

# TITLE IX: THE ENFORCEMENT AND ACCOUNTABILITY STATUTES

## Chapter 900 Notification of Non-Compliance

- 900.1 “Notification of Non-Compliance” is to be used as a written notification that the Student Body Constitution, Student Body Statutes, Senate Rules, Senate Bills, and/or other legal mandates are not being complied with or adhered to.
- 900.2 In any instance where a Student Government Agent is unable to come back into compliance due to action or inaction, said individual may be subject to censure or impeachment due to their lack of compliance with the Student Body Constitution, Student Body Statutes, Senate Rules, Senate Bills, and/or other legal mandates.
- 900.3 Any Student Government Agent recognized by the aforementioned Student Body Statutes, Senate Bills, and/or other legal mandates can be issued a “Notification of Non-Compliance.”


## Chapter 901 Authority to Issue Notification of Non-Compliance

The authority to issue a “Notification of Non-Compliance” is vested in the following offices:

- A. The Student Body President,
- B. The Student Body Vice President,
- C. The Student Government Comptroller, in instances where the infraction impedes the Comptroller’s ability to perform their duties,
- D. The Attorney General
- E. The Speaker of the Senate,
- F. The President Pro Tempore,
- G. The Student Senate, by majority vote, and
- H. The LJR, ORC, FAO, CRT, and E&A Committees of the Senate, by majority vote, under the following jurisdictions:
  1. The Legislative Judicial and Rules (LJR) Committee shall have jurisdiction over all statutes and Student Government legislative actions, except for the allocation of Activity and Service Fee Funds, the Finance Code, and the Election Statutes.
  2. The Operations Review Committee (ORC) shall have jurisdiction over the Finance Code.
  3. The Financial Allocations for Organizations (FAO) Committee shall have jurisdiction limited to the Senate Working Fund and Office Supply accounts.
  4. The Conference Registration and Travel (CRT) Committee shall have jurisdiction limited to the Registration and Travel accounts.
  5. The Elections and Appointments (E&A) Committee shall have jurisdiction limited to the Election Statutes and the election proceedings.

**Chapter 902 The Format of the Notification of Non-Compliance**

902.1

<p>University of Central Florida Student Government Association Notification of Non-Compliance</p> 
<p>I, _____(<i>Issuer</i>)_____ hereby certify that, _____(<i>Party Issued</i>)_____, is notified of your failure to comply with_(<i>Constitution, Statute, Rule, Bill, or Legal Mandate</i>)___ and its requirement that _____(<i>Exact wording of Constitution, Statute, Rule, Bill, or Legal Mandate</i>)_____. You have until the date of __(<i>Date five (5) school days after Time Stamp</i>)___ to come back into compliance or your neglect of duty will result in penal action, as defined in Title IX.</p>
<p>_____</p> <p>Issuer Signature</p>

Each “Notification of Non-Compliance” shall be drafted in the following form:

902.2 All “Notification of Non-Compliance” forms must be time stamped before being submitted to any or all parties, as defined by Title IX.

**Chapter 903 Disposition of Notification of Non-Compliance**

903.1 After writing the “Notification of Non-Compliance” the issuer must supply a copy of said “Notification of Non-Compliance,” by either hard copy or e-mail, to the accused group or individual.

903.2 A copy of the “Notification of Non-Compliance” shall be retained by the issuer and sent to the SGA Advisor for whom the party issued is affiliated, the LJR Chair, the Attorney General, the Student Body President, and the head of the Student Government body with whom the party issued is affiliated.

**Chapter 904 Proper Notification of Non-Compliance**

904.1 No penal action shall be initiated if the alleged violator has not been notified by the “Notification of Non-Compliance” as provided for in Title IX within fifteen (15) school days

after non-compliance.

- 904.2 The “Notification of Non-Compliance” shall be considered invalid if issued more than fifteen (15) school days after the violation occurred.

### **Chapter 905 Failure to Comply with Notification of Non-Compliance**

- 905.1 Failure to comply within five (5) school days from the receipt of the “Notification of Non-Compliance” will result in Student Government penal action, that may include, but is not limited to, cessation of pay, removal from appointed office under the discretion of the Student Body President (unless otherwise stated by the Student Body Statutes or Student Body Constitution), a vote of no confidence within leadership roles, or the removal from office through the impeachment process.

### **Chapter 906 Notification of Censure**


- 906.1 “Notification of Censure” shall be a written notification which shows condemnation or disapproval of the actions or inactions of an individual, in accordance to the Student Body Constitution, Student Body Statutes, Senate Rules, Senate Bills, and/or other legal mandates. Actions or inactions committed by an individual may include, but are not limited to:
- A. Repeated disruptive behavior by any Student Government Agent.
  - B. Knowingly providing false information to the Student Body Senate or to any other Student Government Agent.
  - C. Disregard for Student Government Association Regulations.
- 906.2 Any Student Government Agent recognized by the aforementioned Student Body Constitution, Student Body Statutes, Senate Rules, Senate Bills, and/or other legal mandates can be issued a “Notification of Censure”.

### **Chapter 907 Authority to Issue Recommendation of Censure**

- 907.1 Any Student Government Agent has the ability to issue a “Recommendation of Censure” on any other Student Government Agent.
- 907.2 Any Student Senator who issues a “Recommendation of Censure” while serving as a member of the Legislative Judicial and Rules (LJR) Committee forfeits the rights as a committee member in any and all activities associated with the Recommendation in the LJR Committee, unless specified to participate as the author of the “Recommendation of Censure.”
- A. Membership on the LJR Committee for that Senator is retained and they will resume all responsibilities as a member once the Recommendation has been voted on by Senate, or failed in Committee.
  - B. This LJR Committee member(s) maintains all voting and debating rights as a Senator on the Senate Floor.

**Chapter 908 Format of Recommendation of Censure**

908.1 Each "Recommendation of Censure" shall be drafted in the following form:

<p style="text-align: center;"><b>University of Central Florida Student Government Association Recommendation of Censure</b></p> <p style="text-align: center;"></p> <p>I, _____ (<i>Issuer</i>) herby certify that, _____ (<i>Party Issued</i>), is notified that your actions or inactions, in accordance with (<i>Constitution, Statute, Rule, Bill, or Legal Mandate</i>), are believed to be in disapproval with the integrity of the Student Government Association and a Recommendation of Censure is hereby issued to the Student Government Senate for review.</p> <p>_____</p> <p style="text-align: center;">Issuer Signature</p>
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908.2 Attached to the formal "Recommendation of Censure" shall be a description of the event with the appropriate addition of material to uphold the reliability of the Recommendation.

908.3 All "Recommendation of Censure" forms must be time stamped before being submitted to any or all parties, as defined in Title IX.

**Chapter 909 Disposition of Recommendation of Censure**

909.1 After writing the "Recommendation of Censure," the issuer must supply to the accused individual, either by e-mail or hardcopy, said "Recommendation of Censure" and the aforementioned description of events.

909.2 A copy of the "Recommendation of Censure" shall be retained by the issuer and sent to the SGA Advisor for whom the party issued is affiliated, the LJR Chair, the Attorney General, the Student Body President, and the head of Student Government body with whom the party issued is affiliated.

**Chapter 910 Process of Recommendation of Censure**

- 910.1 Once issued to the Legislative, Judicial, and Rules (LJR) Committee Chair, the “Recommendation of Censure” will be presented at least one week after reception, at the next regularly scheduled LJR Committee meeting.
- A. The author of the Recommendation will first be able to present their “Recommendation of Censure” to the LJR Committee, along with the author’s formal description of events. The author may take any questions from the LJR Committee at this time.
  - B. No non-LJR Committee member, with the exception of the Attorney General, may speak during the LJR Committee meeting.
  - C. After the author has finished presenting the “Recommendation of Censure,” the party issued has the right to present anything which will help prove any inaccuracies of the aforementioned Recommendation.
  - D. If, after consideration, a majority of the LJR Committee present and voting finds that the Recommendation has merit, the Recommendation shall be brought to the floor of the Senate by the Chair of the LJR Committee during the LJR Committee report.
  - E. After the LJR meeting, the Chair shall notify the party issued and post a memo in the SGA office that the Recommendation will be heard by the Senate at the next scheduled Senate meeting.
  - F. If the LJR Committee finds that the allegations have no merit and votes down the allegations, the Recommendation is dropped.
  - G. A two-thirds (2/3) vote of the Senate may overturn LJR’s decision to drop the Recommendation.
- 910.2 Once the “Recommendation of Censure” is brought on the Senate floor, the LJR Chair will present the “Recommendation of Censure,” the summary presented with the “Recommendation of Censure,” and an explanation of the LJR Committee’s decision.
- A. After the explanation of the LJR Committee’s decision is read, the LJR Chair and any member of the LJR Committee will be open for questioning by the Senate.
  - B. The issuer has the ability to speak after the statements made by the LJR Chair and has the right to refrain from answering any questions they choose.
- 910.3 Following LJR questioning by the Senate, the party issued has ten (10) minutes to present a statement refuting the accusations against them.
- A. The party issued at this time has the ability to take any questions, however, the party issued has the right to refrain from answering any question they choose.
  - B. Failure to appear at the Senate meeting will result in the forfeiture of all rights of the party issued, and Senate will go immediately into debate.
- 910.4 Following the party issued statements; the Senate shall enter into debate on the “Recommendation of Censure.” A majority vote is needed by the Senate to formally Censure the party issued.

## **Chapter 911 Issuing “Notification of Censure”**

- 911.1 Once a Student Government Agent is censured, a “Notification of Censure” will be issued no more than fifteen (15) school days after the Senate’s decision.

- A. The Speaker of the Senate, on behalf of the Senate, shall issue the “Notification of Censure” to the censured individual.
- B. In the event that the Speaker of the Senate is unable to issue the “Notification of Censure,” it shall be issued by the Senate President Pro Tempore.

911.2 The censured individual is open to Student Government penal action that may include, but is not limited to, cessation of pay, removal from appointed office under the discretion of the Student Body President (unless otherwise stated by the Student Body Statutes or Student Body Constitution), a vote of no confidence within leadership roles, or the removal from office through the impeachment process.

### **Chapter 912 Retroactivity**

All provisions encompassed herein will not be retroactive.

### **Chapter 913 Power to Issue Notifications**

The power to issue notifications shall not be construed as superseding powers of enforcement granted in the current Student Body Statutes and the Constitution of the Student Body of the University of Central Florida.

#### **HISTORY:**

BILL 14-41 (09/08/82) BILL 19-08 (12/04/86) BILL 40-64 (05/22/08) BILL 41-94 (06/23/09)  
BILL 42-15 (01/29/10) BILL 43-39 (02/24/11) BILL 45-52 (03/01/13)