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**S.B.2019.2020.18**

**A Bill –**

**A bill to be entitled “Attendance Policy Update Act” which revises the rules on Senate attendance in order to allow greater flexibility and inclusivity.**

**WHEREAS:** There are a variety of reasons a senator may be late for a meeting; and

**WHEREAS:** The Senate should strive to be accommodating to all students and to accommodate their specific situations; and

**WHEREAS:** While it may be desirable to punish senators for tardiness, this should not go as far as to deprive them of their vote and their right to speak; and

**WHEREAS:** The code currently says, “**ABSENCES.** Any Senator not reporting as present during roll call shall be considered absent. Any Senator more than 30 minutes late will be considered absent and not allowed to speak or vote.”; and

**WHEREAS:** The code already lays out that two (2) tardies are considered one absence; and

**WHEREAS:** This is already suitable punishment for late Senators; now, THEREFORE:

**BE IT ENACTED:** That this bill is adopted and specifically paired with the new constitution ratified by the students on February 20, 2020 and that this will not be implemented until the constitution has been implemented; and

**BE IT ENACTED:** Upon passage this bill be forwarded to the Student Body President for further action; and

**BE IT ENACTED:** The following will be inserted into the eventual Standing Rules and Procedures or equivalent as Article VII or whichever article is so decided during the creation of the Standing Rules and Procedures:

**ARTICLE VII. ABSENCE POLICY**

* + - * 1. **AUTHORITY.** Authority and responsibility for this policy must rest with the Senate Chairperson with oversight and assistance from the Parliamentarian.
        2. **UNIVERSAL APPLICATION.** The rules and limitations on absences found in this Article are applicable to the regularly called meetings of the Senate, any committee meetings, and any duly required events.
        3. **ENFORCEMENT.** Enforcement of the provisions of this absence policy rests with the Chairperson. Should the Chairperson fail to properly enforce the rules under these provisions it is the duty of the Parliamentarian to do so.
        4. **UNEXCUSED ABSENCE LIMIT.** During any given session a Senator is afforded three absences from Senate meetings or required events. When a Senator acquires two unexcused absence from the Senate meeting or required event they must be given a written warning by the Chairperson or their designee. This notification must inform the Senator that they have one more unexcused absence before the Chairperson will ask for their resignation. If a Senator receives a third unexcused absence they will qualify for Impeachment.

After acquiring four unexcused absences from committee meetings each semester must qualify a Senator for impeachment.

After a Senator has received a second unexcused absence from a Senate meeting or four (4) absences from a committee the Chairperson must inform the Senator as such and ask for the Senators resignation in writing.

Should the Senator refuse to resign or is not contactable, the Chairperson or Parliamentarian may caucus with as many Senators as they deem appropriate so that they may work to develop Articles of Impeachment.

* + - * 1. **EXCUSED ABSENCES.** Each Senator is allowed a limited number of excused absences from Senate or Committee per Senate session, exceeding these limits will result in an unexcused absence. Excused absences are permitted in accordance with certain criteria which include:

Two (2) excused absence for undocumented sickness. A sickness absence must be reported to the Chairperson, by email, by 4:00 p.m. on Monday prior to the start of the Senate meeting in order for the excused absence to be considered to be valid.

Two (2) excused absences for an academic related activity which is set to occur at the same time as the Senate meeting. An academic related absence must be reported to the Chairperson in email by Sunday at 5:00 p.m. prior to the expected absence in order for the excused absence to be considered valid.

An event which qualifies as an “academic related activity” is defined as an officially sanctioned academic event worth course credit.

If the Chairperson has reasonable cause to suspect that the academic event being used to justify an excused absence does not fit the definition as provided they are empowered to require documentation (i.e. course syllabus, professors note, etc.) from the Senator proving it meets the definition.

One (1) excused absences for university, student organization, work or other kind of conference or event. An excuse for university, student organization, work or other kind of conference or event must be submitted to the Chairperson in email by Thursday at 5:00 p.m. prior to the expected absences in order for the excused absence to be considered valid.

Two (2) absences for documented illnesses will be excused so long as documentation from a medical service provider is presented to the Chairperson any reasonable time prior to the missed meeting, or within 72 hours after the absence in order for the excused absence to be considered valid.

If a Senator is to be absent for more than two (2) meetings because of documented illness they must send a written request for a temporary leave of absence which will excuse up to four (4) additional missed meetings due to documented illness. Upon the expiration of a total of six (6) missed meetings due to documented illness the Chairperson must ask for the Senators resignation.

A reasonable number of excused absences, as defined by the Chairperson, will be allowed for bereavement in the event of a death in the family, so long as there is no probable cause for Chairperson to suspect abuse of this policy. Upon the expiration of a total of six (6) missed meetings due to bereavement the Chairpersons must ask for the Senators resignation.

Should the Chairperson or other officer record an absence as unexcused and the Senator feels their excuse is justified, the Senator may appeal to the Senate to amend the decision.

* + - * 1. **EXCUSED TARDIES.** Each Senator is allowed a limited number of excused tardies from Senate or Committee per semester so long as the tardy meets certain criteria which include:

Two (2) excused tardies for sickness or injury. A sickness tardy must be reported to the Chairperson, in writing, by 7:00 p.m. on Monday prior to the start of the Senate meeting in order for the excused tardy to be considered to be valid.

Two (2) excused tardies for an academic related activity which is set to occur at the same time as the Senate meeting. An academic related tardy must be reported to the Chairperson by Sunday at 5:00 p.m. prior to the expected absence in order for the excused tardy to be considered valid.

An event which qualifies as an “academic related activity” is defined as an officially sanctioned academic event worth course credit.

If the Chairperson has reasonable cause to suspect that the academic event being used to justify an excused tardy does not fit the definition as provided they shall be empowered to require documentation from the Senator proving it meets the definition.

One (1) excused tardy for university, student organization, work or other kind of conference or event. An excuse for university, student organization, work or other kind of conference or event must be submitted to the Chairperson by Thursday at 5:00 p.m. prior to the expected tardy in order for the excused tardy to be considered valid.

Unlimited excused tardies for documented illnesses or injury will be excused so long as documentation from a medical service provider is presented to the Chairperson any reasonable time prior to the late meeting, or within 72 hours after the tardy in order for the excused tardy to be considered valid.

If a Senator is to be tardy more than four (4) meetings in a row because of documented illness they must send a written request for a temporary leave of absence which will excuse up to four (4) additional missed meetings due to documented illness.

A reasonable number of excused tardies, as defined by the Chairperson, will be allowed for bereavement in the event of a death in the family, so long as there is no probable cause for the Chairperson to suspect abuse of this policy.

Should the Chairperson or other officer record an tardy as unexcused and the Senator feels their excuse is justified they may appeal to the Supreme Court to amend the decision. An appeal will be filed with the Supreme Court Chief Justice in writing or other format as they prescribe.

* + - * 1. **RECORD KEEPING.** The Senate Clerk must keep a continuous record for the Senate and Committee meetings of those present, absent, early leave, and tardy. Each committee chairperson must keep an attendance record and report it to the clerk every Monday.
        2. **ABSENCES.** Any Senator not reporting as present during roll call must be considered absent. Any Senator more than 30 minutes late may be added to the roll and will be considered tardy.
        3. **EARLY LEAVE.** Any Senator who wishes to permanently leave the meeting during regular business must make a request to the Chairperson that they be removed from the roll. The time the Senator left will be recorded in the minutes. A Senator who is granted leave will be marked as absent if they leave and the meeting continues for a time greater than the amount of time they were present.
        4. **TARDY.** A Senator who enters the meeting after roll call must request to be added to the roll, the request will be marked in the minutes and a tardy recorded on the Senators attendance record. Any two (2) recorded tardiness must constitute one (1) absences.
        5. **REPORTING.** The Chairperson must ensure that the Clerk keeps the attendance record and will keep on file all excuses reported to them. The attendance record will be transmitted to the Senate Leader and Parliamentarian each Friday.

**Appendix A - Original Article**

**ARTICLE VII.ABSENCE POLICY**

Amended by: S.B 2014-2015.05 “Senate Attendance Policy Act”

**§1 AUTHORITY.** Authority and responsibility for this policy shall rest with the Senate Chairperson with oversight and assistance from the Supreme Court Chief Justice.

**§2 UNIVERSAL APPLICATION.** The rules and limitations on absences found in this Article are applicable to the General Meeting of the Senate each Monday and any committee meetings, including required events.

**§3 EXCUSED ABSENCES.** Each Senator is allowed a limited number of absences from Senate or Committee per semester so long as the absence meets certain criteria which include:

(a) One (1) excused absence for sickness. A sickness absence must be reported to the Chairperson, in writing, by 6:00 p.m. on Monday prior to the start of the Senate meeting in order for the excused absence to be considered to be valid.

(b) One (1) excused absences for an academic related activity which is set to occur at the same time as the Senate meeting. An academic related absence must be reported to the Chairperson by Sunday at 5:00 p.m. prior to the expected absence in order for the excused absence to be considered valid.

(1) An event which qualifies as an “academic related activity” is defined as an officially sanctioned academic event worth course credit.

(2) If the Chairperson has reasonable cause to suspect that the academic event being used to justify an excused absence does not fit the definition as provided he shall be empowered to require documentation from the Senator proving it meets the definition.

(c) One (1) excused absences for university, student organization, work or other kind of conference or event. An excuse for university, student organization, work or other kind of conference or event must be submitted to the Chairperson by Thursday at 5:00 p.m. prior to the expected absences in order for the excused absence to be considered valid.

(d) Two (2) documented illnesses will be excused so long as documentation from a medical service provider is presented to the Chairperson any reasonable time prior to the missed meeting, or within 72 hours after the absence in order for the excused absence to be considered valid.

(1) If a Senator is to be absent for more than two (2) meetings because of documented illness they must send a written request for a temporary leave of absence which will excuse up to four (4) additional missed meetings due to documented illness.

(e) A reasonable number of excused absences, as defined by the Chairperson, will be allowed for bereavement in the event of a death in the family, so long as there is no probable cause for Chairperson to suspect abuse of this policy.

(f) Should the Chairperson or other officer record an absence as unexcused and the Senator feels his excuse is justified he may appeal to the Supreme Court to amend the decision. An appeal will be filed with the Supreme Court Chief Justice in writing or other format as he prescribes.

**§4 RECORD KEEPING.** The Senate Clerk shall keep a continuous record for the Senate and Committee meetings of those present, absent, early leave, and tardy.

(a) Each committee chairperson shall keep an attendance record and report it to the clerk every Monday.

**§5 ABSENCES.** Any Senator not reporting as present during roll call shall be considered absent. Any Senator more than 30 minutes late will be considered absent and not allowed to speak or vote.

**§6 EARLY LEAVE.** Any Senator who wishes to leave the meeting during regular business shall make a request to the Chairperson that they be removed from the roll. The time the Senator left will be recorded in the minutes. A Senator who is granted leave will be marked as tardy if they leave and the meeting continues for a time greater than the amount of time they were present.

**§7 TARDY.** A Senator who enters the meeting after roll call shall request to be added to the roll, the request will be marked in the minutes and a tardy recorded on the Senators attendance record. Any two (2) recorded tardy shall constitute one (1) absences.

**§8 REPORTING.** The Chairperson shall ensure that the clerk keeps the attendance record and will keep on file all excuses reported to them. The attendance record will be transmitted to the Supreme Court Chief Justice and Senate Pro-Tempore each Friday.

**§9 ABSENCE LIMIT.** When a Senator acquires on unexcused absence he shall be given a written warning by the Chairperson or designee. This notification shall inform the Senator that he has one more unexcused absences before referral to the Supreme Court Chief Justice, and the possibility of impeachment. If a Senator receives a second absence they will qualify for Impeachment.

(a) Any four (4) absences from committee meetings each semester shall qualify a Senator for impeachment.

(b) After a Senator has received a second absence the Chairperson shall forward their name to the Supreme Court Chief Justice.

(c) Upon being informed of a violation of the two absence limit the Supreme Court Chief Justice will ask for that Senator’s resignation, in writing. Should the Senator refuse to resign or is not contactable, the Supreme Court Chief Justice may work with other Senators to prepare Articles of Impeachment. Should the Supreme Court Chief Justice fail to do this it shall be the responsibility of either the Senate Pro-Tempore or Chairperson ensure it is done.