



EXECUTIVE BRANCH

OFFICE OF THE ATTORNEY GENERAL

Jan Soto

To: Legislative, Judicial, and Rules Committee Chair Kehoe
CC: Senate President Chinyere Anunobi, Senate ProTempore Christopher Slaughter, Student Government Senate Advisor Brodie Taylor, Student Government Graduate Assistant Ava Devine
From: Attorney General Jan Soto
Date: 09/07/2021
Subject: **Opinion - Absence Policy for Caucuses**

Hello Chair Kehoe,

Thank you for reaching out. Here, the question is whether instituting an absence policy bars membership from a caucus. It does not. Absence policies can only be enforced after a Student Government Agent is appointed to Senate, Senate committees, or Senate caucuses.

This question arises after Internal Bill 53-08 was postponed indefinitely in the Legislative, Judicial, and Rules Committee. The bill intended to institute an absence policy to caucus membership. In fact, the proposed absence policy is copied from the one applied to all Senate committees. The bill was postponed after some concerns were raised on absence policies barring Senators or Student Government Agents from becoming members of caucuses.

Currently, there is no absence policy for caucus members. Nonetheless, Senate currently employs an absence policy for every meeting or event they hold.¹ In fact, even Presidential nominees (thus non-Student Government Agents) must adhere to an absence policy to be considered by Senate.²

If instituting an absence policies bars membership from caucuses, the current absence policy bars Senators from attending any events held by Senate leadership. This includes weekly Senate meetings, committee meetings, retreats, and trainings.

¹ See Chapter 303.1, 309.1 (A) and (B), 309.11, and 309.12 of Title III (Detailing Senators' responsibility to attend all Senate meetings and Dean meetings).

² See Chapter 306.1 of Title III ("If an individual misses two consecutive E&A Committee meetings (excluding caucus meetings), with no stated explanations, they will be removed from the pool of applicants at that time.").



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Absence policies are implemented as an enforcement mechanism to help keep leaders accountable to their responsibilities and the mission of a given organization. Without it, Senate's mission to have a "great impact on issues that directly regard the Student Body"³ is unachievable. More importantly, the absence policy in question can only be enforced *after* a Student Government Agent becomes a member of a caucus.

Thus, instituting an absence policy for caucuses does not bar membership from a caucus.

Best wishes,

Jan Soto
Attorney General

³ See Student Government Website, Legislative Branch Description <https://studentgovernment.ucf.edu/branch/legislative/> (September 7, 2021).