of a tie vote between two candidates in the Steering Committee  
791 both candidates will be sent to the Assembly floor.

792 §6.9.5 The applicant(s) must be elected to fill the seat(s) as per §5.3, with each applicant  
793 for the position being considered a nominee and requiring a mandatory majority  
794 vote by secret ballot, even if uncontested.

795 §6.10 First-Year Representative

796  
797 §6.10.1 Applications for the position of First-Year Representative will be available on  
798 the first day of classes of the fall semester.

799  
800 §6.10.2 The Committee to decide the First-Year Representative will be composed of the  
801 following membership:

802  
803 cl. i The Speaker of the Assembly, the Chair of Student Life, Chair of  
804 Facilities, Chair of Governmental Affairs, and Chair of Academic Affairs  
805 will serve as voting members of the Committee.

806  
807 pt. a In the absence of a CORE Committee Chair the Vice Chair will  
808 serve in their place.

809  
810 pt. b The Speaker of the Assembly will serve as Chair of the Committee

811  
812 cl. ii The President, Vice President, and any two members of the Executive  
813 Board as designated by the President will serve as non-voting members of  
814 the Committee with full floor privileges.

815  
816 §6.10.3 The Committee will be required to recommend to the General Assembly,  
817 one individual to fill each vacant First-Year Representative seat, after a thorough  
818 screening and interview process.

- 819 cl i The screening process shall be based solely upon the merit of the  
820 respective candidate’s application for membership, resume, and short-  
821 answer responses.  
822 cl ii The Committee must interview at least half (50% of the total) of all  
823 applicants, or five (5) total applicants, whichever number is greater but no  
824 more than ten (10).  
825

826 **Article VII**  
827 **Business of the Assembly**

828 §7.1 Legislation

829 §7.1.1 Legislation is defined as all Acts of the Assembly.

830 cl. i A Resolution is any legislation that deals with rendering an opinion.  
831 Resolutions shall be formatted based upon Appendix A and require a majority  
832 of those present and voting to pass.

833 cl. ii A Policy is any legislation that establishes rules internal and within the  
834 authority of UPUA that may contain spending provisions. Policies shall be  
835 formatted based upon Appendix B and require a two-thirds (2/3rds) vote of  
836 those present and voting to pass.

837 cl. iii A Bill is any legislation that may contain spending provisions and does not  
838 fit the criteria of a Policy or Resolution. Bills shall be formatted based upon  
839 Appendix C and may require a majority of those present and voting to pass.

840 §7.2 Legislative Process

841 §7.2.1 Legislation shall require sponsorship to be considered. Adequate sponsorship shall  
842 consist of two (2) Representatives. This provision does not apply to working papers  
843 adopted by Committees or discharged from Committee.

844 §7.2.2 Legislation shall be introduced to the Assembly by either of two methods:

845 cl. i Legislation may also be introduced by submitting it to the Speaker of the  
846 Assembly.

847 pt. a Once submitted it will be considered pending business of the  
848 Steering Committee and committed following the procedure  
849 outlined in §4.3.6 cl. vii.

850 pt. b At a General Meeting the Chair shall report the legislation  
851 by stating its title and the action taken by the Steering  
852 Committee as listed under reports in the agenda.

853 cl. ii Legislation requiring immediate consideration shall be presented to the  
854 General Assembly during the Adoption of the Agenda as per §3.2.2 cl. ii  
855 during any General Meeting and shall be placed in “New Business”. A two-  
856 thirds (2/3rds) vote shall be required for the legislation to be considered by  
857 the Assembly.

858 pt. a If the legislation does not receive a two-thirds to be  
859 considered, it shall be referred to the Steering Committee as  
860 prescribed by §4.9.6.

861 §7.3 Legislation that is discharged from the Steering committee will automatically be added to  
862 “New Business” and shall be considered at the next General Meeting. The Steering  
863 Committee shall not have original jurisdiction over any legislation.

864 §7.4 At a General Meeting legislation will be introduced in the following manner:

865 §7.4.1 A report by the Committee Chair and/or sponsors detailing the nature of the  
866 legislation limited to three (3) minutes.

867 §7.4.2 A Question and Answer period limited to five (5) minutes.

868 §7.4.3 Discussion limited to two (2) minutes per speech; this time may be extended.

869 §7.4.4 Vote.

870

871 §7.5 Voting Procedures on Legislation

872

873 §7.5.1 Vote on legislation shall be conducted by roll call, with the number of those for,  
874 against, and present but abstaining recorded in the official record.

875

876 cl. i All other motions may be counted by either a voice or show of hands at the  
877 discretion of the Presiding Officer.

878

879 cl. ii A roll call vote may be requested either before or after the voice or show of  
880 hands vote by motion and must be approved by a one-fifth (1/5th) minority.

881

882 §7.5.2 All legislation must pass the Assembly with a simple majority unless these Bylaws,  
883 policy, or parliamentary authority require otherwise. The nature of the decision  
884 taken must be indicated on the legislation.

885

886 §7.6 Reconsideration

887

888 §7.6.1 At any instance before a vote by the Assembly, legislation may be committed or  
889 recommitted.

890

891 §7.6.2 The Assembly or any Committee cannot reconsider failed legislation in whole or  
892 with slight modifications during the same session unless the Assembly adopts a  
893 motion to reconsider.

894

895 §7.6.3 Legislation shall take effect immediately upon passage and the approval of the  
896 President. Policies and Resolutions shall be effective in perpetuity.

897

898

899

## **Article VIII**

### **Budget**

900

901

902 §8.1 Definition and Submission

903

904 §8.1.1 The UPUA Fiscal Year shall run in compliance with the University Fiscal Year,  
905 beginning on July 1<sup>st</sup> of that year and ending on June 30<sup>th</sup> of the next year, with the  
906 provision that the Assembly shall freeze five (5) percent of its annual projected  
907 budget when approving the budget for that year for the time period between the  
908 annual elections and June 30<sup>th</sup> of that year to ensure the continuing operations of  
the UPUA.

909

910 §8.1.2 The Assembly shall be responsible for reviewing and consenting to a fiscal budget  
to regulate expenditures as submitted by the President.

- 911 cl. i The Fiscal Budget shall be submitted by the President to the Steering  
912 Committee no later than two (2) weeks prior to the last General Assembly  
913 meeting of the spring academic semester.
- 914 cl. ii The Steering Committee, charged with conducting a review of all budget  
915 requests submitted by the President. The review by the Steering Committee  
916 will be required to be completed at least one (1) week prior to the end of the  
917 academic semester or before the last General meeting of the spring  
918 academic semester.
- 919 cl. iii The budget shall be considered a Policy for legislative purposes but shall  
920 not require that format and only require a majority vote.
- 921 §8.2 Budget Format
- 922 §8.2.1 The budget shall be divided into two parts:
- 923 cl. i Operational.
- 924 cl. ii Show-Cause.
- 925 §8.2.2 The Operational sub-budget shall be considered “authorized spending” by the  
926 Executive Board and not require further legislation by the Assembly and shall  
927 minimally consist of the following:
- 928 cl. i Holds on funds for the Unrestricted Account or any of its sub-accounts  
929 for anticipated fixed expenses.
- 930 cl. ii General office supplies including , but not limited to, paper, ink/toner, tape,  
931 paper clips, thumb tacks, and staples.
- 932 cl. iii Wages and benefits as enumerated in the Budgetary Policy.
- 933 cl. iv The Presidential and Speaker of the Assembly Discretionary funds for each  
934 academic semester and a summer fund.
- 935 §8.2.3 The Operational sub-budget shall be considered “authorized spending” by the  
936 Executive Board and not require further legislation by the Assembly and shall  
937 minimally consist of the following:
- 938 cl. i Percentage controls for allocation of spendable funds, which shall include,  
939 but not be limited to:
- 940 pt. a Internal Spending and its sub-elements;
- 941 pt. b External Spending and its sub-elements;
- 942 pt. c Departmental and Committee breakdown of expected expenses;
- 943 pt. d All major UPUA proposed initiatives.
- 944 §8.3 If a Budget is not passed, the most recently approved budget shall take effect for the fiscal  
945 year in question until a new budget is passed and approved.
- 946 §8.4 With regards to the application of the budgets to the discretionary spending by the Speaker  
947 of the Assembly:
- 948 §8.4.1 The Chairman shall be permitted to allocate a percentage of the treasury as defined  
949 in his duties regardless of the state of existence of the budget.
- 950 §8.4.2 The Speaker of the Assembly may not violate the guidelines of the budget in effect  
951 when applying discretionary spending, which shall include but not be limited to:
- 952 cl. i Allocating a percentage of the Treasury as an expense that exceeds the  
953 maximum percentage permissible for the category of the expense.
- 954 cl. ii Allocating funds such that the Treasury drops below the minimum balance.
- 955

956 §8.5 The Budgetary Policy shall clarify and supersede The Bylaws and the Operational Code of  
957 the UPUA on all budgetary matters.  
958

## 959 **Article IX**

### 960 **Judicial Board Procedures**

961 §9.1 In order to begin proceedings by the Judicial Board, a complaint must be filed to the  
962 Judicial Board.

963 cl. i Complaints may be filed to the Judicial Board by any member of the UPUA  
964 including, but not limited to, representatives, committee chairs, members of the  
965 Executive Board, and undergraduate students at University Park that make up the  
966 general election membership outlined in §3.1.1.2 of the UPUA Constitution.

967 §9.1.1 A complaint to the Judicial Board must be filed within thirty (30) academic days that the  
968 alleged wrongdoing has taken place or before the end of the assembly in which that  
969 accusation was made otherwise the Statute of Limitations for that matter shall expire.

970 cl. i Complaints shall be filed directly to the Chief Justice of the Judicial Board in  
971 writing via email.

972 cl. ii If members of the Judicial Board determine by a majority vote that the Chief Justice  
973 is too close to reasonably be trusted to hear the complaint then the complaint shall  
974 be filed to the next most senior member of the Judicial Board who shall then oversee  
975 this complaint and act as the Chief Justice for this complaint.

976 §9.1.2 A complaint shall be a document including the name and contact information for all parties  
977 involved in the dispute including the Petitioning Party and the Responding Party, the  
978 grounds for the complaint, and the action requested of the Judicial Board.

979 §9.1.3 After receiving a complaint, the Chief Justice shall have three (3) academic days to contact  
980 the Petitioning and Responding parties and make the complaint available to them.

981 §9.1.4 The Judicial Board shall be required to hear all complaints that are brought to them by  
982 students in good faith and the Chief Justice nor any Judicial Board members may be  
983 permitted to decline to hear a complaint.

984 §9.2 The Petitioning Party is required to submit a brief to the Chief Justice of the Judicial Board  
985 no later than five (5) academic days after the complaint has been made available to the  
986 Respondent Party.

987 cl. i The Respondent Party is also permitted to file a brief with the Judicial Board should  
988 they choose.

989 §9.2.1 A brief to the Judicial Board shall include all of the following:

990 cl. i A cover page including the name of the complainant(s) and the date that the brief  
991 was filed.

992 cl. ii The specific section of the Constitution or specific bylaw that is alleged to have  
993 been violated.

994 cl. iii A summary of the complainant/defendant's argument.

995 cl. iv All evidence that the complainant/defendant would like to be considered.

996 cl. v A list of all witnesses that the complainant/defendant would like to be questioned  
997 and explanation of their relevance to the matter at hand.

998 pt. a The number of witnesses shall not exceed ten per party.

999 §9.2.2 Should the defendant choose not to submit a brief they must still produce to the Chief  
1000 Justice a list of all evidence and witnesses that they intend to bring to the board no later  
1001 than forty-eight (48) hours before the start of a hearing.

1002 §9.2.3 It is the responsibility of the Chief Justice to make available to all of the Associate Justices  
1003 and both the Complainant/Defendant parties all briefs and lists of evidence and/or  
1004 witnesses no later than twenty-four (24) hours before the start of the hearing.

1005 §9.3 Hearings on a case presented to the Judicial Board shall be scheduled by the Chief  
1006 Justice at a time not exceeding fourteen (14) academic days after the initial complaint was  
1007 filed.

1008 §9.3.1 Hearings shall be open to the public and to the press unless an extenuating circumstance  
1009 would arise that would require a hearing be closed.

1010 cl. i Examples of extenuating circumstances may include but are not limited to:  
1011 pt. a Discussions of ongoing student conduct investigations.  
1012 pt. b Concerns of inappropriate breaches of student privacy.

1013 cl. ii If a majority of the Judicial Board or three-fourths (3/4) of the Steering Committee  
1014 of the UPUA votes to hold a closed hearing, then the hearing may be closed.  
1015 pt. a Either the complainant or defendant shall be permitted to request a closed  
1016 hearing at which time the Judicial Board and/or the Steering Committee shall  
1017 consider this request.

1018 §9.3.2 No witness who is testifying at a hearing shall be permitted to sit in on any other part of  
1019 that hearing's proceedings.

1020 §9.3.3 The Judicial Board retains the right to remove any disruptive spectators from the hearing.

1021 §9.3.4 The Chief Justice of the Judicial Board shall preside over hearing of the Judicial Board and  
1022 all hearing shall begin when the Chief Justice calls the hearing to order.

1023 cl. i The Judicial Board shall have the authority to determine if any member including  
1024 the Chief Justice is reasonably too biased to provide a fair opinion in a case.

1025 cl. ii If it is determined that a Justice is too biased to serve in a given hearing they shall  
1026 be asked by the Judicial Board to recuse themselves from the case.

1027 cl. iii If the member refuses to recuse themselves, a majority vote of the Judicial Board  
1028 shall be sufficient to force their recusal from a given case.

1029 cl. iv If the Chief Justice is recused from a case then the next most senior justice shall be  
1030 appointed to serve in that role for the duration of the hearing,

1031 cl. v Judicial Board hearings shall follow the following format:

1032 pt. a Opening remarks by the complainant and the defendant to Judicial Board.  
1033 cl. i Remarks shall be limited to five (5) minutes each.

1034 pt. b Introduction of evidence  
1035 cl. i Witnesses shall be considered evidence for the purpose of this hearing  
1036 cl. ii Members of the Judicial Board shall be given a chance to ask questions  
1037 about all evidence and pose questions to any witnesses at this time.  
1038 cl. iii The complainants' evidence shall be introduced first unless time  
1039 constraints of witnesses require a different order.  
1040 cl. iv Four (4) hours shall be set aside in order to accommodate all witnesses.  
1041 cl. v The introduction of evidence shall not exceed (4) hours.

1042 pt. c Closing statements by the complainant and the defendant.  
1043 cl. i Remarks shall be limited to five (5) minutes each.

1044 pt. d The hearing shall conclude when the Chief Justice adjourns the hearing.

1045 §9.3.5 Members of the Judicial Board retain the right to ask question of both parties at all times  
1046 throughout the proceedings of the hearing.

1047 cl. i Members of the Judicial Board retain the right to recall witnesses at any point  
1048 before the adjournment of the hearing if necessary.

1049 §9.4 The Judicial Board shall meet following the hearing to discuss its ruling on the case.  
1050 cl. i This meeting shall be a closed meeting of only the Judicial Board members and shall  
1051 be chaired by the Chief Justice of the Judicial Board.

1052 §9.4.1 Decisions of the Judicial Board shall be made by a simple majority unless otherwise  
1053 required by the Constitution or Bylaws of the UPUA.  
1054 cl. i The details of this vote including which justices were of the majority and minority  
1055 opinions shall be made available to the public at the conclusion of the board's deliberation.

1056 §9.4.2 A member of the majority opinion on a given case shall be required to write a majority  
1057 opinion for the Judicial Board.

1058 §9.4.3 A member of the minority opinion is encouraged but not required to write a minority  
1059 opinion of the Judicial Board.

1060 §9.4.4 Decisions can either find the defendant responsible for the accused actions or not  
1061 responsible.

1062 §9.4.5 Those parties found responsible for the accused actions shall be prescribed sanctions  
1063 befitting of their offence at the discretion of the Judicial Board.

1064 cl. i Possible sanctions include: educational workshop completed with the office of  
1065 student activities pertaining to violation committed, a review session of the UPUA  
1066 constitution with the Speaker and Judicial Board, requesting the assembly to vote  
1067 on censuring defendant(s), referral to student conduct, referring to the steering  
1068 committee to assign a representative a strike, and possible expulsion from the  
1069 UPUA.

1070 cl. ii Recommendations for sanctions shall be emailed to the Steering Committee who at  
1071 their discretion may decide to release the details of the hearing to the assembly  
1072 publically or may motion pursuant to the UPUA bylaws to make the meeting  
1073 discussing the hearing with the assembly a closed meeting.

1074 pt. a If a sanction recommends that a representative be assigned a strike this  
1075 process must be carried out pursuant to §11.3.2 cl. ii of the UPUA  
1076 Constitution.  
1077 pt. b If a sanction recommends the removal of a member of the UPUA then  
1078 sanction must also be voted on by the General Assembly pursuant to §11.3.2  
1079 cl. i of the UPUA Constitution.

1080 §9.4.6 If defendant is found responsible, sanctions will be discussed during initial Judicial Board  
1081 meeting post hearing.

1082 cl. i All sanctions must be approved by a majority of the Judicial Board in order to be  
1083 mandated.

1084 §9.4.7 If defendant is not found responsible, no sanctions will be applied and no further  
1085 investigation will be heard.  
1086

1087 §9.5 As stipulated in Article VII of the UPUA Constitution, the Judicial Board shall have the  
1088 power to vet which Recognized Student Organizations (RSO) constitute representation for the  
1089 different Penn State Community Group organizations. This decision shall always require the  
1090 confirmation from the Assembly with 2/3rd vote.

1091 cl. i Each Community Group vetted by the Judicial Board and confirmed by the  
1092 Assembly will have a voting seat in the Assembly as stipulated in Section §5.2.1 cl. i of

1093 the UPUA Constitution. These Representatives shall have full voting and speaking  
1094 privileges just as all Representatives in the Assembly.  
1095

1096 cl. ii Every Fall Session, the Judicial Board shall review applications from RSOs  
1097 seeking to be recognized as a Community Group to have a voting representative in the  
1098 Assembly. All community group organizations must reapply for this seat every two years.  
1099

1100 pt. a This application will be continuously available on the UPUA website.  
1101

1102 pt. b In this application process the organization must explain the democratic  
1103 selection process in the application to ensure compliance with the UPUA  
1104 Constitution, Elections Code, and Bylaws & Operational Code.  
1105

1106 pt. c The Judicial Board shall hold at minimum four (4) information and work  
1107 sessions throughout the Fall Session to assist organizations in the application  
1108 process.  
1109

1110 pt. d The Judicial Board must relay the dates and times of work sessions, for the  
1111 purposes of disseminating information on the process of obtaining a Community  
1112 Group Representative, information to the Student Body in a reasonable time span.  
1113

1114 pt. e A member of the Judicial Board shall hold a mandatory work session with  
1115 a designee from every organization separately that has applied to review their  
1116 application and ensure compliance with the UPUA Constitution, UPUA Elections  
1117 Code, and Bylaws & Operational Code before the formal review process begins  
1118 for the Judicial Board.  
1119

1120 pt. f The Judicial Board is required to remind organizations to reapply for their  
1121 Community Group Representative seats during the first week of the Fall Session  
1122 for the year before the seat expires.  
1123

1124 cl. iii The Judicial Board shall have until twenty (20) Academic Days prior to the  
1125 beginning of the Election Season as defined by the UPUA Constitution to vet each  
1126 organization by: reviewing the Application submitted by the RSO, reviewing the  
1127 respective Governing Documents of the RSO, and by attending at least two meetings of  
1128 the organization to ensure that the RSO fulfills specifically the following criteria:  
1129

1130 pt. a The organization must be a RSO while also being in active, as defined by  
1131 the Pennsylvania State University.  
1132

1133 pt. b The organization must be an overarching RSO that advocates for some  
1134 portion of the student body while also having a significant impact on the student  
1135 body.  
1136

1137 pt. c The organization must prove that their voice within the UPUA would be  
1138 mutually beneficial to both the UPUA and the organization in question.

- 1139  
1140 pt. d The organization cannot be political in nature to ensure non-partisanship.  
1141  
1142 pt. e The organization cannot be classified as a University affiliate.  
1143  
1144 pt. f The organization cannot be directly affiliated with Academic Units.  
1145  
1146 pt. g The organization cannot fall under the purview of an already codified  
1147 Community Group that is recognized by the Judicial Board and confirmed by the  
1148 Assembly.  
1149  
1150 pt. h Organizations that are classified as community groups that are reapplying  
1151 shall be subject to review to determine if the organization's Representatives  
1152 consistently fulfill the attendance requirements outlined in Section 2.3.3 and 2.3.4  
1153 of Bylaws and Operational Code.  
1154  
1155 cl. iv The Judicial Board must compile a Report recommending to the Assembly which  
1156 of the organizations that have applied qualify for a seat in the Assembly. This must be  
1157 confirmed with a 2/3<sup>rd</sup> vote of the Assembly.  
1158 pt. a This Report must be compiled by the Judicial Board confirmed by the  
1159 Assembly before the start of Election Season.  
1160  
1161 pt. b The Report must detail all organizations that applied and include the  
1162 reasons for any denials of a seat.  
1163  
1164 pt. c The Judicial Board must introduce this Report to the Assembly and the  
1165 recommendations for the seat structure must be confirmed with a 2/3<sup>rd</sup> vote of the  
1166 Assembly.  
1167  
1168 pt. d The Assembly cannot make amendments to the Judicial Board's Report.  
1169  
1170 pt. e The confirmation of Assembly seats shall take place via general consent  
1171 unless objected.  
1172  
1173 cl. v In the case of suspension by the University, a Community Group shall have their  
1174 Community Group recognition revoked as outlined in § 7.1.2 cl. vii of the UPUA  
1175 Constitution for the duration of the University suspension.  
1176

## Article X

### Referenda

- 1177  
1178  
1179 §10.1 The UPUA may conduct Referenda of the University Park Student Body to obtain  
1180 information concerning any subject under its purview.  
1181 §10.2 Proposals for Referenda must come from an appropriate committee and must follow the  
1182 procedure for Policy if initiated by Representatives.

1183 §10.3 Upon the approval of the UPUA to hold a Referendum, it must be conducted within two  
1184 (2) weeks and adequately advertised under the direction of the President and any  
1185 individual(s) he or she wishes to charge with responsibility.

1186 **Article XI**

1187 **Amendments**

1188 §11.1 Amendments to these Bylaws will be introduced as a Policy and be adopted at any General  
1189 Meeting of the Assembly by a two-thirds (2/3rds) vote of Representatives present and  
1190 voting.

1191 §11.2 Amendments to these Bylaws may not be introduced to the floor by a vote of two-thirds  
1192 (2/3rds) of Representatives present and voting.

1193 §11.4 The Speaker of the Assembly shall have the power to re-number sections in the Bylaws  
1194 and Operation Code, without Assembly approval, when appropriate.

1197 **Article XI**

1198 **Enactment**

1199 §12.1 These Bylaws shall be put to the Assembly for enactment.

1200 §12.2 These Bylaws shall be enacted upon introduction and passage by two-thirds (2/3rds) of  
1201 Representatives present and voting.

**Appendix A**

Resolution # \_\_\_\_\_

**The University Park Undergraduate Association (UPUA)**  
**of the [year] - [year] Session**  
[date presented]

*Be it Enacted by the Association, having been considered by the  
Committee on \_\_\_\_\_, a*

**RESOLUTION**

**[title]**

(Decided: [Y/N/A])

**Nature of the Problem:**

**Recommended Course of Action:**

Respectfully submitted,

**[Sponsor 1]**

[Constituency]

Chair/Vice Chair of [Committee]

**[Sponsor 2]**

[Constituency]

Committee Vote: \_\_\_/\_\_\_/\_\_\_  
\_\_\_\_\_

Signature of the Speaker of the Assembly:

\_\_\_\_\_ Affirm

\_\_\_\_\_ [President]

\_\_\_\_\_ Veto

The University Park Undergraduate Association

**Appendix B**

Policy # \_\_\_\_\_

**The University Park Undergraduate Association (UPUA)  
of the [year] - [year] Session  
[date presented]**

*Be it Enacted by the Association, having been considered by the  
Committee on \_\_\_\_\_, a*

**POLICY**

**[title]**

(Decided: [Y/N/A])

**Nature of the Situation:**

**Rule/Procedure/Code:**

Respectfully submitted,

**[Sponsor 1]**

**[Sponsor 2]**

[Constituency]  
Chair/Vice Chair of [Committee]

[Constituency]

Committee Vote: \_\_\_/\_\_\_/\_\_\_

Signature of the Speaker of the Assembly:

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Affirm

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[President]

Veto

The University Park Undergraduate Association

### Appendix C

Bill # \_\_\_\_\_

**The University Park Undergraduate Association (UPUA)**  
**of the [year] - [year] Session**  
[date presented]

*Be it Enacted by the Association, having been considered by the  
Committee on \_\_\_\_\_, a*

**Bill**

**[title]**

(Decided: [Y/N/A])

**Nature of the Situation:**

**Recommended Course of Action:**

Respectfully submitted,

**[Sponsor 1]**  
[Constituency]  
Chair/Vice Chair of [Committee]

**[Sponsor 2]**  
[Constituency]

Committee Vote: \_\_\_/\_\_\_/\_\_\_

Signature of the Speaker of the Assembly:

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Affirm

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[President]

Veto

The University Park Undergraduate Association