

## **The GSO Board of Appeals Bylaws**

The GSO Board of Appeals Bylaws shall supplement the GSO Constitution and the GSO Standing Committee Bylaws on the governing of the GSO Board of Appeals.

### Article I Purpose

The Board of Appeals (hereafter the BOA) shall act in an advisory capacity in matters concerning the removal of an officer and shall adjudicate grievances against the GSO senators, committees or representatives brought by any member of the GSO.

### Article II Membership

- A. The BOA must consist of five GSO members at least three of whom have to be GSO senators. The BOA members need to be confirmed at the first regular Senate meeting each semester.
- B. GSO members that have brought an appeal or have been found guilty by the BOA on at least one account are not eligible to be BOA members. No more than two students from the same department can participate in the committee.
- C. Any GSO member that satisfies the above requirements can be nominated to be on the committee. The BOA members require approval of a majority vote of the Senate.
- D. In addition to regular voting members, the Senate may appoint at most 2 of alternate voting members that satisfy the above requirements. For each regular voting member who is absent from a BOA meeting, one alternate voting member who is present shall gain the right to vote at that meeting. The order in which alternate voting members gain the right to vote at each meeting shall be the order in which the Senate appointed them to the BOA.

### Article III Appeal procedure

- A. Upon receiving a written appeal, the BOA chair will convene a meeting of the full committee within two weeks. All BOA members will have equal access to all documents and information.
- B. At least five BOA members have to be present during any meeting/hearing.
- C. The BOA must inform all concerned parties of the nature and source of the dispute and must provide all interested parties the opportunity to argue their case. The BOA may not hear a grievance more than once. Grievance may be resubmitted on the grounds that new and pertinent evidence will be presented. Inability to provide new evidence will lead to immediate dismissal of the grievance.
- D. The BOA meetings and hearings may be closed sessions with only members and invited parties present at any time.
- E. Hearings

1. The BOA shall conduct a hearing with all parties involved in the appeal. Parties involved can request witnesses to attend the hearing. All parties (including any witnesses) shall be notified of procedures to take place and shall have at least 10 days to submit a written statement to be filed with the appeal materials.
2. The BOA chair shall disseminate all materials relevant to the hearing via hard or electronic copies to all committee members. The accused party shall have the right to see any written statements submitted in the process before the hearing takes place. The BOA reserves the right not to accept additional evidence submitted within 2 business days of a scheduled hearing.
3. Before the hearing is to begin, the BOA shall designate a member, other than the chair, to record the proceedings of that hearing. Use of recording devices is reserved for the BOA membership only. No outside recording devices are allowed. Proper transcription and organization of the proceedings for presentation to the GSO Senate will be the responsibility of the recorder.
4. Witnesses may be asked to remain outside the hearing room until called at the discretion of the BOA. Witnesses need not be called to testify before the committee if the committee does not request their testimony.
5. The accuser shall have at least 15 minutes to present her/his case without interruptions from other parties. The accuser may use the presentation time to invite any witnesses in attendance to support his/her statement. The accused party shall have the right to present the defense in equal manner and time allowed.
6. The BOA can ask questions that are relevant to the case to both parties and any witnesses present.
7. Personal attack of any kind shall be strictly prohibited. The chair shall be responsible to ask any disruptive person to leave the room.
8. Following testimony from each party, all non-committee members must leave the room during the deliberation period. The committee may recall any party for additional questions. If no additional questions are necessary, the waiting parties should be notified that they might leave.
9. Deliberation should continue until all BOA members agree to a vote. The chair shall be responsible for conducting and recording the outcome of the vote. Committee members may not abstain from voting.

#### F. Dissemination of Materials

The BOA shall make a recommendation no later than two weeks after the last hearing. The BOA shall disseminate to all Senators via hard or electronic copy all parties' statements, meeting/hearing minutes, the BOA findings and the final

recommendation (majority report) at least 10 days before the regular senate meeting that the appeal is to be acted upon. Hard copies of all materials shall be available through the GSO office during the same time.

G. Minority Report

Should the recommendation not be unanimous the members of the committee shall have a right to publish a minority report over and above the required majority report.

H. The GSO Senate Meeting Presentation

During the Senate meeting that is to act upon the appeal, equal time, and at least 10 minutes, will be given for the BOA findings and the accused party defense presentations. The Senate will have the time allowed to ask questions. After the questioning, the accused party shall leave the room and the meeting will be elevated to an 'executive session' meeting. No person can enter the room during this executive session. If a member leaves the room, re-admittance shall not be granted. The executive session ends after the Senate has reached a decision on any action to be taken and the accused party is to be informed of it.

I. The GSO Constitution, Article IV.E.2, governs removal of the GSO Officers.

**The GSO Senate approved this document on March 2004.**