***ASSOCIATED STUDENTS***

***University of California, Santa Barbara***

**Senate Resolution/Bill**

|  |
| --- |
| **Title: Bill to update Article Three, Section One, Subsection B of the By-Laws** |
| **Author** | Ricardo Uribe | **Second** | Xochitl Briseño  |
| **Number** |  | **FPP** |  |
| **Bill Type** | By-Law  | **Vote** | 2/3 |

**CONSTITUTION AND BY-LAWS RECOMMENDATION**

|  |  |
| --- | --- |
| **Grammatical Recommendations** |  |
| **Structural Recommendations** |  |
| **Legal Code Violations** |  |
| **Pass with Amendments** |  |
| **Table** |  |

**COMMITTEE RECOMMENDATION**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Pass as Written** |  | **Pass with Amendments** |  | **Do Not Pass** |  |
| **Refer to Committee** |  |
| **Recommended by a Vote of** |  | **Chairperson’s Initials** |  |

**STUDENT-SPONSORED LEGISLATION**

|  |  |
| --- | --- |
| **Student Sponsor** | *Grecia Martinez* |
| *The Student Sponsored Liaison has ensured that this Student-Sponsored Resolution is correct in its form and adherence to the AS UCSB Legal Code.* |
|  |

**FISCAL IMPACT**

|  |  |  |  |
| --- | --- | --- | --- |
| **Amount** | ***$0*** | **Account** |  |

**Bill to update Article Three, Section One, Subsection B of the By-Laws**

**WHEREAS:** An issue arose within the 69th Senate that regarding living arrangements for a senator, and;

**WHEREAS:** This issue has occurred in past senates with one time exceptions given, but no action taken to restructure legal code, and;

**WHEREAS:** Senators had expressed that an unbiased person should determine the matter; and,

**WHEREAS:** The matter will now fall into the Hands of the SAG and Executive Director based on their knowledge of housing insecurity, academic success, and societal problems; and,

**LET IT BE RESOLVED BY THE 69th ASSOCIATED STUDENTS SENATE ASSEMBLED: Hereby approves to update Article Three, Section One, Subsection B of the By-Laws**

ARTICLE III - OFFICERS SECTION:

1. ELIGIBILITY
	1. Executive Officers:
		1. In order to be eligible to run for an executive office, a person must have completed at least sixty (60) units accredited at UC Santa Barbara (this includes transfer units) by the end of the Winter quarter immediately prior to the Spring General Election.
		2. The Executive Officers shall have completed at least one (1) quarter in residency at UC Santa Barbara prior to the Spring general election within the academic year.
		3. In order to be eligible to run for office, transfer students must have been enrolled at the UCSB campus for a minimum of two (2) academic quarters prior to the Spring election in which they wish to participate, and must have completed at least twenty-four (24) academic units at the UCSB campus.
		4. During the Spring quarter of the election and their term of office, the Executive Officers shall be required to complete at least six (6) units per quarter (excluding summer) and maintain at least a two point zero (2.0) overall grade point average.
		5. In the event that these requirements are challenged or not met, the Executive Officers shall have two (2) school weeks to appeal any error in recording units or any extenuating circumstances to the Elections Committee.
	2. Senators:
		1. In order to be eligible to run for Senate offices, a person must have completed at least twelve (12) units by the end of the Winter quarter immediately prior to the Spring General Election.
		2. The Senate Representatives shall have completed at least one (1) quarter in residency at UC Santa Barbara prior to the Spring General Election.
		3. During the Spring quarter of the election and their term of office, the Senate Representatives shall be required to complete at least six (6) units per quarter (excluding summer) and maintain at least a two-point zero (2.0) overall grade point average.
		4. The Senate Representatives must live among their constituents during Fall, Winter, and Spring quarters of their year of elective service. Any Senators appointed by an ad hoc Committee and approved by the Senate during Fall, Winter, or Spring quarters must live among their constituents.
		5. In the event a Senate member chooses to study abroad, they may not be abroad for more than one (1) quarter and must provide a proxy for that quarter.
		6. In the event that these requirements are challenged or not met, the Senators shall have two (2) school weeks to appeal any error

*C) Eligibility Exceptions*

1. *In the event that an elected officer, fails to meet these any of these eligibility requirements, this policy is meant to clarify all confusion regarding this matter. In this event, external circumstances may be considered to ensure accessibility and fairness in holding elected positions.*
2. *External Circumstances may include but is not limited to Financial Insecurity, Physical and Mental Health, and experiencing Racism, Queerphobia, Transphobia.*

*2. The elected officer in question will meet with the Executive Director and the Student Advocate General to talk in private about the details of their personal life.*

1. *The Student Advocate General will assist in this process as they lead the only nonpartisan, regularly- operating entity within the Association.*
2. *The Student Advocate General, with recommendations from the Executive Director and the accountability director from the IVP’s office, will then decide if the senator will be given an exemption to continue their work as a senator.*
3. *Due to the confidentiality of the case and the legally-binding confidentiality restrictions the Office of the Student Advocate must follow, any documents cannot be disclosed to the Senate.*
	* + - 1. *The Student Advocate General will take into account when deciding to give the exemption the duties that the elected officer has done, including, but not limited to:*
4. *Responsibilities and job duties listed in the By-Laws and Constitution*
5. *This information will be given to the Student Advocate General as the Accountability Director has access to.*

*3. After a thorough inquiry has been completed, the Student Advocate General may grant an exemption, where the officer in question may resume as normal, or recommend that appropriate actions be taken to respectfully remove them from their positions.*

**LET IT BE FINALLY RESOLVED THAT THE 69TH ASSOCIATED STUDENTS SENATE ASSEMBLED:** Because the Senate has already approved to give an exemption for a situation that fell under this situation this school year, the Senate should adhere to its previous commitment in giving the exemption and allow any elected officer given an exemption to finish their terms.