

STUDENT SENATE BYLAWS
CHAPTER VII
AFFIRMATIVE ACTION/EQUAL OPPORTUNITY

SECTION 1: AFFIRMATIVE ACTION/EQUAL OPPORTUNITY POLICY

Student Senate is an affirmative action/equal opportunity (AA/EO) employer and is firmly dedicated to AA/EO. Student Senate shall operate pursuant to the policies and regulations set forth by the University of Northern Colorado (UNC) concerning affirmative action and equal opportunity.

- A. Mandatory Reporting of Discriminatory Behavior
 - 1. Student Senate members who become aware of conduct that they believe may violate the University's non-discriminatory policies must report the behavior to the Student Rights Advocate immediately. All reports will be handled confidentially.

- B. Conflict of Interest
 - 1. Student Senate members shall avoid conflicts of interest and the appearance of impropriety. Student Senate members shall refrain from voting on election matters if they have an actual conflict of interest or a relationship with an interested party that gives rise to an appearance of impropriety. Relationships that constitute a conflict of interest include a familial relationship, amorous relationship, or any other relationship that affects the Student Senate member's ability to be unbiased in the execution of his or her election related duties or raises an appearance of impropriety. Each Student Senate member is responsible for determining whether he or she has a conflict of interest or a relationship with an interested party that could give rise to an appearance of impropriety and shall thereupon recuse him or herself from voting on that election matter. If a Student Senate member voluntarily removes him or herself from the vote, that member shall be subtracted from the entire voting membership for that vote. If the Student Senate member declines voluntary recusal, the Student Rights Advocate shall decide whether or not the Student Senate member who has been challenged shall refrain from voting. If the Student Senate member is removed from the vote by the Student Rights Advocate, that member shall be subtracted from the entire voting membership for that vote.

- C. Inasmuch as Student Senate has entrusted the Student Rights Advocate to act in a fair and equitable manner concerning AA/EO policies as defined by law, the decisions and expertise regarding any AA/EO procedures may not be questioned or challenged in a Student Senate meeting insofar as confidentiality may be breached.

SECTION 2: Student Rights Advocate

- A. Qualifications
 - 1. Must be a UNC student as defined in the Student Body Constitution
 - 2. Must be enrolled in and successfully complete twelve credit hours in the Fall and Spring semesters if an undergraduate. If a graduate student, nine credit hours must be enrolled in and successfully completed.
 - 3. Must have a minimum cumulative grade point average of 2.5. For each semester employed as the Student Rights Advocate must have at least a 2.0 semester grade point average.
 - 4. Must have a strong knowledge of AA/EO policies.

- B. Job Description
 - 1. Ensure that all policies and procedures of Student Senate are not discriminatory on the basis of ethnicity, race, national origin, religion, gender, sexual orientation, disability, age, veteran status, or economic status.
 - 2. Coordinate and facilitate all complaints and grievances regarding AA/EO as allowed by law and the bylaws of Student Senate.

3. Enforce the use of Student Senate Grievance procedures, hiring procedures, appointment procedures, and all other bylaws of Student Senate.
 4. Whenever possible and appropriate, attend all Student Senate committee meetings, especially hiring and interview committees as a non-voting advisory member to ensure AA/EO.
 5. In the event of a Presidential vacancy, shall chair all Student Senate meetings until a new Student Body President has been chosen.
 6. Maintain communication with the University Director for AA/EO, the Student Senate Advisor, Student Body President, and all Directors of Student Cabinet.
 7. Be present at all Student Senate functions as neutral nonpartisan member and to ensure AA/EO.
 8. Maintain ten posted office hours every week. Hours used attending Student Senate functions and committees may be included.
- C. Employment
1. The Student Rights Advocate shall receive remuneration equivalent to full-time undergraduate in-state tuition and fees.
 2. The term of employment shall commence the first week of the summer session and conclude at the end of the Spring Semester.
 3. The Student Rights Advocate shall not be required to hold office hours during the summer session(s) and shall not be remunerated for the summer.
- D. Hiring
- The Hiring process for the Student Rights Advocate shall be the same as for Student Senate Service Positions as outlined in Chapter V Part II. This process must be finished by the end of spring semester for the following year's Student Rights Advocate.

SECTION 3: ASSISTANT Student Rights Advocate

- A. Purpose
- This section allows the Student Rights Advocate and Student Senate to appoint up to two assistant Student Rights Advocate to help carry out the duties of the Student Rights Advocate when assistance is needed. These positions shall be under the supervision of the Student Rights Advocate. *Assistant Student Rights Advocates are optional and at the discretion of the Student Rights Advocate.*
- B. Appointment Procedure
1. If the Student Rights Advocate decides that one or two assistant Student Rights Advocates would be beneficial to the student body, they shall inform the Student Body President and the Director of Student Affairs.
 2. The Student Rights Advocate, Student Body President, and Director of Student Affairs shall interview any students interested in the position.
 3. After the interviews, they shall select one or two assistant Student Rights Advocates.
 4. At the next Student Senate meeting, the Director of Student Affairs shall propose the appointment of the selected nominee(s).
 5. Upon a two thirds vote of Student Senate, the nominee(s) shall be appointed assistant Student Rights Advocate(s).
- C. Qualifications
1. Must be a UNC student as defined in the Student Body Constitution
 2. Must be enrolled in and successfully complete ten credit hours in the Fall and Spring semesters if an undergraduate. If a graduate student, nine credit hours must be enrolled in and successfully completed.
 3. Must have a minimum cumulative grade point average of 2.5. For each semester employed as the assistant Student Rights Advocate must have at least a 2.0 semester grade point average.

4. Must have a sincere interest in AA/EO policies.
- D. Job Description
1. Assist the Student Rights Advocate to ensure that policies and procedures of Student Senate are not discriminatory on the basis of ethnicity, race, national origin, religion, gender, sexual orientation, disability, age, veteran status, or economic status.
 2. Maintain communication with the Student Rights Advocate.
 3. Assist the Student Rights Advocate with reasonable duties assigned by the Student Rights Advocate.
 4. Maintain 2 office hours per week. Office hours will be posted alongside the Student Rights Advocate's office hours.
- E. Appointment
1. This is a volunteer position and therefore there is no monetary remuneration to the assistant Student Rights Advocate.
 2. The term of appointment is from the appointment to the end of the spring semester.

SECTION 4: REMOVAL

In the event that the Student Rights Advocate fails to adequately fulfill their duties they can be removed from their position. The removal process shall be the same as outlined in Chapter XII of the Student Senate bylaws. In the event that an assistant Student Rights Advocate fails to adequately fulfill their job duties the removal process shall follow the removal process for associate members of Student Senate outlined in Chapter XVII.

SECTION 5: ETHICS COMMITTEE

- A. Purpose – The Ethics Committee shall interpret and mediate all formal grievances filed against any person or group employed by Student Senate, funded by Student Senate, or volunteering for Student Senate, unless the Grievance is expressly subject to the Grievance process outlined in a different chapter of the Student Senate bylaws. All grievances that are not expressly defined in the Student Senate bylaws shall be interpreted and mediated by the Ethics Committee.
- B. Membership – The membership of the Ethics Committee shall be as follows:
1. Student Rights Advocate (chair, non-voting except ties)
 2. Student Body President
 3. Two UNC students
 4. A member of the faculty, staff, or administration
- This committee must be approved by two thirds by Student Senate within the first two weeks of the Fall semester. This committee shall serve until the end of the Spring semester.
- C. Chair Responsibilities
1. Chair all hearings of the Ethics Committee.
 2. Report Ethics Committee Recommendations to Student Senate.
 3. Maintain confidentiality of all grievances.
 4. Ensure that Student Senate Legal Services is aware of the Grievance and obtain legal advice.

SECTION 6: GRIEVANCE PROCEDURE

- A. Purpose of Procedure and General Guidelines
1. The purpose of the Grievance Procedure is to ensure that all discrimination issues are handled promptly and effectively in a manner procedurally fair to the parties involved.
 2. All proceedings relating to the Grievance Procedure will be conducted confidentially by the Student Rights Advocate and the Ethics Committee unless the Grievant explicitly waives their right to confidentiality.

- B. Filing a Grievance
1. An individual (i.e. student, faculty, staff member or applicant) may file an informal, formal or seek information about a Grievance through the Student Rights Advocate. Inquiries may be made by telephone, in person or in writing.
 2. An individual may remain anonymous in seeking information about filing a Grievance. However, as a general rule, no formal action will be taken on anonymous grievances unless deemed necessary by the Student Rights Advocate.
 3. Forms of Grievances
 - i. Informal Grievance – The informal process is designed to encourage an open atmosphere focused on conciliation, not sanctions; it encourages the parties to resolve concerns and disputes without fear of reprisal; and it enables the parties to settle the disputes quickly, fairly and impartially. An informal Grievance may be a verbal conversation, in confidence, between the Grievant and the Student Rights Advocate. The Student Rights Advocate will act as a mediator between the Grievant and the Respondent yet no further action may be taken unless a formal Grievance is filed. An informal Grievance may not be taken to the Ethics Committee. The Student Rights Advocate will proceed with a formal investigation at the request of either party or if the informal procedure fails to resolve the matter. The Student Rights Advocate will maintain a confidential record of this conversation.
 - ii. Formal Grievance - A formal Grievance shall be submitted in the form of a detailed document to the Student Rights Advocate. If the Grievance involves the Student Rights Advocate, the Student Senate Advisor shall take over the role of the Student Rights Advocate. If the Grievance involves the Student Body President, the chair shall select a Director of Student Cabinet to replace the President on the Ethics Committee.
- C. Determining Whether a Grievance Will Be Investigated
1. The Student Rights Advocate determines whether the situation described in the Grievance, if factually supported, necessitates further investigation. If not, the Student Rights Advocate will notify the Grievant and no further action will be taken. If the Student Rights Advocate is unable at this preliminary stage to determine the need for further investigation, they may refer the matter for further review to the Ethics Committee within seven days. The Student Rights Advocate and/or Ethics Committee may, in the exercise of its reasonable discretion, dismiss the Grievance with notice to all parties at any point during an investigation/hearing at which it determines that the Grievance, even if factually supported, is unmeritorious.
 2. If Grievance allegations are meritorious, the Student Rights Advocate and/or Ethics Committee may nonetheless elect not to investigate the matter in the exercise of its reasonable discretion for reasons that include:
 - i. The events outlined in the Grievance occurred outside of thirty days from the time the Grievance was filed;
 - ii. The person against whom the Grievance is made is no longer associated with Student Senate.
- D. Determining Which Procedures Will Be Followed
1. If the Student Rights Advocate determines that an investigation is warranted, it will use the procedures identified below.
- E. Informal Resolution of a Grievance
1. The Student Rights Advocate may offer a person with a Grievance use of an informal process for resolving their complaint prior to proceeding with the formal process.
 2. An informal Grievance focuses on fair and impartial resolution which is acceptable to the parties involved. The Student Rights Advocate will maintain a confidential record of the outcome of all informal resolution efforts.

3. The Student Rights Advocate will proceed with a formal investigation at the request of either party or if the informal procedure fails to resolve the matter.
- F. Formal Procedure of a Grievance
1. The formal Grievance procedure offers both the Grievant and the Respondent a formal investigatory procedure.
 2. Upon receipt of a formal Grievance, the Student Rights Advocate will conduct an investigation within three days (if the Grievance is deemed meritorious, the Respondent must be notified within that time frame). This initial investigation by the Student Rights Advocate is not on establishing guilt or innocence but on identifying the source of the problem(s) between parties and exploring ways the Grievance can be resolved. If both parties through mediation with the Student Rights Advocate agree upon a satisfactory resolution, the Grievance will not be forwarded to the Ethics committee. The Student Rights Advocate will maintain a confidential record of the outcome of all resolution efforts.
 3. If the Grievance is forwarded to the ethics committee, the Student Rights Advocate shall inform the Grievant and Respondent in writing and an ethics committee hearing shall be scheduled within seven days.
 4. At the hearing, the Grievant will be able to present any evidence relevant to the Grievance. The Respondent shall then be given an opportunity to refute the allegations and present any evidence relevant to the Grievance. In both cases, evidence may include, but is not limited to, witness testimony. Following both the Grievant and Respondent's presentations, the members of the Ethics Committee may ask any question to any individual at the hearing relevant to the Grievance. Once all Committee members have asked their questions they shall discuss the Grievance. At this point the Grievant and Respondent may no longer be able to state their case, only members of the committee may discuss. After the discussion, the committee shall vote on whether the Grievance is meritorious or unmeritorious.
 5. If the Grievance is unmeritorious, no further action will be taken by the Ethics Committee or the Student Rights Advocate.
 6. If the Grievance is meritorious, the Ethics Committee and only members of the Ethics Committee shall discuss what actions Student Senate should take to best correct the Grievance. If removal is a recommendation of the Ethics Committee, the proper removal process must be followed as outlined in the Student Senate Bylaws.
 7. The chair shall take the actions recommended by the Ethics Committee to the next Student Senate meeting. Student Senate may accept the recommendations by a vote of two thirds. If the recommendations are not accepted, Student Senate may amend the recommendations and then accept them by a vote of two thirds.
 8. All appeals of any aspect of the Grievance Procedure should be taken to the University Dean of Students within seven days of final action recommended by Student Senate.

Revised, November 2010