

ARTICLE VIII. CODE OF ETHICS

Section 8.01 Purpose and Authority

- (a) The purpose of the Ethics Code is to protect the integrity of the Student Government Council – Modesto A. Maidique Campus by prescribing restrictions against conflicts of interest and unethical practices.
- (b) Violation of the Ethics Code regulations may be considered malfeasance.

Section 8.02 Regulations

- (a) No Student Government Official shall participate in any SGA activity that would place that person in a position where there may be a conflict of interest between a private interest and the interest of the Student Body.
- (b) No Senator shall cast a vote in any council bill, resolution, or appropriation that would place that Senator in a position where there may be a conflict of interest between a private interest and the interest of the Student Body.
- (c) No Student Government Official shall participate in any SGA activity or represent Student Government as a Student Government Official in any action or activity in which there may be a personal benefit made that directly conflicts with the interest and benefit of the Student Body.
- (d) No Student Government Official shall use, authorize to use, or condone in any way the wrongful use of Student Government property or Activity and Service Fee funds, defined as the use of funds in violation of the Finance Code, including, but not limited to, the use of Student Government property or Activity and Service Fee funds to aid Student Government political campaigns.
- (e) No Student Government Official shall aid, advise, condone, or in any way induce another to act in violation of any provision in the SGA Constitution or SGC-MMC Statutes.
- (f) No Student Government Official shall commit slander or libel.
- (g) No Student Government Official shall commit or attempt to commit extortion or blackmail.
- (h) No Student Government Official shall commit or attempt to commit bribery.
- (i) No Student Government Official shall cover up evidence or misrepresent any fact pertaining to a violation of the SGC-MMC Statutes, the SGA Constitution, or the FIU Student Code of Conduct.

- (j) No Student Government Official shall knowingly provide false information in his/her capacity as a Student Government Official.
- (k) Student Government Officials must disclose all knowledge of corruption in the Student Government Association.
- (l) No Justice, Senator, member of the Executive Branch or Elections Commissioner shall allow personal interest to influence a vote.
- (m) Student Government Officials are to choose the most qualified and capable applicants to SGA regardless of their race, color, religion, sex, national origin, ethnicity, age, disability, marital status, parental status, veteran status, sexual orientation, organizational affiliation, or affiliation with a political party when confirming and selecting candidates during special Senate elections and for confirmation.
- (n) No Student Government Official who is in a position of authority shall threaten, attempt to threaten, or condone threatening, either verbally or in writing, the current or future employment, funding, or position of a subordinate Student Government Official based upon the subordinate's race, color, religion, sex, national origin, ethnicity, age, disability, marital status, parental status, veteran's status, sexual orientation, organizational affiliation, or affiliation with a political campaign.
- (o) All Student Government Officials shall perform their duties with due diligence and make a continuous effort towards improvement, and maintain the highest standards of performance, conduct, cooperation, and professionalism.
- (p) All Student Government Officials shall conduct themselves at all times in a manner which shall reflect the creditability and professional standard of the Student Government Association, and shall uphold these principles, ever conscious that public office is a public trust.

Section 8.03 Removal of Student Government Officials

- (a) Any member of the Executive Branch may be impeached and removed by the Senate or removed by the Judicial Branch.
 - (i) Any Executive Branch member, with the exception of the Vice President, may be removed by the President, or a President's designee, without consent from the Senate.
- (b) Any member of the Legislative Branch may be impeached and removed by the Senate or removed by the Judicial Branch.
- (c) Any member of the Judicial Branch may be impeached and removed by the Senate or removed by the Judicial Branch.

Section 8.04 Appeals Process

(a) The Appeals Process is as follows:

- (i) A written request must be submitted to the Vice President for Student Affairs or designee within five (5) business days of the receipt of the hearing decision. If a disciplinary action is not appealed, that decision becomes final. The written request must state the reason(s) for appeal, the supporting facts, and the recommended solution. Failure to describe the nature of the evidence in full detail in the appeal letter will result in the denial of an appeal. Appeal considerations are limited to:
 - 1) Due process errors involving violations of a charged student's rights that substantially affected the outcome of the initial hearing. Appeals based on this consideration will be limited solely to a review of the record of the hearing.
 - 2) New evidence that was not available at the time of the original hearing and may have substantially affected the outcome. The nature of the evidence must be described in full detail in the appeal letter.
- (ii) The Vice President for Student Affairs or designee will review the written appeal, tape recording, and documentation from the original hearing, and determine if there is a basis for appeal. If the Vice President for Student Affairs or designee determines there is no basis for appeal and upholds the original Judicial Board Decision, a written decision will be sent to the student stating appeal denial and basis for the denial.
- (iii) If an appeal is granted, The Vice President for Student Affairs or designee may remand the decision to the original hearing body for review of the specific information in question or may order a new hearing to be held by a different hearing body composed of students trained as hearing body members by the office of Judicial and Mediation Services. Decisions of the appellate body will reflect final agency action.