



# EXECUTIVE BRANCH

OFFICE OF THE ATTORNEY GENERAL

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## Caitlin G. Moore

**To:** Tyler Borges, Conference, Registration, and Travel Committee Chair

**CC:** Daniella Lopez, Student Body President

Xelayris Martinez, Student Body Vice President

Emma Custis, Senate President

Samantha Ciresi, Senate Pro Tempore

Katrina Wangen, Deputy Pro Tempore of Legislative Affairs

Brodie Taylor, Student Government Coordinator

**From:** Caitlin Moore, Attorney General

**Date:** June 22<sup>nd</sup>, 2022

**Subject:** Opinion on Changing University College Designation

I, Attorney General Moore, in accordance with the Constitution, Statutes, and Senate Rules of the Student Body of the University of Central Florida, hereby issue the following opinion to the Chair of the Conference, Registration, and Travel Committee, Tyler Borges, and all other interested parties:

Here, the question is whether or not a Student Body Senator loses their leadership role(s) if and when adjustments to their major are made that impact their University college/school designation, therefore, ultimately resulting in the forfeiture of their Senate seat under Title III: The Legislative Branch, Chapter 302: Apportionment of the Student Body Senate (302.4, Section 2). The leadership role(s) *are* forfeited with the seat. Leadership role(s) cannot exist independently from the Student Body Senator's seat.

This question arose after Senator Yalamanchili changed his University college designation from the College of Medicine to the College of Health Professions and Sciences. Due to this change in college, Yalamanchili resigned from his seat and sought reappointment and reconfirmation to a new seat. It is important to note that during this transition, he would no longer be considered a Student Body Senator. Consequently, he would no longer be the Chair of the LGBTQ+ Caucus, the leadership role he held within the Senate. If and when Yalamanchili is reconfirmed into the Senate and upon taking the Oath of Office, the leadership role held under his previous seat is not reinstated with him as he fills a new seat.

### I.

For clarification and thoroughness before addressing the issue arising under Title III: The Legislative Branch, Title II: Student Government Statutory Definitions and Parliamentary Authority, Chapter 201.3 defines "Student Government Agent" as follows:

**"Student Government Agent-** Any student that is a member of the Executive, Judicial, or Legislative Branches, the Election Commission, or is the Student Director of an Agency."



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## II.

A Student Body Senator serves under the University college/school that houses their primary academic major. Suppose a Student Body Senator changes their course of study to a major under a different University college/school than the one their seat is apportioned under. In that case, they are in violation of Chapter 302.4.

“Chapter 302: Apportionment of the Student Body Senate

302.4 Eligibility provisions for adjustments to college/school designation during a Senator’s term of office:

- A. In the event a Senator changes the college/school during his or her term of office within the Senate, the Senator shall, upon verification by the Senate Advisor, be notified by the Senate President that they are in noncompliance.
  1. Said Senator shall have one (1) week after notification to change his or her major to represent his or her elected/appointed college/school in order to retain his or her seat.
  2. A Senator who refuses to change their major to the college/school to which they were elected/appointed forfeits their seat immediately.”

Once a Student Body Senator adjusts their University college/school designation, presuming they chose not to revert their University college/school to align with their existing Senate seat, and up until the point one (1) week has passed since Senate President notified them of their noncompliance, they are still rightfully considered a Student Government Agent, the Student Body Senator of their elected seat, and retain and all the rights, privileges, and responsibilities bestowed within. Immediately following the point one (1) week has elapsed since the notification of their noncompliance, the Student Body Senator shall be considered removed and forfeit the seat and all the rights, privileges, and leadership role(s) held.

It follows that the leadership role(s) cannot exist independently from the Student Body Senator’s seat. All the rights, privileges, and responsibilities granted therein are lost if a seat is forfeited. That is not to say those rights, privileges, and responsibilities tied to committee memberships, committee leadership roles, caucus leadership roles, etc., can never be reinstated. Still, to be granted such statuses again, that student must follow the regulations and processes laid out in statutes.

Additionally, the provisions in statutes are not contingent on whether or not a former Student Body Senator is planning on reapplying and potentially being reappointed and reconfirmed to a new seat under the University college/school of which they are now eligible. During that period of limbo, regardless of future plans, that student is *not* a sitting Student Government Agent and *does not* hold any rights, privileges, or responsibilities therein.

## III.

Chapter 303.1 stipulates, “Student Senators shall take office upon installation and will serve until the day of the first meeting of the following session, or until considered resigned or removed.” When a

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Student Body Senator forfeits their seat, their term has expired, and that seat is now considered vacant. That student is no longer a Student Government Agent.

#### IV.

A Student Body Senator who is considered removed from their seat *does not* retain the leadership role(s) held, regardless of current or potential future appointment or confirmation to a new seat.

For the foregoing reasons, it is the opinion of the Office of the Attorney General that a Student Body Senator who is considered removed from their seat *does not* retain the leadership role(s) once held.

It is so ordered,

**Caitlin G. Moore**  
Attorney General  
University of Central Florida