

# TITLE IX: THE ENFORCEMENT AND ACCOUNTABILITY STATUTES

## Chapter 900 Notification of Non-Compliance

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

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

- 901.1 The authority to issue a “Notification of Non-Compliance” is vested in the following offices:
- A. The Student Body President
  - B. The Student Body Vice President
  - C. The Student Government Comptroller, in instances where the infraction impedes the Comptroller’s ability to perform their duties
  - D. The Attorney General
  - E. The Chief Justice
  - F. The Judicial Council, by a majority vote
  - G. The Supervisor of Elections, with jurisdiction limited to the Election Statutes and the election proceedings
  - H. The Senate President
  - I. The President Pro Tempore
  - J. The Student Senate, by majority vote, and
  - K. The LJR, ORS, FAO, CRT, and E&A Committees of the Senate, by majority vote, under the following jurisdictions:
    1. The Legislative Judicial and Rules (LJR) Committee shall have jurisdiction over all statutes and Student Government legislative actions, except for the allocation of Activity and Service Fee Funds, the Finance Code, and the Election Statutes.
    2. The Operations Review and Sanctions (ORS) shall have jurisdiction over the Finance Code.
    3. The Financial Allocations for Organizations (FAO) Committee shall have jurisdiction limited to the Senate Working Fund accounts.

4. The Conference Registration and Travel (CRT) Committee shall have jurisdiction limited to the Registration and Travel accounts.
5. The Elections and Appointments (E&A) Committee shall have jurisdiction limited to the Election Statutes and the election proceedings.

## Chapter 902 The Format of a Notification of Non-Compliance

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

### University of Central Florida Student Government Notification of Non-Compliance



I, \_\_\_\_\_ (*issuer*) \_\_\_\_\_ hereby certify that, \_\_\_\_\_ (*party issued*) \_\_\_\_\_, is notified of your failure to comply with \_\_\_\_\_ (*Constitution, Statute, Rule, Bill, or legal mandate*) \_\_\_\_\_ and its requirement that \_\_\_\_\_ (*exact wording of Constitution, statute, Rule, Bill, or legal mandate*) \_\_\_\_\_. You have until the date of \_\_\_\_\_ (*date five (5) academic days after the timestamp*) \_\_\_\_\_ to come back into compliance or your neglect of duty will result in penal action, as defined in Title IX.

\_\_\_\_\_  
Issuer Signature

902.2 The issuer shall suggest a penal action when issuing a notification of non-compliance to be taken if the party issued fails to comply with the cited Student Government regulation, in accordance with Chapter 904.

- A. The LJR Committee shall vote on the recommended penal action, upholding or denying it independently of the non-compliance with a two-thirds (2/3) vote, and shall hold the power to recommend a new penal action upon a majority vote of the committee.

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

## Chapter 903 Disposition of a Notification of Non-Compliance

- 903.1 After writing the “Notification of Non-Compliance” the issuer must supply a copy of said “Notification of Non-Compliance,” by either hard copy or e-mail, to the accused group or individual.
- 903.2 A copy of the “Notification of Non-Compliance” shall be retained by the issuer and sent to the SG Advisor for whom the party issued is affiliated, the LJR Chair, the Attorney General, the Student Body President, and the head of the Student Government body with whom the party issued is affiliated.

#### **Chapter 904 Failure to Comply with Notification of Non-Compliance**

- 904.1 Failure to comply within five (5) academic days from the receipt of the “Notification of Non-Compliance” will result in Student Government penal action, that may include, but is not limited to the following tier system. The tier invoked will depend upon the severity of the alleged non-compliance and the time elapsed since neglect of compliance; non-compliances without the ability to return to compliance shall not receive Tier II or Tier III penalties. Tier I penal actions shall apply after five (5) academic days, but no more than ten (10) academic days since neglect of duty. Tier II penal actions shall apply after ten (10) or more academic days, but no more than fifteen (15) academic days since neglect of duty. Tier III penal actions shall apply after fifteen (15) or more academic days since neglect of duty. The tier invoked will depend upon the severity of the alleged non-compliance.
- A. Tier I penal actions could be, but are not limited to:
    - a. Any SG Agent who is issued a non-compliance and after five (5) academic days, but no more than ten (10) academic days, will be served a warning.
  - B. Tier II penal actions could be, but are not limited to:
    - a. Loss of speaking privileges for any number of consecutive meetings
      - i. The exact number of such meetings must be specified in the proposed and approved penal actions within the “Notification of Non-Compliance” to be considered valid.
    - b. Cessation of pay
    - c. A vote of no confidence within leadership roles
  - C. Tier III penal actions could be, but are not limited to:
    - a. Censure
    - b. Removal from appointed office under the discretion of the Student Body President (unless otherwise stated by the Student Body Statutes, Senate Rules, or Student Body Constitution)
    - c. The removal from office through the impeachment process

#### **Chapter 905 Notification of Censure**

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

- 905.2 Any Student Government Agent recognized by the aforementioned Student Body Constitution, Student Body Statutes, Senate Rules, Senate Bills, and/or other legal mandates can be issued a “Notification of Censure.”

**Chapter 906 Authority to Issue a Recommendation of Censure**

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

**Chapter 907 The Format of a Recommendation of Censure**

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

**University of Central Florida Student Government  
Recommendation of Censure**



I, \_\_\_\_\_(issuer)\_\_\_\_\_ hereby certify that, \_\_\_\_\_(party issued)\_\_\_\_\_, is notified that your actions or inactions, in accordance with \_\_(*Constitution, Statute, Rule, Bill, or legal mandate*)\_\_, are believed to be in disapproval with the integrity of the Student Government and a Recommendation of Censure is hereby issued to the Student Body Senate for review.

\_\_\_\_\_  
Issuer Signature

- 907.2 Attached to the formal “Recommendation of Censure” shall be a description of the event with the appropriate addition of material to uphold the reliability of the Recommendation.

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

#### **Chapter 908 Disposition of a Recommendation of Censure**

- 908.1 After writing the “Recommendation of Censure,” the issuer must supply to the accused individual, either by e-mail or hardcopy, said “Recommendation of Censure” and the aforementioned description of events.
- 908.2 A copy of the “Recommendation of Censure” shall be retained by the issuer and sent to the SG Advisor for whom the party issued is affiliated, the LJR Chair, the Attorney General, the Student Body President, and the head of Student Government body with whom the party issued is affiliated.

#### **Chapter 909 Process of a Recommendation of Censure**

- 909.1 Once issued to the Legislative, Judicial, and Rules (LJR) Committee Chair, the “Recommendation of Censure” will be presented at least one week after reception, at the next regularly scheduled LJR Committee meeting. The LJR Committee’s role in the censure process is one equivalent to an ethics committee, determining the merit or worthiness of such proceedings, recording the reasoning of their findings to ensure consistency and transparency in their decision-making processes.
- A. The author of the Recommendation will first be able to present their “Recommendation of Censure” to the LJR Committee, along with the author’s formal description of events. The author may receive any questions from the LJR Committee at this time.
  - B. No non-LJR Committee member, with the exception of the Attorney General, may speak during the LJR Committee meeting.
  - C. After the author has finished presenting the “Recommendation of Censure,” the party issued has the right to present anything which will help prove any inaccuracies of the aforementioned Recommendation.
  - D. If, after consideration, a majority of the LJR Committee present and voting finds that the Recommendation has merit, the Recommendation shall be brought to the floor of the Senate by the Chair of the LJR Committee during the LJR Committee report.
  - E. After the LJR meeting, the Chair shall notify the party issued and post a memorandum in the SG office that the Recommendation will be heard by the Senate at the next scheduled Senate meeting.
  - F. If the LJR Committee finds that the allegations have no merit and votes down the allegations, the Recommendation is dropped.
  - G. A two-thirds (2/3) vote of the Senate may overturn LJR’s decision to drop the Recommendation.
- 909.2 Once the “Recommendation of Censure” is brought on the Senate floor, the LJR Chair will present the “Recommendation of Censure,” the summary presented with the “Recommendation of Censure,” and an explanation of the LJR Committee’s decision.
- A. After the explanation of the LJR Committee’s decision is read, the LJR Chair and any member of the LJR Committee will be open for questioning by the Senate.
  - B. The issuer has the ability to speak after the statements made by the LJR Chair and has the right to refrain from answering any questions they choose.

- a. A Student Government Agent may be the subject of a “Recommendation of Censure” only once per regularly scheduled meeting.
- 909.3 Following LJR questioning by the Senate, the party issued ten (10) minutes to present a statement refuting the accusations against them.
- A. The party issued at this time could receive any questions, however, the party issued has the right to refrain from answering any question they choose.
  - B. Failure to appear at the Senate meeting will result in the forfeiture of all rights of the party issued, and Senate will go immediately into debate.
- 909.4 Both the author of the “Recommendation for Censure” and the party for which it is issued against shall not be able to partake in the questioning and debate processes except for when they are answering questions in their roles as the author and party issued during the censure process.
- 909.5 Following the party issued statements; the Senate shall enter debate on the “Recommendation of Censure.” A majority vote is needed by the Senate to formally Censure the party issued.

#### **Chapter 910 Issuing a “Notification of Censure”**

- 910.1 Once a Student Government Agent is censured, a “Notification of Censure” will be issued no more than fifteen (15) academic days after the Senate’s decision.
- A. The Senate President, on behalf of the Senate, shall issue the “Notification of Censure” to the censured individual.
  - B. If the Senate President is unable to issue the “Notification of Censure,” it shall be issued by the Senate President Pro Tempore.
- 910.2 The censured individual is open to Student Government penal action that may include but is not limited to the following tier system. The tier invoked will depend upon the severity of the action(s) or inaction(s). The tier invoked will be dependent on the number of censures previously issued to the SG agent. Tier I penal actions will primarily be invoked as a result of one censure. Tier II penal actions will primarily be invoked as a result of two censures. Tier III penal actions will primarily be invoked as a result of three censures.
- A. Tier I penal actions could be, but are not limited to:
    - a. Any SG Agent who is issued one (1) censure will be served a warning and required to have a meeting with their current branch head or advisor.
  - B. Tier II penal actions could be, but are not limited to:
    - a. Loss of speaking privileges for any number of consecutive meetings
      - i. The exact number of such meetings must be specified in the proposed and approved penal actions within the “Notification of Censure” to be considered valid.
    - b. Cessation of pay
    - c. A vote of no confidence within leadership roles
  - C. Tier III penal actions could be, but are not limited to:
    - a. Removal from appointed office under the discretion of the Student Body President (unless otherwise stated by the Student Body Statutes, Senate Rules, or Student Body Constitution)
    - b. The removal from office through the impeachment process

**Chapter 911 Retroactivity**

911.1 All provisions encompassed herein shall not be applied retroactively.

**Chapter 912 Power to Issue Notifications**

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

**HISTORY:**

BILL 14-41 (09/08/1982) BILL 19-08 (12/04/1986) BILL 40-64 (05/22/2008) BILL 41-94 (06/23/2009)  
BILL 42-15 (01/29/2010) BILL 43-39 (02/24/2011) BILL 45-52 (03/01/2013) BILL 51-44 (10/19/2019)  
BILL 54-05 (07/06/2022) BILL 54-16 (10/07/2022) BILL 54-36 (03/13/2023) BILL 54-37 (04/07/2023)