



## **Manhattan College Student Government Constitution 2014 - 2015**

### **Preamble**

We, the undergraduate students of Manhattan College, recognize the pursuit of academic excellence and a Lasallian Catholic community and in pledging ourselves to the attainment of these goals, do ordain and establish a structure of student self-government, as described in the Constitution written hereafter.

### **Article I - Name and Purpose**

#### **Section 1**

The governing body of student self-government shall be named the Student Government of Manhattan College. This Student Government shall consist of a Student Assembly and a Student Court.

#### **Section 2**

The purpose of the Student Government of Manhattan College shall be to govern the undergraduate students in those matters pertaining to the students; for preserving student rights and freedoms on campus and beyond; attaining for the students a proper voice in all of the affairs of the college community; initiating and supporting growth in the spirit of unity and understanding of Manhattan's Lasallian Catholic mission, in hoping to create a better college environment/community; maintaining a favorable environment for students and supervising all student organizations.

### **Article II - Membership**

#### **Section 1**

All students regardless of race, color, creed, age, sex, sexual orientation, and financial background shall have an equal opportunity for representation under this student government. However, those students who have not paid the required student activities fee shall not have all the privileges granted to those who have.

#### **Section 2**

All organizations, clubs, councils, and committees affiliated with the Student Government shall function, be composed of and select officers in accordance with their governing instruments



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(which must be submitted and approved by the Student Assembly prior to official formation), the Student Government Constitution, and the Student Government Bylaws.

### Section 3

All members of the Student Government must be matriculated fulltime undergraduate students and must maintain a minimum G.P.A of 2.3. This includes students requesting to attend conferences.

### **Article III –The Student Assembly**

#### Section 1 – Name and Purpose

There shall be a Student Assembly that shall exercise all of the legislative and executive authority of Student Government.

#### Section 2 –Membership

A) The Student Assembly shall be composed of individuals representing the respective schools within the college. The number of representatives shall be stipulated in the Bylaws.

B) The junior, sophomore and freshman classes shall each send two representatives to the Student Assembly. The senior class shall send a president and vice president to the Student Assembly.

C) The Executive Vice President, Vice President for Club Administration, Vice President for Communication, Vice President for Commuter Affairs, Vice President for Finance, Vice President for Resident Affairs, Vice President for Academic Affairs and Vice President for Social Life shall each have a seat and a vote on the Student Assembly.

D) The Student Assembly meetings are open to all; however no vote is given to those not a part of the Assembly. In reference to closed meetings of the Student Assembly or its committees, these representatives shall only report the results.

#### Section 3 –Officers

A) The Student Body President shall be President of the Student Assembly, hereafter referred to as President. The President shall preside over the meetings of the Student Assembly. The President shall only have a vote in case of a tie.

B) The Executive Vice President shall be President Pro Tempore of the Student Assembly. The President Pro Tempore shall serve as President of the Student Assembly in the absence of the



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President. The President Pro Tempore shall relinquish all privileges of a member of the Student Assembly while serving as President of the Student Assembly.

### Section 4 –Power

The Student Assembly shall have the power:

- A) To approve the creation and constitutions of all student clubs and organizations that are funded by the Student Activities Fee;
- B) To regulate the student clubs and organizations funded by the Student Activities Fee;
- C) To approve the appointment of the Justices of the Student Court made by the Student Body President with a 2/3 vote;
- D) To determine the Student Activities Fee for the following 2 years, requiring a 2/3 vote;
- E) To approve allocations of the Student Activities Fee after sufficient study in the appropriate committee;
- F) To enact all necessary and proper legislation, after sufficient and detailed study in a committee, to the running, maintenance, and improvement of the Student Government and the quality of life on the Manhattan College campus.

### Section 5 –Meetings of Student Assembly

- A) Regular meetings of the Student Assembly shall occur at least once every two weeks during the regular academic school year, which shall include all days from the first day of classes until the last day of final exams each semester, at a time fixed by the President in accordance with the assembly members. The President must announce meetings three days in advance.
- B) Special or Emergency meetings of Student Assembly maybe called by the President. The President must call a special meeting at the request of a majority of the Assemblymen. Special summer or winter intersession meetings shall be announced accordingly.
- C) The Student Assembly, under conditions prescribed in the By-laws may declare a closed session of the Student Assembly. This process may be granted in a majority approval.
- D) The agenda and minutes of the previous meetings of the Student Assembly shall be kept on record and available.



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E) At regular meetings, the Student Assembly shall hear and act upon reports of Standing Committees and Special Committees.

F) The President of Manhattan College, other administrators, and faculty shall have access to assembly meetings, excluding those that are in closed sessions.

G) The business of the Student Assembly shall be conducted in accordance with the most recent edition of Robert's Rules of Order, as revised by the Student Assembly.

### Section 6— Standing Committees of the Student Assembly

A) The Student Assembly shall have the following standing committees: the Budget Allocations Committee, the Club Establishment and Oversight Committee, the Elections Committee, the Executive Committee, and the Lasallian Action Committee.

### Section 7— Special Committees of Student Assembly

A) Special Committees shall be appointed by the President with the approval of the Student Assembly, whenever it may be deemed appropriate. They shall perform such duties as may be authorized by the Student Assembly. These committees may expire at a time set by the President, with the approval of the Student Assembly.

### Section 8— Executive Offices

The Executive Offices shall include the Student Body President, Executive Vice President, Vice President for Club Administration, Vice President for Communication, Vice President for Commuter Affairs, Vice President for Finance, Vice President for Resident Affairs, Vice President for Social Life and Vice President for Academic Affairs.

A) There shall be established the office of Student Body President. All Executive Powers shall be vested in the Student Body President. Shall serve as the official liaison between Student Government and the College Administration. Shall fill a vacancy in the position of Executive Vice President with the 2/3 approval from the Student Assembly. Shall be ex-officio President of the Student Assembly.

B) There shall be established the office of Executive Vice President who shall succeed the Student Body President in the event of a vacancy. Shall be ex-officio President Pro Tempore of the Student Assembly; shall be acting representative of the Freshman Class until one is elected.

C) There shall be established the office of Vice President for Club Administration who shall oversee and regulate all student clubs and organizations.



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- D) There shall be established the office of Vice President for Communication who shall act as the Public Relations Officer of Student Government.
- E) There shall be established the office of Vice President for Commuter Affairs who shall be the prime advocate to and liaison between the commuter students and the Student Assembly/College Administration.
- F) There shall be established the office of Vice President for Finance who shall keep a record of all income and expenditures of Student Government and all clubs and organizations under Student Government jurisdiction. Shall be responsible for the transactions of Student Government and its subsidiary clubs and organizations in accordance with the established policies and procedures of the Office of the Controller of Manhattan College and with the procedures of the individual commissions and/or committees.
- G) There shall be established the office of Vice President for Residential Affairs who shall be the prime advocate to and liaison between the resident students and the Student Assembly/College Administration.
- H) There shall be established the office of Vice President for Social Life who shall be responsible for the programming of Student Government.
- I) There shall be established the office of Vice President of Academic Affairs who shall be the prime advocate between the students and the College Administration on academic issues.

### Section 9 –Quorum

The Quorum for the meetings of the Student Assembly and all Committees shall be a majority of voting members.

### Section 10 –Vacancy in Elected Office

- A) In case of the removal, resignation or any other way that the position of Student Body President is vacated, the Executive Vice President shall assume the position of Student Body President.
- B) The Student Assembly shall establish a line of succession within the Bylaws of Student Government in case of the removal, resignation or any other way that the positions of Student Body President and Executive Vice President are vacated simultaneously.



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C) Whenever there is a vacancy in the office of the Executive Vice President, the Student Body President shall nominate an Executive Vice President who shall take office upon confirmation by a 2/3 vote of the Student Assembly.

D) Whenever there is a vacancy in the office of any Vice President, the Executive Committee shall nominate a Vice President who shall take office upon confirmation by a 2/3 vote of the Student Assembly.

E) Whenever there is a vacancy in a Representatives seat on the Student Assembly, the President may nominate any undergraduate student to fill the seat if they see fit. Upon confirmation by a 2/3 vote of the Student Assembly they would take office.

### **Article IV – The Student Court**

#### **Section 1 – Members**

The Student Court, hereafter called the Court, shall be established and its arrangement and composition shall be determined through legislation. The Justices are to be nominated by Student Body President and approved by a 2/3 vote of Student Assembly. Justices shall hold their seat until the last day of finals of the spring semester of their second year, at which point, they may be reappointed.

#### **Section 2 – Jurisdiction**

The Court shall have jurisdiction in:

A) Any case referred to the Court, by the Dean of Students or his/her designee, at the behest of any staff, faculty, or student member of Manhattan College, due to violations of the Student Code of Conduct and/or is a student unbecoming of the Lasallian Tradition of Manhattan College;

B) Any case referred to the Court, by the Dean of Students or his/her designee, pertaining to cases of alleged procedural defects in Student Government;

C) Adjudicating campus parking tickets.

#### **Section 3 – Appeals**

The Court shall have the authority to hear all cases in which it has jurisdiction. The Court's verdict shall be absolute and final in cases of alleged procedural defects in Student Government and Campus Parking Tickets. Under violations to the Student Code of Conduct an appeal may be



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made to the Dean of Students who may refer the case to a different Court as outlined in the most recent addition of the Manhattan College Student Handbook. In cases where new evidence is brought to the attention of the Student Court, the court shall retry the case. In cases of procedural defect during the Court hearing, an appeal may be made to the Dean of Students for the possibility of a new hearing.

### **Article V – Elections**

#### Section 1 –

Student Government members shall serve until such time as successors have been installed. Spring and Fall Class Elections shall be run by the Elections Committee in accordance with this Constitution and Bylaws.

#### Section 2 –

There shall be two elections each academic year. Freshmen/Commuter Elections are held in the fall semester, after September 1 and before November 1. General Elections shall be held during the spring semester; after March 1 and before May 1. All elections results must be reviewed by the Elections Committee. The newly elected members shall take their seats or offices on a date set by the Elections Committee.

#### Section 3 –

All Executive Officers and Representatives shall be elected during the General Elections with the exception of the incoming freshman class.

#### Section 4 –

The Offices of Student Body President and Executive Vice President shall run on the same ticket in the general election. A candidate for Student Body President or Executive Vice President is prohibited from running individually. When a vote is cast for the Presidential Ticket the vote shall count only once.

### **Article VI – Removal from Office**

#### Section 1 – Impeachment

A) Should any member of the Student Government, either elected or appointed, fail to or improperly attend to the duties of his/her office as outlined in the governing instruments of



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student government, the Student Assembly may remove that individual from office with a 2/3 vote, allowing him/her due process of action.

B) Should any member of the Student Government, either elected or appointed, conduct themselves unbefitting of a member of our Lasallian Catholic community, either on the campus property, or off, shall also be grounds to remove said officer from his/her position. The Student Assembly may remove that individual from office with a 2/3 vote, allowing him/her due process of action.

C) Any member of the Student Government that is being impeached from a specific office and holds additional positions within Student Government, shall immediately forfeit all rights and responsibilities afforded the said individual that devolve from the additional office held until a decision is rendered.

### Section 2 –Judicial Removal

Any member of the Manhattan College Community may file written charges against another student for violating the Student Code of Conduct or conducting themselves unbecoming of the Manhattan Colleges Lasallian Tradition, either on the campus property, or off, maybe afforded a hearing by the appropriate Judiciary Body as outlined in the Student Handbook. Any member of Student Government expelled, forced to take an involuntary leave of absence or placed on disciplinary probation and has exhausted all appeals shall be summarily removed from office.

### Section 3 – Right Afforded to the Accused

A) The accused member will be notified within (5) academic days of the filing of charges. The accused shall be notified in writing of the charges by the Student Court or by the President of the Student Assembly, in order to prepare a defense, and shall be notified of the date when the Student Court or the Student Assembly shall meet in disciplinary session. The rights afforded a member through this document shall not be infringed upon until the accused is found guilty and the resulting recommendations of the Student Court or the Student Assembly become final.

B) Disciplinary hearings shall be held in closed sessions and take place not more than 10 academic days after the charges have been filed.

### Section 4 –

A) In cases of impeachment, a 2/3 vote of the Student Assembly's members is required to determine the outcome of the Impeachment Hearing.



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- B) In cases of a judicial hearing, a majority vote of present court justices is required to determine the outcome of the Disciplinary Hearing.
- C) Both the Student Court and the Student Assembly must abide by all regulations regarding quorum and voting as stipulated in the Bylaws of Student Government.
- D) The final decision rendered by the Student Assembly regarding impeachment is final and absolute except in the case of procedural effect. The Student Assembly shall retry the case.
- E) Any member of Student Government that has been removed from office by the Student Assembly shall be prohibited from seeking another office in Student Government for the remainder of his/her academic career at Manhattan College.
- F) The final opinion of a Disciplinary Hearing, heard by the Student Court, may be appealed through the appellate process established in this constitution. This requires a referral from the Dean of Students to the appropriate Judiciary Body as outlined in the most recent addition of the Manhattan College Student Handbook.

### Section 5-

Should any official fail to maintain the minimum grade point average (2.3) during the course of their term or, should they be placed on disciplinary or academic probation, they will summarily forfeit their position.

### **Article VII- Bylaws**

The Bylaws of the Constitution shall be adopted and amended by a two-thirds vote of the Student Assembly. The Bylaws amendment bill(s) shall be subject to notification one meeting prior to their consideration.

### **Article VIII- Amendments to the Constitution and Ratification**

The Constitution may be amended if 2/3 of the voting members of the Student Assembly vote in favor of the amendment. The Constitution will be enacted at a date determined prior to the vote. If the amendment fails, the amendment cannot appear before the Student Assembly in the same form for the term of one academic year from the date of the last vote. This Constitution shall take precedence over all other constitutions, documents, and related governing instruments of Student Government and its committees, councils, clubs, and organizations.



## **BYLAWS OF THE STUDENT GOVERNMENT**

### **ARTICLE I – THE STUDENT ASSEMBLY**

#### **Section 1 – Representatives**

Subsection 1. Voting members of the Student Assembly, hereafter referred to as the Assembly, shall be as follows: Each undergraduate school will send 2 representatives. The junior, sophomore, and freshman classes shall each send 2 representatives to the Assembly. The senior class shall send a president and a vice president to the Assembly. The seat(s) for the freshman class representative(s) shall remain vacant until the freshman elections can fill the seat. The Executive Vice President, Vice President for Club Administration, Vice President for Communication, Vice President for Commuter Affairs, Vice President for Finance, Vice President for Resident Affairs, Vice President for Academic Affairs and Vice President for Social Life shall each have a seat and a vote on the Assembly.

Subsection 2. Assembly meetings are open to all students, faculty and administration, however only those on the assembly can vote.

Subsection 3. The first order of business for a new session of the Assembly shall be to fill the vacant seats from the schools and classes of the Assembly. Only those elected into a position may vote in this situation. This meeting is to be presided over by the newly elected President.

#### **Section 2 – Representation**

Subsection 1. Each member of the Assembly is responsible for adequately representing their constituency at all times.

#### **Section 3 – Attendance**

Subsection 1 - Definitions. Attending any required meeting of the Assembly or Committees shall be defined as being present at a meeting if the Member is in attendance for at least two-thirds of the total time of the meeting. Members shall be allowed to have 3 absences from the Assembly and 2 from each committee on which that Member serves, per semester.

Subsection 2 –Suspension. Members missing more meetings than allowed may be suspended from office automatically by the President. Members of the Assembly who have been suspended from office for any reason may not vote at Assembly or committee meetings.

Subsection 3 - Committees. Committee Members missing more meetings than the committee absence limit permits can be automatically removed from the Committee by the President,



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subject to an appeal in the form of a disciplinary hearing before the Ad Hoc Committee consisting of the President, the Director of Student Activities, and the Chief Justice of the Student Court. Committee Chair shall notify absences to the President, who may then act on the notification. Committee Chair may establish procedures for granting excused absences that would not count against the member.

### **Section 4 – Powers of the President of the Assembly**

Subsection 1. The President of the Assembly, hereafter referred to as the President, shall choose the meeting time and place of the Assembly.

Subsection 2. The President shall decide the order of Business of the Day. The format of the agenda shall be set by the President with the advice of the Executive Committee.

Subsection 3. The President shall appoint the Chair and members of the standing committees with the advice and consent of the Assembly.

Subsection 4. The President may convene meetings of standing committees of the Assembly.

Subsection 5. The President may create the ad hoc committees of the Assembly.

Subsection 6. The President shall appoint the Chair and members of said Ad-Hoc committees with the advice and consent of the Assembly.

Subsection 7. The President shall have the right to call special sessions of the Assembly, making every effort to contact each member.

Subsection 8. The President shall have the power to create those positions that they deem necessary for the efficient operation of the Assembly, with the advice and consent of the Assembly.

Subsection 9. The President is empowered to pursue any actions necessary and proper for the effective running of the Assembly and the Student Government as a whole.

### **Section 5 – President's Role in the Assembly**

Subsection 1. The President may vote only in a tie.

Subsection 2. The President may sit as a non-voting, ex-officio member of all Student Assembly committees. Subsection 3. The President shall be chair of the Executive Committee.



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Subsection 4. The President shall authenticate by his or her signature, all acts, bills, orders, resolutions and proceedings that are approved by the Assembly and subsequently submit such materials to the Director of Student Activities in a timely manner.

Subsection 5. The President shall serve with the consent of the Assembly and may be removed from office by a 2/3 vote of no confidence by the Assembly. The consideration of the motion of no confidence shall require one meeting's notification and shall be presided over by the Chief Justice of Student Court. Once a vote of no confidence has been voted upon in the affirmative, the Executive Vice President/President Pro Tempore shall become the President.

### Section 6 – Office of the President Pro Tempore

Subsection 1. The President Pro Tempore shall serve as the presiding officer of the Assembly in the absence of the President.

Subsection 2. The President Pro Tempore shall relinquish all privileges of a member while serving as presiding officer.

### Section 7 – Meeting Requirements

Subsection 1. Regular meetings of the Assembly shall be held in a suitable location approved by the President and announced at least 3 days in advance of each meeting unless the Assembly shall otherwise direct.

Subsection 2. A quorum shall be defined as fifty percent plus one ( $50\% + 1$ ) of the voting members of the Assembly. Business may not be conducted without a quorum.

Subsection 3. Special sessions of the Assembly may be called by the President or by a petition of fifty percent plus one ( $50\% + 1$ ) of the Assembly at any time.

Subsection 4. During special sessions no other business may be conducted outside of that specified in the meeting's call. Business may not be conducted without a quorum.

### Section 8 – Rules of Debate

Subsection 1. All rules of debate other than listed below shall be those found in the most recent edition of Robert's Rules of Order.

Subsection 2. Should the rules not be suitable for a particular piece of legislation, a motion may be moved to change the rules of debate for that piece of legislation only. This shall take place during the approval of the agenda and require a majority vote.



## Section 9 – Legislation

Subsection 1. The following shall be the types of legislation to be considered by the Assembly and the rules regarding each:

1. An Amendment to the Constitution, which shall be used only to amend the Constitution in accordance with the governing documents of Student Government; an amendment shall requires a 2/3 vote of the entire legislative membership.
2. An Amendment to the Bylaws, which shall be used to amend and adopt governing documents found in these Bylaws; an amendment to the Bylaws shall requires a 2/3 vote of the present members, if quorum has been met.
3. A Resolution, which shall be used to pass items of business relating solely to the operations of the Assembly, including but not limited to allocations from the Student Activities Fee, matters pertaining to the regulations of clubs and organizations, and elections; a resolution shall require a majority vote of the present and voting members of the Assembly.

Subsection 2. All Amendments shall be presented to the Assembly with one meeting prior notice. All Amendments will be committed after the first reading unless blocked by a (2/3) vote of the Assembly.

Subsection 3. All legislation that is presented to the Assembly from non-members shall require the sponsorship of a member in order to be brought to the floor.

Subsection 4. All legislation shall be typed, titled, and given to the President no less than 1 week before the beginning of a Student Assembly meeting or later if the President deems necessary.

## Section 10 – Closed Meetings

Subsection 1. All closed meetings of the Assembly or any of its standing committees shall exclude non-members and shall be confidential.

## Section 11 – Dissemination of General Student Assembly Public Information

Subsection 1. When a member requests a Division of the House, the minutes shall report the names of Student Assembly members who vote in favor or against the piece of legislation.

## Section 12 – General Duties

Subsection 1. The standing committees of the Assembly shall normally meet in regular session.



### Section 13 – Removal of Chairs

Subsection 1. The Chair of any standing committee that has knowingly failed to meet when business is pending may be removed from the position. The President may remove that person from the Chair by a majority vote of the Assembly.

### Section 14 – Legislative Duties

Subsection 1. All legislation which falls within the jurisdiction of any standing committee shall be referred to that committee for review upon request.

Subsection 2. Standing committees shall also be empowered to table resolutions in order to allow further research on the issue, thereby preventing the Assembly's action on the resolution, unless removed from the committee's table by a 2/3 vote of the Assembly.

Subsection 3. The standing committees shall be empowered to originate legislation and send it forth from the committee with recommendation.

Subsection 4. Committees may keep legislation from floor debate by voting down that legislation at the committee level. The only way to bring a piece of legislation failed by a committee to the floor is by a 2/3 vote of the Assembly.

### Section 15 – Ad Hoc Committee

Subsection 1. Ad-Hoc Committees of the Assembly may only be established by order of the President of the Assembly.

Subsection 2. The purpose, membership, and jurisdiction of said committee shall be delineated in the establishing orders of the committee.

### Section 16 – Committee Bylaws

Subsection 1. Committees shall operate according to their bylaws. Bylaws must be approved by the Assembly prior to conducting business using the Bylaws.

### Section 17 – Parliamentary Authority

Subsection 1. The Parliamentary rules as set out in the most recent edition of Robert's Rules of Order shall govern the conduct of all meetings of student government organizations except as may otherwise be directed in the governing instruments.

### Section 18 – Vacancies in Committees



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Subsection 1. A Vacancy of any Student Assembly committee seat may be filled by the President of the Assembly, with the advice and consent of the Assembly.

### Section 19 – Education Clause

Subsection 1. The members of the assembly are required to meet before Student Leadership Day with the Director of Student Activities to review the duties and responsibilities of their office.

## ARTICLE II – THE EXECUTIVE OFFICES

### Section 1 – Powers of the President

Subsection 1. The Student Body President, hereafter referred to as the President, shall be the Chief Executive Officer of Student Government and shall be responsible for the execution of the provisions of the Constitution and the policies and programs concerning the interests of the Student Government and their constituents.

Subsection 2. The President shall appoint students to the Board of Trustees committees, Senate commissions, vacant seats in the Senate, and to any other Joint Faculty-Student committees, in accordance with the rules and regulations governing said committees.

Subsection 3. The President shall appoint Court Justices whenever a vacancy in the Court occurs with the advice of the Chief Justice and the Dean of Students. The appointment is subject to a 2/3 vote of approval from the Assembly.

Subsection 4. The President shall be empowered to create any position aiding the execution of their responsibilities with the advice and consent of the Assembly. The President shall be empowered to appoint a qualified student to fill the position with the advice and consent of the Assembly.

Subsection 5. The President shall be empowered to evaluate the performance of duties and responsibilities of each member of Student Government with the advice of the Director of Student Activities.

a) If a member of Student Government is found by the President with the advice of the Director of Student Activities to not satisfactorily fulfill their duties and responsibilities as outlined in the Constitution and Bylaws, the President shall ask that member to resign from their position.

b) If that member does not willingly resign then the case shall be presented to the Student Court for adjudication. If that member is part of Student Court then the Executive Committee shall deliberate on the presented case and require a 2/3 vote for removal.



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Subsection 6. The President shall be an ex-officio member of the Senate and ex-officio member of the Campus Life Commission of the Senate. The President is also an ex-officio member of the Judiciary Committee on Student Affairs.

Subsection 7. The President shall meet bi-weekly with the Director of Student Activities.

### **Section 2 – Powers of the Executive Vice President**

Subsection 1. The Executive Vice President of the Student Government shall fulfill the responsibilities of the President should he/she be unable to do so. The Executive Vice President shall also assume the Office of the President should it become vacant for any reason.

Subsection 2. The Executive Vice President shall be responsible for maintaining the office for Student Government, keeping an inventory of supplies and requesting purchases.

Subsection 3. The Executive Vice President shall be acting President of the freshman class until one is elected.

Subsection 4. The Executive Vice President shall be responsible for coordinating Student Government leadership activities and conferences that occur outside of formal meetings while seeking advice from the Director of Student Activities.

Subsection 5. The Executive Vice President shall be an ex-officio member of the Senate and ex-officio member of the Educational Affairs Commission of the Senate.

Subsection 6. The Executive Vice President shall be responsible for managing logistics of all meetings of Student Government.

Subsection 7. The Executive Vice President shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### **Section 3 – Powers of the Vice President for Club Administration**

Subsection 1. The Vice President for Club Administration shall be responsible for overseeing and regulating all student clubs and organizations, which are funded by the Student Activities Fee.

Subsection 2. The Vice President for Club Administration shall meet on a weekly basis with the Activities Coordinator in the Office of Student Activities.

Subsection 3. The Vice President for Club Administration shall manage the club record system located in the Student Government Office.



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Subsection 4. The Vice President for Club Administration shall have the power to impose an injunction on the account of any club or organization that has neglected to meet the standards set by the Club Establishment and Oversight Committee, misused funds or any other matter deemed worthy by the Club Establishment and Oversight Committee.

Subsection 5. The Vice President for Club Administration shall have the power to enforce all College and governmental regulations on clubs.

Subsection 6. The Vice President for Club Administration shall be the ex-officio Chair of the Club Establishment and Oversight Committee.

Subsection 7. The Vice President for Club Administration shall be an ex officio member of the Budget Allocations Committee.

Subsection 8. The Vice President for Club Administration shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### Section 4 – Powers of the Vice President for Communication

Subsection 1. The Vice President for Communication shall act as the Public Relations Officer of Student Government.

Subsection 2. The Vice President for Communication shall inform the student-run newspaper, television station and radio station of events and programs sponsored by Student Government or any other club and organization so that they may appropriately advertise the events.

Subsection 3. The Vice President for Communication shall be responsible for distributing press releases to the College community that evolve from the Executive Committee.

Subsection 4. The Vice President for Communication shall be responsible to managing the content displayed on Jasper Info Channel (JIC).

Subsection 5. The Vice President for Communication shall be responsible for managing the content of Student Government's website.

Subsection 6. The Vice President for Communication shall also be responsible for facilitating mass e-mails to the College community informing them of upcoming events and programs.

Subsection 7. The Vice President for Communication shall manage and archive all student government, club, and organizations advertisements



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Subsection 8. The Vice President for Communication shall be an ex officio member of the Club Establishment and Oversight Committee.

Subsection 9. The Vice President for Communication shall manage and update the Student Government public calendar.

Subsection 10. The Vice President for Communication shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### Section 5 – Powers of the Vice President for Commuter Affairs

Subsection 1. The Vice President for Commuter Affairs shall be the primary advocate to and liaison between the commuter students, the Assembly and the College's Administration.

Subsection 2. The Vice President for Commuter Affairs shall hold bi-weekly meetings with the Director of Student Activities.

Subsection 3. The Vice President for Commuter Affairs shall be the ex officio Chair of the Commuter Student Council.

Subsection 4. The Vice President for Commuter Affairs shall be empowered to appoint officers and members to the Commuter Student Council with the advice and consent of the Assembly.

Subsection 5. The Vice President for Commuter Affairs shall be an ex-officio member of the Social Life Commission.

Subsection 6. The Vice President for Commuter Affairs shall be responsible for organizing and planning events emphasizing the commuter students on campus—events may be Latino Fest, Commuter Barbecues, et cetera. Furthermore, the Vice President for Commuter Affairs shall work with the Vice President for Resident Affairs to plan joint events, for example the Relaxation Stations.

Subsection 7. The Vice President for Commuter Affairs shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### Section 6 – Powers of the Vice President for Finance

Subsection 1. The Vice President for Finance shall keep a record of all income and expenditures of Student Government and all clubs and organizations under Student Government jurisdiction.

Subsection 2. The Vice President for Finance shall be responsible for the transactions of Student Government and its subsidiary clubs, in accordance with the established policies and procedures



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of the Controller's Office of Manhattan College and with the procedures of the individual commissions and/or committees.

Subsection 3. The Vice President for Finance shall report periodically to the Assembly on the current financial standing and the expenditures made thus far in each semester.

Subsection 4. The Vice President for Finance shall submit a complete financial report at the end of each semester in office.

Subsection 5. The Vice President for Finance shall be the ex-officio Chair of the Budget Allocation Committee.

Subsection 6. The Vice President for Finance shall be an ex-officio member of the Club Establishment and Oversight Committee.

Subsection 7. The Vice President for Finance shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### **Section 7 – Powers of the Vice President for Resident Affairs**

Subsection 1. The Vice President for Resident Affairs shall be the primary advocate to and liaison between the resident students, the Assembly and the College's Administration.

Subsection 2. The Vice President for Resident Affairs shall hold bi-weekly meetings with the Director of Residence Life.

Subsection 3. The Vice President for Resident Affairs shall be the ex-officio Chair of the Resident Student Council.

Subsection 4. The Vice President for Resident Affairs shall regularly hold forums for resident students to attend and express their concerns.

Subsection 5. The Vice President for Resident Affairs shall be responsible for organizing and planning events emphasizing the resident students—events may be Freshman Move-In, Family Weekend, et cetera. Furthermore, the Vice President for Resident Affairs shall work with the Vice President for Commuter Affairs to plan joint events, for example the Relaxation Stations.

Subsection 6. The Vice President for Resident Affairs shall be empowered to appoint officers and members to the Resident Student Association, with the advice and consent of the Assembly, in accordance with its own governing documents, the Constitution and the Bylaws.



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Subsection 7. The Vice President for Resident Affairs shall be an ex-officio member of the Social Life Commission.

Subsection 8. The Vice President for Resident Affairs shall perform all duties evolving from the President in accordance with the governing instruments and directives of the Assembly.

### Section 8 – Powers of the Vice President for Social Life

Subsection 1. The Vice President for Social Life shall be responsible for the programming of Student Government by funding and planning social and recreational events for the entire student body of Manhattan College. These include but are not limited to plays, operas, sporting events, concerts, comedians or other entertainers, planned excursions into New York City, planned events on campus and around the area.

Subsection 2. The Vice President for Social Life shall plan the large scale annual events. All events are held at the discretion of the Vice President for Social Life with the consultation of the Activities Coordinator and the Office of Student Activities.

Subsection 3. The Vice President for Social Life shall be the ex-officio Chair of the Social Life Commission, hereafter referred to as the SLC.

Subsection 4. The Vice President for Social Life must endorse all requests pertaining to the SLC subcommittees and set the SLC Calendar for the governmental year.

Subsection 5. The Vice President for Social Life shall meet on a weekly basis with the Activities Coordinator in the Office of Student Activities and shall be in communication with the Student Activities and Residence Life.

Subsection 6. The Vice President for Social Life shall perform all duties evolving from the President that are in accord with the governing instruments and directives of the Assembly.

### Section 9 – Powers of the Vice President for Academic Affairs

Subsection 1. The Vice President for Academic Affairs shall be the primary advocate between the students and the administration involving academic issues.

Subsection 2. The Vice President for Academic Affairs shall perform all duties evolving from the President that are in accord with the governing instruments and directives of the Assembly.

### Section 10 – Executive Officer Orientation



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Subsection 1. The newly elected Executive Officers are required to meet prior to Inaugural Day with the Director of Student Activities to review the duties and responsibilities of their respective positions as outlined in the Bylaws.

Subsection 2. The newly elected Executive Officers are required to meet with the outgoing Executive Officers to exchange records and to familiarize themselves with their new duties and responsibilities.

### Section 11 – Presidential Succession

Subsection 1. If by any reason of resignation, removal from office, inability, or failure to qualify, there is neither a Student Body President nor Executive Vice President to discharge the powers and duties of the office of Student Body President, then the Assembly shall meet in an Emergency Session at the regularly scheduled meeting place and time on the first academic school day subsequent to the vacancy.

Subsection 2. The Chief Justice of the Student Court shall call the meeting to order, open nominations and call the vote for an acting President. The newly elected acting President shall ascertain that quorum has been met. The acting President shall then open nominations for Student Body President. Only voting members of the Assembly are eligible for nomination. Once nominations have been closed, the acting President shall call for a vote. The Student Body President shall be elected by a majority vote of the Assembly. If three or more individuals are nominated for Student Body President, a first round of voting shall occur in the Assembly and a second round of voting shall be held for the two nominees with the most votes from the first round. The newly elected Student Body President shall take office upon resignation of their previously held position.

Subsection 3. If by any reason there is no clerk available to call the meeting to order, any member of the Assembly may call the meeting to order, open nominations and call the vote for the acting President.

Subsection 4. If for any reason no member accepts the nomination of Student Body President, the Elections Committee will hold a special election within 10 academic days of the vacancy.

## ARTICLE III – BUDGET ALLOCATIONS COMMITTEE

### Section 1 – Membership

Subsection 1. The Budget Allocations Committee, hereafter referred to as BAC, shall be composed of 7 members of the Assembly. The Vice President for Finance shall be ex-officio



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chair of the committee. The Executive Vice President, Vice President for Club Administration and Chair of the Lasallian Action Committee shall be ex-officio members of the committee. The remaining 3 members of the committee shall be appointed by the President, with the advice and consent of the Assembly and shall not be any of the remaining vice presidents.

a) Members of the BAC shall not bring personal bias into committee determination, and shall represent an independent voice for their constituency. A member of the committee, who is a member of a college club or organization, must state the organization's name and any position the member may hold at the beginning of the committee meetings. When reviewing a club budget with which a member of the BAC has close relations, the individual should abstain from discussion and voting.

### Section 2 – Duties

Subsection 1. It shall be the duty of the BAC to investigate and propose a budget for the upcoming fiscal year.

Subsection 2. It shall be the duty of the BAC to have a reallocation meeting for additional requests and new budgetary submissions midway through the semester.

Subsection 3. It shall also be the duty of the BAC to review and report on all requests for monetary allocations, excluding the Lasallian Action Committee to the Assembly.

### Section 3 – Financial Rules

Subsection 1. The BAC shall operate according to financial resolutions outlined in the Club Manual.

Subsection 2. The BAC shall automatically allot Monetary Independence Bills hereafter called MIBs, at the beginning of the fiscal year. Each MIB shall be reviewed every two years for amendments or ratification, which requires a 2/3 vote of the Assembly.

Subsection 3. The BAC shall only recommend a proposed budget, which requires a 2/3 vote of the Assembly.

## ARTICLE IV – CLUB ESTABLISHMENT AND OVERSIGHT COMMITTEE

### Section 1 – Membership

Subsection 1. The Club Establishment Committee, hereafter referred to as CEOC, shall be composed of 8 members of the Assembly, appointed by the President, with the advice and



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consent of the Assembly. The Vice President for Club Administration shall be ex-officio Chair of the Committee. The Vice President for Communication and Vice President for Finance are ex-officio members of the committee. The remaining 5 members of the committee shall be appointed by the President, with the advice and consent of the Assembly, and shall not be an of the remaining vice presidents.

### Section 2 – Duties

Subsection 1. The CEOC shall review and endorse all requests for new clubs or organizations proposed by any undergraduate student of Manhattan College only after the Director of Student Activities has reviewed such request.

Subsection 2. The CEOC shall review and endorse all requests for revisions to names, constitutions, by-laws, etc. of previously established clubs or organizations.

Subsection 3. The Chair of the CEOC shall meet on a regular basis with the Director of Student Activities and shall report to the Executive Committee the status of new club submissions.

Subsection 4. The CEOC shall meet with proposed clubs. After the committee may endorse the proposed club or organization, it may present the endorsed club or organization to the Assembly for a 2/3 vote.

Subsection 5. The Club Establishment and Oversight Committee shall meet one week subsequent to the new club or organization submission being brought to the Student Assembly.

Subsection 6. The CEOC shall advise clubs with procedural concerns as outlined in the Club Manual.

Subsection 7. The CEOC shall have the power to audit any Student Government funded club or organization. This shall be interpreted to mean the review of all financial and any other information deemed pertinent by the committee.

Subsection 8. The CEOC has the power to freeze the account of any club or organization that fails to comply with the audit or fails to appear at a hearing upon request until the club complies.

Subsection 9. The CEOC has the power change the status of any club which is not following the Club Manual by placing them on probation, inactive, and/or as defunct.

Subsection 10. The CEOC shall be responsible for reviewing the Club Manual before the start of each semester. This document shall act as a reference for club leaders and the CEOC.



Subsection 11. The CEOC shall respond to the inquires and concerns of clubs.

Subsection 12. The CEOC shall review all club and organization budget and BAC, and shall endorse or deny events requested, as per the respective club or organization constitution or charter.

### Section 3 – Hearing Board

Subsection 1. The CEOC shall serve as the formal hearing board concerning audits initiated by the committee and other disputes between student member clubs and organizations. The decision requires the approval of the Assembly to become binding. All parties may appeal to the Student Court.

### Section 4 – Powers

Subsection 1. The Activities Coordinator in the Office of Student Activities has the power to review and regulate the status of all clubs or organizations funded by the Student Activities Fee. The CEOC shall work in conjunction with the Activities Coordinator.

### Section 5 – Operating Bylaws

Subsection 1. The CEOC may also operate in accordance with its own rules, approved by majority of the Assembly. The committee shall not conduct business until operating bylaws have been adopted.

## **ARTICLE V – ELECTIONS COMMITTEE**

### Section 1 – Membership

Subsection 1. The Elections Committee shall be composed of all senior members of the Executive Board.

Subsection 2. Should there not be more than 3 qualifying members on the Elections Committee; the Office of Student Activities shall run elections, following the Student Government Constitution and its Bylaws.

### Section 2 – Duties

Subsection 1. The Elections Committee shall conduct all Student Government elections in accordance with the governing documents.

### Section 3 – Hearing Board



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Subsection 1. The Election Committee shall serve as the hearing board for all elections complaints. The Hearing Board shall be empowered to rule on all complaints filed.

### Section 4 – Rules

Subsection 1. The Elections Committee shall act in accordance with its own rules which shall be subject to the approval of the Assembly.

## ARTICLE VI – EXECUTIVE COMMITTEE

### Section 1 – Membership

Subsection 1. The Executive Committee shall be composed of the Student Body President, Executive Vice President, Vice President for Club Administration, Vice President for Communication, Vice President for Commuter Affairs, Vice President for Finance, Vice President for Resident Affairs, Vice President for Academic Affairs, Vice President for Social Life, and Chair of the Lasallian Action Committee.

Subsection 2. The Chair of the Executive Committee shall be the Student Body President.

### Section 2 – Duties

Subsection 1. The Executive Committee shall carry out any approved measure of the Assembly.

Subsection 2. The Executive Committee shall relate specific Student Body concerns and approved measures of the Assembly to the appropriate College Administrator.

Subsection 3. The Executive Committee shall meet bi-weekly to ensure the efficient operation of Student Government and its subsidiary commissions and committees.

Subsection 4. The Executive Committee shall fill a vacancy in any Vice Presidential office, excluding the Executive Vice President, with a 2/3 vote of approval from the Assembly.

### Section 3 – Role of the Executive Committee

Subsection 1. The Executive Committee shall propose, initiate, and carry out programs that have been approved by the Assembly. Any decision or recommendation made by the Executive Committee must be approved by the Assembly.

Subsection 2. The Executive Committee shall give advice in composing the Assembly agenda.



## **ARTICLE VII – LASALLIAN ACTION COMMITTEE**

### **Section 1 – Membership**

Subsection 1. The Lasallian Action Committee shall be composed of 5 members of the Assembly, appointed by the President, with the advice and consent of the Assembly. The Chair and 3 of the members of the committee shall not be any of the vice presidents. The remaining fifth seat is open to any member of the assembly.

Subsection 2. The Chair of the Lasallian Action Committee shall have an ex-officio seat on the Budget Allocations Committee.

### **Section 2 – Duties**

Subsection 1. The Lasallian Action Committee shall be empowered with a budget as referenced in legislation. This budget will be used to foster a Lasallian spirit on the Manhattan College campus that is true to the mission of the college and the Student Government.

Subsection 2. The Lasallian Action Committee shall review student applications for funding of community events that foster Lasallian ideals of faith, service and community. After applications have been reviewed the Committee shall determine the funding allotted for such events, and recommend college offices/organizations that may aid the applying organization.

Subsection 3. The Committee Chair shall meet with the Vice President for Mission twice a semester to ensure that communication of events and fostering of Lasallian values occur on all levels.

### **Section 3 – Operating Bylaws**

Subsection 1. The Lasallian Action Committee shall operate in accordance with its own rules, approved by majority of the Assembly. The committee shall not conduct business until operating bylaws have been adopted.

## **ARTICLE VIII – STUDENT COURT**

### **Section 1 – Composition and Arrangement**

Subsection 1. The Student Court of the Manhattan College Student Government shall consist of a Chief Justice, a senior, and six Associate Justices, either juniors or seniors.

Subsection 2. The Student Court shall schedule meetings at the beginning of the semester for one meeting at least once a month.



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Subsection 3. The Chief Justice and at least four Associate Justices shall be a quorum.

Subsection 4. The Chief Justice and the Associate Justices shall each have one vote for each case heard by the court. In the event an even number of Justices are hearing a case, the Chief Justice shall relinquish the power to cast a vote.

Subsection 5. The Chief Justice must have previously served as an Associate Justice on the Student Court for at least one academic semester. If the nominee for Chief Justice has not previously been a justice, the Chief Justice designate must be presented by the President of Student Government, in person, to undergo a confirmation hearing before the full Student Assembly prior to approval.

Subsection 6. All other Student Court nominees shall be nominated to the Assembly, by the President of the Student Government, and unless otherwise ordered by the Assembly, does not have to attend his/her confirmation vote. In the event of a vacancy on the court, the President, with all prudence, shall nominate a justice post-haste.

Subsection 7. There shall be a Clerk, who is a sophomore or freshman, of the Student Court appointed by the Chief Justice with the consultation of the Dean of Students. The Clerk will record the minutes of each hearing and submit them to the Chief Justice for approval.

Subsection 8. There shall be two Sergeants at Arms for the Student Court selected from either the sophomore or freshman class. Only one shall attend each hearing alternating their duties.

a) The Sergeant at Arms shall keep order during hearings and perform all other matters as directed by the court those individual who enter and exit each hearing. The Sergeant at Arms may never proxy nor replace a Justice in hearing a case heard by the court. The Sergeant at Arms shall be appointed by the Chief Justice with the consultation of the Dean of Students.

Subsection 9. The Chief Justice shall give the oath of office on Inaugural Day.

### Section 2 – Chief Justice Succession

Subsection 1. In the absence of the Chief Justice, or in an event of recusal of the Chief Justice, the most senior Associate Justice shall preside as the Acting Chief Justice for the case(s) at hand.

Subsection 2. If by resignation or extended inability to serve, there is a vacancy in the position of Chief Justice, a new Chief Justice shall be appointed by the President, with the advice and consent of the Assembly.

### Section 3 – Rights and Appeals of the Student Court



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Subsection 1. If the accused student(s) or organization fails to appear at the scheduled hearing and his/her absence is not excused at a prior time, the hearing may proceed without the student. Failure of the accuser to appear at the hearing may result in dismissal of the charges against the accused. In the case of traffic violation appeals, in the absence of the accused, the Student Court will deny the appeal.

Subsection 2. If the accused security representative fails to appear at the hearing, the appeal will be honored.

Subsection 3. Any party to any proceeding before the Student Court, except for traffic violation cases, shall have the right to appeal decisions of this Court to the Dean of Students.

Subsection 4. Further information regarding the Student Court is available in the Student Government Constitution and its By-Laws.

### Section 4 - Student Court Hearing Procedures

Subsection 1. The Student Court will inform the student or student organization of the charges in writing at least five business days before the hearing.

Subsection 2. The Court will review all charges. The accuser will make his/her statement, followed by the statement of the accused.

Subsection 3. The accuser will call witnesses, followed by the accused calling witnesses. The Court will have the right to examine both sides. The Court limits testimony to one corroborating witness and two character witnesses.

Subsection 4. Both the accused and the accuser will have the ability to summarize their positions once all witnesses and documents have been examined by the Court.

Subsection 5. The Court will deliberate in closed session to determine responsibility and potential sanctions.

Subsection 6. A majority vote of justices based on the presented evidence will determine responsibility.

Subsection 7. The Court will inform the accused and the accuser of the decision following the hearing and will inform the Dean of Students.

## ARTICLE IX – SOCIAL LIFE COMMISSION

### Section 1 – Duties



Subsection 1. The Social Life Commission, hereafter referred to as SLC, shall be responsible for the programming of the Student Government.

## Section 2 – Composition

Subsection 1. The SLC shall be chaired by the Vice President for Social Life. Subsection 2. The Vice President for Resident Affairs and the Vice President for Commuter Affairs shall be ex-officio members of the SLC.

Subsection 2. There shall be planning committees for the following aspects of Social Life: Broadway Shows; Opera and other Performing Arts; Sporting Events; Day Trips; Mind, Body and Soul Programs; and any other planning committee deemed necessary by the Chair.

Subsection 3. The Vice President for Social Life shall create any planning committee of the SLC.

Subsection 4. All Class Officers are members of the SLC and are required to consult the Vice President for Social Life in regards to their programming. The classes, clubs and organizations will maintain their own budgets and control of their event planning.

Subsection 5. Any student of Manhattan College endeavoring to become more active or would like to run an event may become a member of the SLC.

## Section 3 – Role of the Vice President for Social Life

Subsection 1. The Vice President for Social Life shall supervise the actions of all planning committees under the Social Life Commission, and shall have the power, in consultation with the Office of Student Activities, to deny/suspend events and expenditures deemed inappropriate.

# **ARTICLE X – RESIDENT STUDENT ASSOCIATION**

## Section 1 – Duties

Subsection 1. The Resident Student Association, hereafter referred to as RSA, shall be to act as the organized representative body of the resident students making their views known on matters directly affecting resident student affairs and to help organize, promote, and direct academic, social, cultural, and recreational activities for the general welfare of the resident students.

## Section 2 – Composition

Subsection 1. The RSA shall be chaired by the Vice President for Resident Affairs. The Vice President for Resident Affairs shall appoint officers to the RSA at his/her discretion with the advice and consent of the Assembly. All resident students are members of the RSA.



## **ARTICLE XI – COMMUTER STUDENT ASSOCIATION**

### **Section 1 – Duties**

Subsection 1. The Commuter Student Association, hereafter referred to as CSA, shall be to act as the organized representative body of the commuter students making their views known on matters directly affecting commuter student affairs and to help organize, promote, and direct academic, social, cultural, and recreational activities for the general welfare of the commuter students.

### **Section 2 – Composition**

Subsection 1. The CSA shall be chaired by the Vice President for Commuter Affairs. The Vice President for Commuter Affairs shall appoint officers to the CSA at his/her discretion with the advice and consent of the Assembly. All commuter students are members of the CSA.

## **ARTICLE XII – CLASS OFFICERS**

### **Section 1 – Role of Class Representatives**

Subsection 1. The representatives of each class shall act as the spokesperson and the official representative of the class at campus-wide events and programs.

Subsection 2. The representatives shall have an ex-officio seat on the Social Life Commission and is required to consult with the Vice President for Social Life throughout his/her term.

Subsection 3. The senior class representatives will be referred to as the President and the Vice President. The President and Vice President of the senior class shall be responsible for planning senior events.

### **Section 2 – Vacancy in Class Office**

Subsection 1. In the event there is a vacancy in the office of class representatives the Student Body President can appoint a replacement if they see fit.

## **ARTICLE XIII – AMENDMENTS**

### **Section 1 – Amendments to the Bylaws**

Subsection 1. Bylaws consistent with the Constitution shall be adopted and amended by a 2/3 majority vote of the Assembly. Standing committee bylaws shall be adopted and amended by a majority vote of the Assembly.



Subsection 2. The Bylaws shall be Subject to notification 1 meeting prior to their consideration.

## **ARTICLE XIV – PROTECTION OF STUDENT PRIVACY**

### **Section 1 – Definitions**

Subsection 1. For the purposes of this article, “personal student information” shall include: student identification numbers, social security numbers, student addresses (both local and permanent), student telephone numbers (both local and permanent), student educational information (including but not limited to credit hours completed), and similar types of information.

### **Section 2 – Protocol for Information Disclosure**

Subsection 1. No Student Government organization, office, or member or director thereof shall use any personal student information for their records unless they have obtained express written consent to use such information by the student. Exemptions shall be made to organizations and/or clubs with safety or emergency functions.

Subsection 2. When a student has given an organization permission to use their personal student information for its own purposes, the organization shall not disclose such information to any other organization, office, or individual unless they have obtained further written consent from the student in question. Such consent must demonstrate that the student understands exactly what information shall be released and to whom it shall be released.

### **Section 3 – Enforcement and Violation**

Subsection 1. No Student Government organization, office, or member or director thereof shall deny membership to any student for refusing to provide personal student information.

Subsection 2. Any student who feels that a member of the Student Government has violated the provisions of Subsection 1 of this Section may file a complaint with the Student Court, who shall hold a hearing to investigate any allegation of wrongdoing.

### **Section 4 – Student Government Archives**

Subsection 1. When a document is archived in the Student Government Archives, all personal student information that is not completely essential to the nature of the document shall be blacked-out before archival.



## **ARTICLE X – REQUESTS FOR BAC AND LAC**

### **Section 1 – Requests for Conferences**

Subsection 1. All conference requests must be submitted to the BAC and LAC at least 5 weeks in advance. If conference requests are not submitted prior to 5 weeks before the conference they will not be voted on by the committee or the assembly.

Subsection 2. Students are required to pay \$75 for their airfare when attending a conference, \$50 if overnight (train, bus, but no plan), and \$25 for day conference.

Subsection 3. Only full-time undergraduate students are able to attend conference with over a 2.3 GPA. If a conference occurs after commencement in May, student government funds cannot be used to pay for recently graduated seniors.

### **Section 2 – Duties of Students Submitting Requests to the LAC and BAC**

Subsection 1. Any student who makes a request may be asked to attend the appropriate committee meeting to present their request before the committee votes.

Subsection 2. Students who place a request for either the LAC or BAC must attend the Assembly meeting the week that the resolution is being voted on to present their request. Notice of the assembly meeting will be provided by the chair of the appropriate committee at least 3 days prior to the meeting. Requests will not be voted on by the assembly if a representative is not present.

## **SECTION XI – CLUB PROPOSALS**

### **Section 1 – Duties of Students Submitting Club Proposals**

Subsection 1. Students who submit a club proposal must speak at the Club Establishment and Oversight committee before the CEOC votes on the status of the club.

Subsection 2. Students who submit a club proposal must attend the Assembly meeting the week that the proposal is being voted on to present their club. Notice of the assembly meeting will be provided by the chair of the CEOC at least 3 days prior to the meetings. Proposals will not be voted on by the assembly if a representative of the club is not present.



## Title IX and Non-Discrimination Notice

Manhattan College is committed to ensuring equal access to its educational programs and employment opportunities without regard to sex, gender, race, color, national origin, religion, age, disability, pregnancy, gender identity, sexual orientation, predisposing genetic characteristics, marital status, veteran status, military status, domestic violence victim status, or ex-offender status. Manhattan College is committed to providing an environment not impaired by sex and gender-based misconduct, including sex discrimination and sexual harassment. Title IX of the Education Amendment of 1972 is a federal law that prohibits discrimination on the basis of sex in educational programs, activities and employment practices. Therefore, students, employees, applicants and other members of the Manhattan College community (including without limitation, vendors, visitors, and guests) may not be subject to discrimination or harassment or otherwise treated adversely based upon a protected characteristic. This includes, without limitation, sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Similarly, the College will not tolerate harassing, violent, intimidating or discriminatory conduct by its students, employees or any other member of or visitor to the College community.

This policy applies to conduct occurring on campus, during any College program or activity on or off-campus or abroad, including academic programs, admissions, athletics, recruitment, financial aid, housing, employment, as well as certain off-campus conduct perpetrated or suffered by a Manhattan College student, employee, staff member, or third party member of the College community.

The College encourages individuals to report all gender-based misconduct immediately to the Title IX coordinator, one of the deputy coordinators or another College staff member. The College will fully and promptly investigate all allegations of gender-based misconduct and will impose disciplinary measures, or take similar actions, as may be appropriate.

Title IX and the College strictly prohibits retaliation. Any person who attempts to penalize, intimidate or threaten a person who makes a report or cooperates in an investigation of gender-based misconduct, harassment or discrimination will be disciplined. Any person who believes he or she has been the victim of retaliation should immediately contact the Title IX coordinator or one of the deputy coordinators.

This College policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include Title IX (prohibiting discrimination and harassment based on sex), the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, Title VII, the New York State Human Rights Law and the New York City Administrative Code.

### Definitions

Sex and Gender-Based Misconduct encompasses a broad range of behaviors including sex and/or gender discrimination which may or may not be sexual in nature. Sexual harassment, sexual assault and intimate partner violence such as domestic, dating violence and stalking are other types of gender-based misconduct prohibited by law and this policy. Gender-based misconduct can be perpetrated by men or women and can occur between people of the same or different sex.

Examples of gender-based misconduct include pressure to date or engage in a romantic or intimate relationship, unwelcome touching, kissing, hugging; inappropriate remarks about a person's gender, gender expression, or sexual orientation; inappropriate sexual innuendo or humor; unnecessary or unwelcome references to parts of the body; and pressure for or forced sexual activities.

Sexual harassment is a type of sex discrimination and is prohibited by Title IX and by Manhattan College policy. Sexual harassment may include unwelcome sexual advances, requests to engage in sexual conduct or for sexual favors, and other behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance, or of creating an intimidating, hostile or demeaning educational or employment environment.

Sexual harassment can be verbal, visual or physical and can occur regardless of the relationship, position, gender, or sexual orientation of the parties involved. It can be overt (e.g., in a suggestion that a person can get a higher grade by submitting to sexual advances), or implied from conduct or circumstances. Sexual harassment can also consist of unwelcome attempts to make an educational or professional relationship into a personal one. It may include severe, persistent and pervasive unwelcome sexual flirtation or inappropriate or derogatory language, including jokes involving individuals or classes of people, or persistent requests for dates. A single incident or few incidents may not necessarily amount to



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harassment, but a single extreme incident could constitute prohibited discrimination or harassment. Sexual harassment can also include the display of offensive materials, unwelcome physical contact, or serious physical abuse such as sexual assault or rape.

Sexual Assault is any non-consensual, intentional physical contact of a sexual nature, such as unwelcome contact with a person's genitals, buttocks or breasts, or any form of sexual intercourse without consent. Rape is a form of sexual assault.

Domestic Violence may include violent acts by a current or former spouse; by a person with whom the victim shares a child in common; by a person who is or has cohabitated with the victim as a spouse; by a person similarly situated to a spouse; between a parent and child; between members of the same household in an intimate relationship; or by any other person similarly situated. Domestic violence can be physical, sexual, emotional or economic in nature.

Dating Violence can be violence or abusive behavior used by one partner to gain or maintain control over another partner. It can be violence committed by a person who is or has been in a social, romantic or intimate relationship with the victim. The existence of such a relationship will be determined by factors such as the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

Stalking is unwanted or obsessive attention by an individual or group toward a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress. Stalking may include the monitoring of an individual online or involve the use of social media, email or other technology. It may also include unwanted observation or surveillance.

Consent is voluntary and sober. It requires words or actions that show a voluntary willingness or agreement to engage in a mutually agreed upon sexual activity. Consent is not present when one is incapable of consent, by reason of intoxication or incapacitation due to drugs or alcohol, when subject to coercion or threat of coercion, or subject to force. Consent to conduct does not occur when a person is incapable of evaluating the nature of the conduct, incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or other acts. Submission to conduct does not mean the conduct was welcome or consensual; in other words, the absence of "no" does not mean "yes."

Just because someone has consented to certain sexual activities in the past does not mean that that person is consenting to sexual activity at present. Further, even if someone consents to certain types of sexual contact that does not mean that person also wants to engage in sexual intercourse or other sexual activities.

### Alcohol and Drug Use

The consumption of alcohol and other drugs can have unintended consequences and create an atmosphere of confusion as to whether consent was freely given. If students do consume alcohol or other substances they are encouraged to do so responsibly.

An individual's consumption of alcohol or other drugs never places them at fault for being sexually assaulted or victimized by any other form of gender-based misconduct.

The College's primary concern is for the safety and well-being of its students and other members of the College community. Therefore it is imperative that you report sexual assault, harassment and other forms of gender-based misconduct, even if those involved may be violating other College policies, such as those regarding underage alcohol consumption. The College expects that members of the community will look out for each other and immediately report troubling behavior so that the College can put a stop to it, address the effects of the behavior and prevent its recurrence. If you are not sure whether misconduct has occurred please contact the Title IX coordinator or one of the other individuals listed.

### Safe Bystander Interventions

Observers of a sexual assault or other types of gender or intimate partner based misconduct such as domestic violence, dating violence, or stalking, may be able to help the victim. However, it is important that you do so in a positive manner and in a way that keeps you and the victim safe. Appropriate interventions will depend on the situation. Safe and appropriate options for bystanders may include calling the public safety office in violent or potentially violent situations, intervening if you believe someone is in a potentially uncomfortable or unsafe situation, and/or encouraging the target of such conduct to report the incident and seek support.

### Retaliation

Manhattan College will not tolerate retaliation. Retaliation is prohibited by Title IX. Any attempt by a member of or visitor to the Manhattan College community to intimidate, penalize, or threaten a person who reports or who is otherwise involved or cooperating in, a report of



discrimination, misconduct, or harassment is strictly prohibited. Any person found to have participated in an act of retaliation will be disciplined accordingly. In some cases knowingly making a false report of discrimination or harassment can amount to retaliation.

#### Procedures

Manhattan College's greatest concern is for the safety and physical and mental health of all its students, faculty, staff, and guests and is committed to maintaining a welcoming and supportive educational climate. Therefore, the following procedures are available to all students, staff, administrators and faculty who feel they have experienced or witnessed gender-based misconduct, including sexual harassment and gender discrimination as discussed above.

The College will promptly and equitably respond to all issues involving gender-based misconduct. It may be necessary to adjust on a case-by-case basis, the procedures and timeframes discussed in this section due to the nature and complexity of the issues, the parties involved, and the College's academic calendar. Both the complainant and the accused will be notified of any procedural or timeframe adjustments.

#### Reporting Misconduct

All members of the College community, including students, staff, faculty, vendors, and visitors who experience, witness, or hear about gender-based misconduct, including sexual harassment and sexual assault, are encouraged immediately to contact the College's Title IX coordinator, Vicki Cowan, in person at 305 Memorial Hall, by phone at (718) 862-7392, or by email at [vicki.cowan@manhattan.edu](mailto:vicki.cowan@manhattan.edu), or reach out to any of deputy Title IX coordinators.

In an emergency please call 911 or the Public Safety office at (718) 862-7333. There is no time limit on how long after an incident you can make a report of misconduct. However, the College's ability to respond to a report may be hindered by the length of time between the alleged misconduct and the report itself.

Once the College is informed of alleged misconduct, the Title IX coordinator or her designee will notify the complainant and the accused of their rights pursuant to Title IX. The Title IX coordinator will help the parties navigate the formal complaint process, should you choose to engage it, access appropriate medical, emotional or academic services, discuss possible interim arrangements during the investigation and resolution phases, understand your rights, and answer your questions along the way. The College is obligated by Title IX to promptly, thoroughly and impartially investigate and resolve all complaints, whether made formally or informally. The Title IX coordinator or her designee will therefore respond to every report of alleged sex or gender-based misconduct, facilitate the implementation of measures to stop the behavior, and take steps to prevent its recurrence.

If you have been the victim or target of a sexual assault or other type of sexual misconduct, you are also encouraged to contact the NYPD in addition to the College. The local NYPD precinct is the 50th Precinct and is located 3450 Kingsbridge Avenue, Bronx, NY 10463 and can be reached at (718) 543-5700. You do not have to file a report with the police, but if you would like to do so, someone from the College can accompany you to the local police precinct to support you through the process. In certain circumstances, depending on the type of conduct alleged and the parties involved, the College may be independently obligated to contact the police.

#### Confidentiality

Any College official (e.g. faculty member, residence life staff member, dean) informed of possible discrimination, harassment or sex or gender-based misconduct must report it to the Title IX coordinator. Certain College officers who serve in a privileged professional capacity (e.g. Counseling Center staff, the College Physician and the College Chaplain) are not necessarily bound by this requirement, except as required by law.

Upon receipt of a report, the Title IX coordinator and those assisting with an investigation and those participating in any disciplinary proceedings, will make all reasonable efforts to maintain confidentiality and respect the privacy of those involved. The College understands that reports of this nature can be difficult, emotional and stressful. Therefore the College will only share information as is needed to conduct a prompt, thorough and effective investigation. All members of the College community should understand that even if the complainant asks the College not to pursue an investigation, or decides to attempt to resolve the situation informally, the College must still investigate the allegations and address the conduct as may be necessary.

#### Investigation



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After the receipt of a report of discrimination, harassment, including sexual harassment, or sexual or gender-based misconduct, the Title IX coordinator or one of the deputy coordinators will meet with the complainant to gather as much information as possible. The Title IX coordinator and/or the designee(s) will also meet with any witnesses or individuals who may have information about the conduct at issue.

If after this initial fact-finding phase the College determines that a violation of College policy may have occurred, it will proceed with a full investigation. The complainant and the accused will be notified that an investigation is underway and will be afforded the opportunity to meet independently with the Title IX coordinator or the designee to review this procedure and to have his/her rights explained. The Title IX coordinator or the designee(s) will also meet with the accused to listen to his or her side of the story and to gather any evidence he or she may offer to better understand the nature of the conduct at issue. The complainant and the accused will have the opportunity to submit names of individuals with knowledge of the situation and the College will follow up with those individuals. The Title IX coordinator or the designee will counsel the complainant and the accused on academic and other emotional supports available.

During an investigation, the Title IX coordinator or an appropriate designee may ask for written statements and other documents or evidence which may aid in the investigation. Therefore, it is important to preserve all evidence associated with the conduct or that you think might help others understand what happened. Such evidence can include text messages, Facebook or Instagram posts, photos, voicemails, emails or items of clothing.

Depending on the type of conduct and the parties involved, the College may unilaterally contact the NYPD. The College will continue its own investigation into the alleged conduct, regardless of whether or not the police decide to pursue their own investigation. The College will cooperate with all police investigations and will honor and enforce any judicial no-contact, restraining, or protective orders the parties may obtain outside the College process.

During the investigation process interim measures will be discussed with the parties and implemented as may be appropriate. Possible interim measures available to students, faculty, staff or other individuals participating in this process may include a change in class schedule, housing arrangements and/or work arrangements. All efforts will be made to minimize the impact that these interim measures have on the complainant.

In some cases mediation may be appropriate. Mediation is a process in which the College can arrange for the complainant and the accused to meet to see if they can resolve the situation with the assistance of a third party mediator who will attempt to help guide the accused and the complainant to a mutually acceptable outcome. The mediator will likely be an administrator and will be assigned by the College. Mediation is completely voluntary.

In cases involving a potential sexual assault or other forms of sexual violence or intimidation, however, mediation is not an appropriate option. Mediation will only be pursued with the consent of both the complainant and the accused. At any time during the mediation process the complainant or the accused may stop the mediation.

Both the accused and the complainant will be updated throughout the investigation process. Typically an investigation will take 60 days, but that may vary depending on the nature and complexity of a case. At the close of an investigation, the Title IX coordinator or the designee will prepare a brief report detailing the essential content of interviews and the pertinent evidence gathered. He or she will present that report to the appropriate vice president, dean or equivalent senior administrator. Both parties will be provided copies of that report.

If, based on the report, -----the appropriate vice president, dean or equivalent senior administrator determines that it is reasonable to conclude that a violation of this policy occurred, (he/she) will recommend that the matter proceed to a hearing before a hearing officer designated by the College.

If the case does not go to hearing, the College may institute appropriate supports for those involved and community-wide training and/or awareness efforts to prevent the sort of conduct alleged from occurring again. Even if the matter does go to a hearing, support and training may be provided.

### Formal Hearing

If the matter is referred to a hearing officer, both the accused and the complainant will be informed of the date and time of the hearing. The accused and the complainant have the right to challenge the choice of hearing officer if the appointment of a specific hearing officer creates a real or perceived conflict of interest. Each party will have an opportunity to submit further evidence prior to the hearing and will be afforded the opportunity to review this additional evidence before the start of the hearing. Both parties will be notified of possible sanctions. The hearing will not be open to the College community at large.



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At the hearing both parties will have the opportunity to present witnesses and testimony. The burden of proof will not be solely on any one party. Should the accused fail to attend the hearing, the hearing officer may proceed in absentia. The hearing officer will make the final determination about which witnesses will be heard, what evidence will be accepted, and matters relating to hearing procedures.

The hearing officer will make a determination based on the preponderance of the evidence, which means he or she will determine whether it is reasonable to conclude, based on the evidence available, that it is more likely than not that the alleged conduct occurred. Both parties may consult with legal representatives outside the hearing process, but lawyers will not be allowed to participate in the hearing process itself. The complainant and the accused will be notified in writing of the hearing officer's determination and any penalty imposed; such notice will be provided on a simultaneous basis, to the extent feasible. The complainant will be informed of subsequent modifications to the sanctions, if any are made.

Appropriate disciplinary penalties will be determined according to the parties involved and the severity and/or duration of the conduct; an individual's prior record can be taken into consideration in determining a penalty. Possible penalties include exclusion from certain College buildings, classes, residence halls, and College events as well as suspension, expulsion, and/or discharge from employment or enrollment. Individuals doing business at the College or third party vendors found to be in violation of this policy may be banned from the College and the College will notify their respective employers of all charges and disciplinary outcomes. Visitors may also be banned from the College.

#### Resolution and Appeal

Both the complainant and the accused have the right to appeal a hearing officer's decision or penalty in certain limited circumstances, such as: (1) a party believes a procedural error substantially impacted the original finding or penalty; (2) a party has substantial new evidence that was not available during the investigation or hearing and which would substantially impact the original decision or penalty; or (3) a party feels that the penalty is substantially outside the scope or guidelines set by the Manhattan College Community Standards and Student and Faculty Code of Conduct.

Requests for an appeal must be made in writing, include the grounds for appeal, and be received by the Title IX coordinator within 10 days of notification of the hearing officer's decision.

Appeals of the hearing administrator's decision will be heard by an appellate officer. The appellate officer will be a neutral administrator assigned by the College in consultation with the Title IX coordinator; the appellate officer assigned will be determined based on the circumstances and the parties involved. All appellate decisions are final. Both parties will be informed of the outcome of any appeal.

#### Remedies

Depending on the nature of the allegations, possible supports and remedies for the complainant that could be implemented during an investigation/hearing/appeal as well as after its conclusion, may include, but are not limited to: providing an escort to ensure that the complainant feels safe traveling between work, school and home; ensuring the complainant and the accused do not attend the same classes, live in the same residence halls, or eat in the same dining halls; providing academic, counseling, or medical services; and arranging for the complainant to retake or withdraw from a course without penalty.

#### Corrective Action

The College will make all reasonable efforts to ensure that future harassment, discrimination and misconduct does not occur, and that the complainant and those who participated in the investigation and hearing process do not experience any form of retaliation. The College will also take appropriate steps to address the discriminatory effects of the misconduct including offering training programs, presentations that address issues of sex discrimination, sexual harassment and gender-based misconduct, as well as counseling services and academic support.

If you experience subsequent harassing, discriminatory, threatening or retaliatory conduct, you should immediately report it to the Title IX coordinator. Someone from the College will follow up with both parties after the resolution of the matter to determine whether there has been any new or recurring misconduct.

Should a complainant or any other individual experience continuing, additional or new forms of discrimination, harassment, misconduct, or retaliation he or she should immediately inform the Title IX coordinator or one of the designees.

#### Miscellaneous



The College reserves the right to reasonably adapt the time frames or processes described in this policy in light of the nature of the complaint and the time of year during which it was received, to ensure a full and fair investigation and resolution, or due to other similar significant factors.

If more than one College procedure can be used to address a matter, the College has the authority to determine which procedures will be followed.

#### Resources

\*In an emergency, please call 911 or the College Public Safety office at (718) 862-7333 (available 24/7).

Fr. George H. Hill  
College Chaplain  
Miguel Hall, 1st floor  
(718) 862-7972  
[george.hill@manhattan.edu](mailto:george.hill@manhattan.edu)

College Counseling Center  
Miguel Hall, 5th floor  
(718) 862-7394

Student Health Center  
Alumni Hall 104  
(718) 862-7217  
RAPE Crisis Hotline  
(914) 345-9111

Safe Horizon's Rape, Sexual Assault and Incest Hotline  
(212) 227-3000

New York City Police Department 50th Precinct  
3450 Kingsbridge Avenue, Bronx, NY 10463  
(718) 543-5700

College Public Safety Office  
Jasper Hall, 1st floor  
(718) 862-7333 (available 24/7)  
[publicsafety@manhattan.edu](mailto:publicsafety@manhattan.edu)

*Disclaimer: Please note that Manhattan College administration, specifically Student Activities and/or the Office of the Dean of Students reserves the right to make any final decisions that affect the Student Government, including within and outside of the realm of the Student Government constitution.*