



**STUDENT SENATE BYLAWS**  
**CHAPTER XIII**  
**ACCOUNTABILITY & EQUAL OPPORTUNITY**

**PART 1**  
**AFFIRMATIVE ACTION/EQUAL OPPORTUNITY**

**SECTION 1: 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.

**PART 2**  
**STUDENT JUDICIARY**

**SECTION 1: STUDENT JUDICIARY**

- A. Purpose – The Student Judiciary 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 Student Judiciary.
- B. Procedures – Student Judiciary will operate under the Rules and Procedures for Student Judiciary.

**SECTION 2: 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 Student Judiciary 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
    - a. 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 Student Judiciary. 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.
    - b. 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.
- 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 Student Judiciary within seven days. The Student Rights Advocate and/or Student Judiciary 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 Student Judiciary may nonetheless elect not to investigate the matter in the exercise of its reasonable discretion for reasons that include:
    - a. The events outlined in the Grievance occurred outside of thirty days from the time the Grievance was filed;
    - b. The person against whom the Grievance is made is no longer associated with Student Senate
- D. 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.

**E. 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 Student Judiciary. The Student Rights Advocate will maintain a confidential record of the outcome of all resolution efforts.
3. If the Grievance is forwarded to the Student Judiciary, the Student Rights Advocate shall inform the Grievant and Respondent in writing and a Student Judiciary hearing shall be scheduled within seven days.
4. Hearing proceedings will be conducted in the order specified by the Student Judiciary's Rules and Procedures. Following the conclusion of the hearing, 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 Student Judiciary or the Student Rights Advocate.
6. If the Grievance is meritorious, the Student Judiciary, and only members of the Student Judiciary, shall discuss what actions should be taken to best correct the Grievance.
7. The Student Rights Advocate shall take the determined actions by the Student Judiciary and present them at the next Student Senate meeting.
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.

**SECTION 3: ACCOUNTABILITY OF STUDENT CABINET OFFICERS**

- A. Intent
  1. In effort of keeping student leaders accountable for their actions and representation of the student body, this procedure has been established as a method for removing Student Senate personnel.
- B. The following alleged conditions or occurrences are justification for the filing of a grievance and possible removal from Student Cabinet office:
  1. Violation of the leave of absence contract
  2. Failure to follow job description and qualifications as outlined by the Student Senate Bylaws
  3. Failure to follow the Student Body Constitution, Student Senate Bylaws, or any of Student Senate's policies and procedures
  4. Contribute or participate in any act, which seriously violates the policies that govern the Student Body and/or the University of Northern Colorado

**SECTION 4: REMOVAL PROCESS**

A grievance to remove a Student Senate cabinet member must be submitted in writing to the Student Rights Advocate. If the Student Rights Advocate deems the grievance legitimate, she/he shall forward the grievance to the Student Judiciary who shall hear the case and determine appropriate action. Removal may also be a determined action of any grievance heard by Student Judiciary.