

# ARTICLE IV. EXECUTIVE BRANCH

## Section 4.01 Purpose

- (a) Purpose
  - (i) The purpose of the Executive Branch of the Student Government Council – Modesto A. Maidique Campus is to execute and carry out all duties as prescribed by these Statutes and the SGA Constitution, representing the interests of the student body before the FIU Administration. The Executive Branch shall ensure that all laws of the Legislative Branch and decisions of the Supreme Court are enforced and observed.

## Section 4.02 Structure and Leadership

- (a) President
  - (i) The President of the Student Government Council is the head of the Executive Branch of Government, the student representative to the Board of Trustees, and the representative of FIU to the Florida Student Association.
  - (ii) The President shall abide by the SGA Constitution and these Statutes.
  - (iii) The President shall be able, pursuant to Florida Statutes, to appoint students to serve on university committees on specific areas such as the Health Fee Committee and Technology Fee Committee.
    - (1) Appointments to these committees shall be made publicly available through the SGC-MMC website. The appointment shall also be announced at the next Senate and Executive Branch meeting.
- (b) Vice President
  - (i) The Vice President of the Student Government Council is the second in command of the Executive Branch of Government and the *ex officio* President of the Senate.
  - (ii) The Vice President shall abide by the SGA Constitution and these Statutes.
- (c) Cabinet
  - (i) Comptroller
    - (1) The Comptroller shall be in charge of carrying out the distribution of the budget and of auditing and advising the SGC-MMC.

- (2) The Comptroller shall attend all Executive meetings and provide a monthly financial report to the Senate at the last meeting of every month.
  - (3) Following the approval of a funding request by the Finance Committee and the SGC-MMC Senate, and the disbursement of these approved funds, the Comptroller shall provide detailed reports of budgetary requests to the Finance Committee.
    - a) The Comptroller shall work with the Finance Committee Chairperson to adequately process budgetary requests in compliance with finance policy.
- (ii) Chief of Staff
- (1) The Chief of Staff shall be the chief advisor to the President.
  - (2) Responsibilities shall include, but are not limited to, overseeing executive personnel, supervising the execution of office policies, being informed of the SGC-MMC calendar, facilitating the administration's goals and objectives, helping to preside over the weekly Executive Branch meetings, and proofreading all of the SGC-MMC literature.
- (iii) Composition of the Executive Cabinet
- (1) The members of the Executive Cabinet shall be nominated by the President and Vice President and approved by a simple majority of the Senate.
  - (2) The composition of the Executive Cabinet is determined by the President and Vice President. There shall be a permanent Chief of Staff and Comptroller within the Cabinet.
    - a) New Cabinet positions shall be created by the President through a New Cabinet Position Executive Order, to be announced at the next Executive branch meeting and Senate meeting following the establishment of the position.
    - b) The New Cabinet Position Executive Order creating the position shall provide an overview of the general functions and duties of the position, as well as the formal title for the position.
    - c) Nominees appointed by the President and being presented for approval by the Senate must be in attendance in the Senate meeting during which they will be considered. If there is a case in which a

nominee cannot be in attendance, the President may speak on their behalf, by discretion of the Senate Speaker.

- i) A copy of the New Cabinet Position Executive Order must be provided to the Senate when a nominee is presented to be confirmed.
- ii) Each nominee must be presented and confirmed individually.

(3) Requirements

- a) All officials of the Executive Cabinet shall be required to attend bi-weekly Cabinet meetings.
  - i) Executive Cabinet officials shall not be allowed to have more than two (2) excused absences from Cabinet meetings.
  - ii) For an absence to be considered excused, documentation excusing one-self from a meeting must be provided to the Clerk of Council and Chief of Staff.
  - iii) During the Summer semester, Cabinet officials shall be allowed to miss meetings, as long as they are excused for every meeting.
    - 1. To be counted as present, Cabinet officials must be present for the majority of a meeting.
- b) All Executive Cabinet members shall be individually required to submit one (1) report every Fall and every Spring semester. The report shall be submitted no later than ten (10) weeks after the beginning of every semester.
  - i) These reports shall include updates on goals, current and planned projects, current and planned events as well as a discretionary budget expenditure summary.
  - ii) These reports shall be submitted to the Chief of Staff and be readily accessible to the Senate upon request.
- c) All cabinet members shall fulfill the duties prescribed in the New Cabinet Position Executive Order that creates each respective position.

### **Section 4.03** Committees, Departments, Directors, Agencies, and Councils

(a) Agency/Council

(i) Purpose and Responsibilities

- (1) The Student Government Council Agencies/Councils are established to perform the duties as described in these Statutes with the purposes of programming activities, managing student clubs, and representing student organizations.
- (2) The Councils of the SGC-MMC shall be:
  - a) Residence Hall Association
  - b) Black Student Union
  - c) Multi-Faith Council
- (3) The Agencies of the SGC-MMC shall be
  - a) Student Programming Council
  - b) Homecoming Council
  - c) Council for Student Organizations

(ii) Creation

- (1) The process for the creation of an Agency/Council shall be as follows:
  - a) Submission of an Application in the form of a formal Business Plan and a tentative Standard Operating Procedure to the Student Advocacy Committee
  - b) The Application shall consist of the following items:
    - (i) Mission Statement
    - (ii) Scope of Service(s)
    - (iii) Description of how the service(s) will benefit the Student Body of Florida International University
    - (iv) Organizational Structure
    - (v) Proposed Budget & Breakdown
  - c) The Student Advocacy Committee shall review these documents and with a majority vote make a recommendation to the Senate about the proposed Agency/Council to proceed to the Rules, Legislation, & Judiciary Committee

- d) After the Recommendation of the standing committees pursuant to Senate Rules of procedure, a Senator shall draft a Special Act enacting the addition of the reviewed group as an SGC-MMC Agency/Council
  - (i) The Agency/ Council Senate Bill will require a supermajority vote of the Senate
- e) Upon passing of the Special Act to create the Agency/Council, the Agency/Council shall be considered an Interim Agency/Council.
- f) The Interim Agency/Council application and Senate Bill shall be submitted to the University-Wide or Campus-Specific Budget Committee and the Office of the Vice President of Student Affairs or their designee for review of fiscal viability.
- g) Upon creation Upon approval by the Office of the Vice President of Student Affairs, SGC Agencies/Bureaus Councils shall be incorporated into the organizational structure of the Student Government Association Executive Branch and shall be subject to all privileges and responsibilities inherent with Agency and Bureau Council status the following fiscal year.

2) All Agencies/Councils shall abide by these Statutes.

(iii) Duties

- (1) All Agencies/Councils of the SGC-MMC shall operate under the authority of the SGC-MMC and its Constitution and Statutes.
  - a) Each Agency/Bureau shall have an Advisor who is a full-time faculty or staff member on the MMC or Engineering Campus designated by the Office of the Vice President of Student Affairs.
- (2) The Agencies/Council shall oversee the allocation of funds and operation of the organizations under their jurisdiction and/or of their specific directors, as determined by the budget of the Student Government.
  - a) The use of funds by the Agencies/Councils must fully comply with the Finance Code of the SGC-MMC.
  - b) Each Agency/Council shall be subject to audits by the SGC-MMC Comptroller, the Operational Review Committee of the Senate, and any other entity or official mandated by these Statutes.
- (3) Each Agency/Council shall conduct (either Executive Board or general membership) meetings, at least twice a month.

- a) The time and schedule of the meetings of every Agency/Council shall be made available in the SGC-MMC Office and on each Agency's/Council's website, no later than forty-eight (48) hours before the next scheduled meeting.
- (4) Each Council shall have its Constitution, which shall outline the procedures of operation for the Council and for the elections of the Council's executive board.
- a) The Constitution and every amendment to the constitution of each Council shall require the approval by the SGC-MMC Senate and the SGC-MMC President's signature.
  - b) Each Council reserves the right to elect and/or designate its own President or Director and Executive Board according to its own procedures as outlines in their governing documents.
    - i) The SGC-MMC Senate has the power to remove, after impeaching, a member of the Council's Executive Board for malfeasance and/or nonfeasance with a two-thirds (2/3) vote of the Senate.
    - ii) A list of all Executive Board members shall be made available at the SGC-MMC Office and on each Council's website.
- (5) Each Agency shall have its Constitution, which shall outline the procedures of operation for the agency. Elections of the Agency's executive board must follow the procedure outlined below.
- a) The Constitution and amendments to the Constitution of each Agency shall require the approval by the SGC-MMC Senate and the SGC-MMC President's signature.
  - b) Each Agency reserves the right to elect and/or designate its own President or Director and Executive Board through the following procedure.
    - i) The Agency shall recommend, through an internal process outlined in its Constitution, to the SGC-MMC President, an individual to be considered for Director or President of the Agency.

- ii) The SGC-MMC President shall approve or deny the recommendation. IF the recommendation is denied, another recommendation of a different individual shall be made to the SGC-MMC President, until a recommendation is approved.
  - iii) Once approved, the SGC-MMC Senate shall appoint the recommended individual to the position of President or Director.
  - iv) The SGC-MMC Senate shall confirm or deny the appointment of the Agency Director or President.
- (6) Each President, Director, or Agency/-Council Representative shall attend Executive Cabinet or Executive meetings as designated by the SGC-MMC President. The Agency/Council shall present a detailed report to the SGC-MMC Senate at least once a month on the status of their organization (events, minutes, membership numbers, spending, etc.).
  - a) Violations of this clause shall be considered misfeasance.
- (7) Every Agency/Council President or Director must be paid through the SGC-MMC emolument account.
- (iv) Termination
  - a) Agencies/Councils will be eligible for termination when it is determined through a Senate review, that the agency no longer is providing the services for which it was created
  - b) Prior to any termination process being initiated, a formal grievance shall be issued, in writing, to the President/Director and Advisor regarding all issues deemed worthy of resolution or attention
  - c) A formal grievance shall only be initiated by the Student Body President, the Speaker of the Senate or the Internal Affairs Committee
    - (i) SGC Agencies/Councils shall be terminated upon enactment of a bill to delete the Agency from the SGC-MMC Statutes, Article IV, Section 4.05.
    - (ii) If an Agency/Councils is terminated its budget is automatically frozen
- (v) Council for Student Organizations
  - (1) The Council for Student Organizations (CSO) shall be the Agency overseeing and representing all undergraduate clubs, graduate clubs, and Honor Societies.

- (2) The CSO shall be responsible for allocating funds to each organization, providing a structure for funding, and providing leadership to its member organizations.
- (vi) Student Programming Council
    - (1) The Student Programming Council (SPC) shall be the Agency responsible for programming on the Modesto A. Maidique Campus for activities such as lectures, concerts, performances, and other events throughout the year.
  - (vii) Homecoming Council
    - (1) The Homecoming Council (HC) shall be the Agency responsible for programming a designated week of events which promote school spirit, and entertainment for students.
  - (viii) Residence Hall Association
    - (1) The Residence Hall Association (RHA) shall serve as the Council responsible for representing the students living in the on-campus housing facilities under the Department of Housing and Residential Life.
      - a) The RHA shall represent the housing community on issues of facilities, services, fees, general climate, and security.
    - (2) The RHA shall serve as the Council, manager, and provider of funding towards any programming for the facilities of the Village Council, Panther Hall Council, University Towers Council, Everglades' Hall Council, Lakeview North Council, Lakeview South Council, Parkview Hall Council and National Residence Hall Honorary.
  - (ix) Multi-Faith Council
    - (1) The Multi-Faith Council shall be the Council responsible for fostering levels of understanding, communication and respect among religious faiths in the Florida International University Community.
  - (x) Black Student Union
    - (1) The Black Student Union (BSU) shall be the Council that serves as the liaison of students of the African Diaspora and Florida International University.
- (b) Departments



(i) The Executive Branch shall have divisions called departments charged with specific duties as outlined in these Statutes and composed of Directors. Departments shall be headed by a member of the Executive Cabinet as designated by the President, unless otherwise specified in these statutes. Cabinet positions with specific functions may be created outside of these departments at the President's discretion.

(ii) Department of External Relations

(1) Purpose and Responsibilities

a) The Department of External Relations shall serve as the liaison between SGC-MMC and the University, the press, and the community as a whole.

(2) Structure

a) The SGC-MMC President shall determine the composition, operational structure, and membership of this department.

(iii) Department of Governmental Relations

(1) Purpose and Responsibilities

a) The Department of Governmental Relations shall be charged with representing SGC-MMC to members of the State Legislature, the U.S. Congress, federal and state government agencies, and other national and international public organizations.

b) The Department of Governmental Relations shall be the lobbying arm of SGC-MMC and shall assist the Executive Branch and Legislative Branch with lobbying efforts and legislative outreach.

c) The Department of Governmental Relations shall be responsible for coordinating all civic and voter engagement of the SGC-MMC.

(2) Structure

a) The SGC-MMC President shall determine the composition, operational structure, and membership of this department.

(c) Directors

(i) The Executive Branch shall have members that do not belong to the Cabinet known as Directors who shall assist and advise the Secretaries and/or Executive Branch Leadership on specific initiatives and topics. Directors belonging to

Departments shall carry out the purpose of the Departments, but not all Directors must belong to a Department.

- (ii) Directors shall either be appointed by a Cabinet Member and approved by the President or appointed by the President. Directors shall be removed either by the SGC-MMC President, by the SGC-MMC Senate, or the SGC-MMC Judicial Branch.
- (iii) Directors shall be considered SGA officials and shall be held to the same professional and ethical standards but shall not receive compensation as the position is a volunteer position.