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**UNIVERSITY OF MASSACHUSETTS DARTMOUTH  
STUDENT SENATE CONSTITUTION/BY-LAWS**

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**MEETINGS**

**SENATE MEETINGS**

1. Senate meetings shall be held on campus, open to the public (except cases of Executive Session), shall employ Robert's Rules Of Order as a guide for the procedure of meetings in all cases in which it does not conflict with the Constitution.
2. The Senate shall have a Parliamentarian, appointed by the President and confirmed by a majority of the Senate, for the purpose of settling disputes and answering questions with regards to Robert's Rules of Order during meetings.
3. Senate meetings shall take place at least once every two weeks during the academic year at such time and place the Senate deems advisable.
4. The President or a majority of the executive board may call emergency meetings. They shall give twenty-four hours notice to all Senators when this occurs.
5. The first meeting shall be defined as the first Senate meeting after Spring elections have been completed and the results have been verified.
6. A quorum of Senators shall be required to submit and pass any motion. A simple majority of Senators shall constitute a quorum.
7. The Senate shall appoint an advisor from among the administration, faculty, or staff of UMass Dartmouth. This advisor shall act as arbitrator of all internal disputes and assist the Senate in any way possible and necessary. The advisor must be reappointed annually.

**AGENDA AND MINUTES**

1. The Recording Secretary shall post the agenda of Senate meetings in official Senate information areas at least one academic day before a meeting. The Senate shall retain the power to determine policy concerning the format and content of the agenda.
2. The Recording Secretary shall prepare an agenda before every meeting.
3. The Recording Secretary shall prepare a typed copy of the minutes of Senate meetings for Senators to review. This copy shall be posted in the Senate office within at least one week of the meeting.

## INFORMATIONAL FORUMS

The Senate shall, as a body, conduct at least 2 informational forums per semester. The Corresponding Secretary shall conduct these meetings. Senators will be required to attend these forums unless they provide a valid excuse to the Executive Board at least one week in advance of the forum

## CONSTITUENCY MEETINGS

Senators will be required to meet regularly with their constituents. The form that such meeting will take will be determined by the Senator conducting it and approved by the Executive Board.

## EXECUTIVE BOARD MEETINGS

The Executive Board shall meet on at least a biweekly basis in order to plan upcoming Senate meetings and events. All Executive Board members must attend. The Executive Board may also choose to invite any senator, student, or other relevant person to this meeting. The Senate advisor and the Student Trustee shall have open invitations to this meeting.

## LEGISLATION

### EXECUTIVE SESSION

1. Executive Session shall be used in cases where the Senate needs to address a sensitive issue; for example internal Senate elections
2. The Senate shall require a simple majority vote to enter Executive Session (this motion is debatable) and if any official action be taken by the Senate while in Executive Session, the Senate shall decide by majority vote whether said action shall be subject to the campus media
3. Any Senator may request Executive Session

### SUBMISSION OF MOTIONS

1. All motions must be submitted in writing to the Recording Secretary and all members of the Senate at least five academic days in advance of the meeting during which they are to be made (including the day of the meeting).
2. Urgent legislation passed in after the deadline may be accepted or rejected by a simple majority of the Executive Board. This decision may be overridden by a majority of the Senate. Internal Business, that is, appointments, new meeting dates, etc., will not be affected by this law.

## RECOGNIZING AND UNRECOGNIZING SENATE RECOGNIZED ORGANIZATIONS (SROs)

### PROCEDURES FOR BECOMING AN SRO

1. A club/organization must have at least ten members in order to receive Senate funding.
2. The members of the club/organization must pick an advisor which must be an active UMD faculty, administration, or staff member.
3. The members shall write and approve by a 2/3 majority the constitution of their club/organization before submitting it to the Student Senate Vice President
4. The club/organization's constitution and all future amendments must conform to Senate guidelines as specified in following section, "requirements for being and SRO"
5. The Senate will then need a majority vote to approve the club/organization constitution.

### REQUIREMENTS FOR BEING AN SRO

1. The club/organization must be open to all students
2. There must be an executive board comprised of students and elected by the members
3. There must be at least 10 student members

### PROCEDURES FOR UNRECOGNIZING AN SRO

1. The Senate will need a majority vote to unrecognized an SRO
2. The reasons for unrecognized an SRO include, but are not limited to:
  - a. The Finance Committee has deemed the club/organization inactive for at least two years.
  - b. The club/organization is not open to all students
  - c. The club/organization's executive board is composed on non-students.
  - d. The club/organization does not have at least 10 members.

## COMMITTEES

### ORGANIZATION

1. There shall be seven student senate committees—Policy, Library Research and Technology, Dining and Campus Services, Public Safety, Facilities and Housing, Public Relations, and Finance.
2. Each Committee shall have within it taskforces created by the Committee Chairperson. Each taskforce shall be responsible for executing a given senate goal that relates to its committee. The taskforces shall be the main way in which senators fulfill their primary duties as delineated in Article VII section 1.
3. Each committee chairperson shall meet at least biweekly as the Committee council in order to organize their actions more effectively.

## APPOINTMENT

1. Members of Committees shall be appointed by the Vice President with the approval of the Senate within two weeks after the start of the fall semester. Each senator shall serve as a member of at least two committees and as a member of at least one taskforce within each of his/her committees.
2. Committee chairpersons may appoint any student or member of the faculty, staff, or administration at UMass Dartmouth as a member of his/her committee. This appointment may be recommended by any senator. The Committee chairperson shall determine if said member shall have voting rights on the given committee. The number of non-senators on a given committee may not exceed the number of senators. Any member of the student body may attend any committee meeting.
3. Any senator can request that his/her committee assignment be changed and may resign from a committee as long as that senator still remains a member of at least two. Both requests will be accepted or rejected by the Vice President and can be appealed to the executive board and then to the Senate.
4. Any senator can request that his/her taskforce assignment be changed and may resign from a taskforce as long as that senator still remains a member of at least one per committee. Both requests will be accepted or rejected by the Committee Chair and can be appealed to the Vice President and then to the Senate.

## COMMITTEE MEETINGS

1. Non-committee members may attend committee meetings with the permission of the committee chair and may attend taskforce meetings with the permission of all the members of the taskforce.
2. Committees should meet at the same time each week or every other week depending on the requirements of the committee. Taskforces should meet often and whenever the members are able.
3. The committee chairperson must submit a written report in detail to the Vice President and the Recording Secretary within three academic days after each meeting. Chairpersons will also make oral reports at the committee council.

## COMMITTEE DESCRIPTIONS

1. Policy Committee—The Policy committee shall be responsible for the following: reviewing and revising the Constitution and By-Laws, consider all ethical and judicial matters pertinent to the senate or the student body, and consider all academic affairs including, but not limited to admissions, financial aid, grading policy, and class selection.
2. Library, Research, and Technology Committee—The Library, Research, and Technology Committee shall be responsible for voicing and acting on student concerns regarding research on the campus. This includes, but is not limited to issues dealing with the library, computers, and the research building.
3. Dining and Campus Services Committee—The Dining and Campus Services Committee shall primarily be responsible for voicing and acting on student concerns regarding any and all dining services on campus. In addition, they shall also address any and all student

concerns regarding student services on the campus. These include but are not limited to student life, student rights, health services, and cultural affairs.

4. Public Safety Committee—The Public Safety Committee shall work with the Department of Public Safety and, when necessary, other faculty, staff, and administrators to confront and find solutions to all concerns with public safety on the campus in a timely manner.
5. Facilities and Housing Committee—The Facilities and Housing Committee shall address any and all student concerns related to the physical buildings on campus—whether under the jurisdiction of the Office of Housing and Residential Life or Facilities. These include but are not limited to issues concerning structural soundness, locations of offices and facilities on campus, energy use, access for the disabled, construction projects, general upkeep, and any and all other concerns that might require greater cooperation between the two offices concerned.
6. Public Relations Committee—The Public Relations Committee shall be responsible for all issues related to Senate publicity, including but not limited to advertising, correspondence with the campus community and specifically SROs, fundraising, cultural affairs, advertisement of senate vacancies, and guest speakers.
7. Finance Committee— The Finance Committee shall work with the Treasurer to allocate funds to SROs and is in charge of all senate expenditures. It shall also be in charge of facilitating organization and cooperation among SROs, particularly those with related purposes and goals.

In addition to their duty to serve as members of two Senate committees, senators shall also be required to serve as a member of at least one University committee as availability allows. The number of student members on each of University committees shall be determined by the policies of the University and Faculty Senate.

## **ELECTIONS**

### **INTERNAL ELECTIONS**

As stated in Article VIII Section 5 of the Constitution, normal vacancies arising after the fall election and before the spring election shall be filled in special internal elections no sooner than one week and no later than four weeks after a vacancy is formed.

The procedure for this election is as follows:

1. All Senate vacancies and the dates of the next internal election shall, at all times between the fall and spring elections, be adequately advertised to the student body. The adequacy of the advertising shall be determined by the Senate president.
2. All interested parties will submit letters of intent to the executive board prior to the meeting during which internal elections are to be held.
3. The election shall take place before the Senate. A quorum of Senators must be present for the election to take place.
4. The order of voting shall be decided on by the executive board prior to the meeting

5. Each candidate shall have up to 5 minutes to address the members, and may request that up to 3 guests of his/her choosing address the Senate as well. Each of these persons will have 3 minutes to address the Senate.
6. Correspondence on behalf of a candidate shall count as 1 speaker. The Vice President shall read any such correspondence to the senate.
7. All senators may ask questions of the candidates, these questions must be directed to the candidates as a whole, not to any individual.
8. Voting for all positions shall take place in executive session. The Recording Secretary shall pass out and collect all ballots.
9. The President and Recording Secretary shall tabulate the ballots.
10. The President shall announce the winners of all elections. The winner(s) shall take office immediately.
11. In the event that no candidate wins by majority, the top two candidates will be brought in to readdress the Senate for up to 3 minutes. Guest speakers will not be allowed to address the Senate during this time. Then a runoff election shall be held between these two candidates.

## SPRING AND FALL ELECTIONS

The Student Election Guidelines shall be as follows:

1. Voters
  - a. Only qualified members of the student body under Article VI section 1 may vote or sign a petition. A student may sign any petition as long as the given student is a member of the constituency of the student office sought by the candidate. A student may sign as many petitions as he/she wishes as long as he/she meets the above requirements.
  - b. All students must present their student identification numbers in order to vote.
2. Candidates
  - a. Only qualified members of the student body under Article VI section 2 may seek elected office.
  - b. Each candidate must be a member of the constituency which he/she seeks to represent.
  - c. In the event that a student expects to change his/her constituency for the following academic year, a candidate must provide written proof of such a change from the appropriate University Officer prior to the due date for petitions.
  - d. Candidates must obtain, complete, and submit the appropriate petition prior to the due date as established by the Election Officials. The petition shall require 25 signatures for candidates for student senate and class officers and 100 signatures for candidates for Student Trustee.
3. Regulation of Elections
  - a. Soliciting for or by the candidates is prohibited in the voting area. The voting area shall be defined by the election officials and shall be clearly designated as such.
  - b. Removing or interfering with any other candidate's signs is prohibited. Any such activities should be reported to the Election Officials who shall refer the matter to the Judicial Affairs Office.

- c. Candidates may begin to put up posters as soon as petitions become available
  - d. All candidates must follow the University poster policies, which shall be stated in the election packet
  - e. Winners of all student elections shall be certified by the Election Officials within 7 days. Unofficial results will be publicly posted within 24 hours after the completion of the election.
  - f. The winners shall be the X candidates receiving the most votes and also accepting the position, where X is the number of open seats for that position.
  - g. In the event of a tie, an internal election shall be held at the next Senate meeting after the completion of the election to determine the winner.
4. Ballots
- a. The names of all certified candidates shall be listed on the appropriate ballots in alphabetical order.
  - b. Space must be provided on all ballots for write-in votes
5. Disputes
- a. The Election Officials, appointed by the Student Senate, are designated to mediate any and all disputes.
  - b. All disputes must be placed in writing and submitted to and Election Officials within 3 days after the completion of the election and certified accordingly (signed and dated).
  - c. If Election Officials are unable to successfully mediate a dispute, they shall refer the matter to the Senate advisor

Spring and Fall elections shall be operated by elections officials, those senators and class officers who are not on the ballot and who have waived rights to win by write-in (during fall elections this shall consist of the entire senate, except for those seeking class officer positions). The responsibility of election officials shall be:

1. To determine deadlines for submission of election petitions and to distribute election petitions to candidates.
2. To certify the eligibility of candidates as determined by the Registrar and the Bursar
3. To determine the date of the election and location of voting
4. To advertise for the election and to post public lists of candidates
5. To provide ballots to all members of the student body wishing to vote
6. To make public Student Election Guidelines to all candidates and voters and to guarantee that all candidates and winners sign a statement of acknowledgement of such guidelines.
7. To oversee the orderly conduct of the student elections
8. To tabulate and post the results of the student elections
9. To declare and notify the winners of the student elections
10. To be impartial in the performance of their duties

#### SERVING OF TWO SEATS

One person cannot serve in more than one Senate seat, as both a Senator and Student Trustee, nor as both a Senator and Senior Class President. If during an election a student receives seats in any of the above combinations, said student must forfeit one of them and the forfeited seat shall

go to the student receiving the next highest number of votes. A student may not serve on two student fee allocation committee seats simultaneously

## **IMPEACHMENT**

### **IMPEACHABLE OFFENSES**

The following shall constitute impeachable offenses:

1. Dereliction of Duties delineated in Article VII of the Constitution
2. Gross misconduct
3. Acceptance or giving of bribes of any kind
4. Violating student rights as delineated in Article IV of the Constitution
5. Discriminating against a fellow student in the exercise of their powers as delineated in Article I, section 3 of the Constitution
6. Tampering with elections

## **AMENDMENTS**

### **AMENDING BY-LAWS**

1. The By-Laws of the Senate Constitution may be amended by a  $\frac{3}{4}$  majority of Senators
2. No By-Law may violate any portion of the Constitution or its intent.
3. To amend the By-Laws, a written proposal of the change must be submitted to all Senators two weeks prior to the vote. A copy of the changes must also be submitted to the University Newspaper.



## **FINANCE**

### **PREAMBLE**

Pursuant to Article III, section 5 of the Constitution of the Senate, be it enacted by the Senate, a bylaw providing the rules, regulations, and protocols governing the financial control of fiscal management of the Senate, Senate Recognized Organizations (SRO's) and Senate Funded Programs (SFP's).

### **TITLE I: SENATE BUDGET PROCESS**

#### **SECTION 1(A): Definition- Spring Exceptions List Hearings**

Each spring the Finance Committee will hold hearings for SRO/SFP's to submit their request to be included on the Senate's Exceptions List. Any SRO/SFP included on the Exceptions List may be considered to receive more than \$700 in funding from the Senate in any given year during either the Spring Budget Hearings or at any later time during the year, thereafter.

#### **SECTION 1 (B): Exceptions List Criteria Rule**

Any SRO/SFP seeking placement on the Exceptions List must present legitimate reasons to the Finance Committee justifying Exceptions List status. Legitimate criteria include, but are not limited to the following:

1. The SRO/SFP's need large sums of funds in order to plan future events;
2. Fixed costs that have been historically and quantitatively demonstrated;
3. The SRO/SFP is to provide unique community service and/or specialized function to the Senate and/or the UMD community, and said SRO/SFP has consistently demonstrated program effectiveness and/or cost-efficiency over the years.

#### **SECTIONS 1 (C): Announcement& Notice Rule**

1. The Finance Committee will give all SRO/SFP programs two (2) weeks notice prior to convening the Spring Exceptions List Hearings. An advertisement must be posted in the University student newspaper and announcement memoranda must be failed to the official mailboxes of each SRO.
2. The failure of the Finance Committee to comply with this provision will result in suspension of the Spring Exceptions List Hearings until the time and notification requirement stated here is satisfied.

#### **SECTION 1 (D): Time, Place & Manner Rule**

1. The Spring Exceptions List Hearings will be held no earlier than the last Monday in March, and no later than the second Friday in April of each year.
2. The hearings must be held on the main campus of the University at the place the Senate will appoint by Resolution. Spring Exceptions List Hearings will be open to public view.

**SECTION 1 (E): Finance Committee Exceptions List Executive Session**

1. After all SRO's have submitted their request to be included on the Exceptions List, and the Officers of each SRO have presented that request to the Finance Committee, the Finance Committee will proceed in Executive Session to vote on which SRO/SFP's will be included on the Exceptions List recommendation to the Senate.
2. A simple majority vote of the Finance Committee in Executive Session will be necessary for an SRO/SFP to be placed on the Exceptions List recommendation to the Senate.

**SECTION 1 (F): Exceptions List - Final Approval Rule**

1. The Senate Treasurer will format the Exceptions List recommendation passed by the Finance Committee into a recommendation motion to be presented to the Senate for its consideration.
2. A 2/3 majority vote of the Senate is necessary to approve and enact the final Exceptions List.
3. However, the Senate may by-pass the Finance Committee and proceed to consider a motion for a final Exceptions List without the recommendation of the Finance Committee if 2/3 of the Senators first agree to consider the motion. Then, a 2/3 majority of the Senate will be necessary to approve and enact a final Exceptions List under this by-pass procedure.

**SECTION 1 (G): Exceptions List - Revisions Rule**

1. If a majority of the Finance Committee agree, the Finance Committee may at any time during the year, make a recommendation motion to the full Senate that an SRO/SFP be included on or removed from the current Exceptions List.
2. A 2/3 majority vote of the Senate is necessary to approve and enact any revision to the current Exceptions List during the course of the year.
3. The Senate may by-pass the Finance Committee and proceeds to consider a motion to revise the Exceptions List without the recommendation of the Finance Committee if 2/3 of the Senators first agree to consider the motion. Then, a 2/3 majority of the Senate will be necessary to approve and enact a final Exceptions List under this bypass procedure.

**SECTION 2(A): Definition - Spring Budget Hearings**

Each spring the Finance Committee will hold hearings for SRO/SF's to submit their budget request proposals to the Senate and present the same before the Finance Committee.

**SECTION 2(B): Announcement & Notice**

1. The Finance Committee will give all SRO/SFP's two (2) weeks notice prior to convening the Spring Budget Hearings. An advertisement must be posted in the University student newspaper and announcement memoranda must be mailed to the official mailboxes of each SRO.

2. The failure of the Finance Committee to comply with this provision will result in the suspension of the Spring Budget Hearings until the time and notification requirement stated here is satisfied.

**SECTION 2(C): Time, Place & Manner Rule**

1. The Spring Budget Hearings will be held no earlier than the third Monday in April, and no later than the third Friday in May of each year.
2. The hearings must be held on the main campus of the University at a place which the Senate will appoint by Resolution. Spring Budget Hearings will be open to the public view.

**SECTION 2(D): SRO Budget Presentation - Duties & Responsibilities of SRO Officers**

1. Each SRO must submit typewritten copies of their Budget Request Packet to the Finance Committee before appearing in the Spring Budget Hearings.
2. In order for an SRO/SFP's budget Request Packet to be considered by the Finance Committee, the President-elect of that SRO/SFP, together with the outgoing President, Treasurer and/or the Treasurer-elect, must attend the Spring Budget Hearings and appear before the Finance Committee to present their SRO's proposal and respond to any inquiries of the Finance Committee.
3. If SRO's wish to use the money allocated to them for items other than those described in their budget packet, they must write a letter to the finance committee or come before the finance committee with their request. The Finance Committee will then enter executive session where a simple majority vote will be necessary to approve the SRO's request.
4. It is the duty and responsibility of each SRO to ensure its compliance with the provisions of these Finance By-Laws, and all other pertinent rule and regulations issued by the Senate Treasurer and/or Finance Committee.

**SECTION 2(E): Comparison as a Basis for Requesting Funding - Prohibition Rule**

No SRO/SFP may use a comparison with another SRO/SFP as the justification in any way for its own funding; nor will the Finance Committee base its funding recommendations for an SRO/SFP solely on comparisons with other SRO/SFP's.

**SECTION 2(F): Budget Allocation Criteria Rule**

Legitimate criteria to be used by the Senate in its budget allocation decisions include, but are not limited to, the following:

1. Size of the SRO/SFP in terms of membership and operation (and membership will be defined as the number of active, dues-paying members or members who have regular attendance at the meetings and/or SRO/SFP functions)
2. SRO/SFP program performance and community outreach in the most recent fiscal/academic year and in past years, including events, functions and/or services provided to the UMD community, its students, or external constituencies;

3. The magnitude and success of SRO/SFP fundraising activities;
4. The viability of future program planning linked to the SRO/SFP's budget funding request, including program effectiveness and cost effectiveness;
5. The SRO/SFP's current university account(s) balance;
6. Previous fiscal years' funding allocation(s) to said SRO/SFP.

#### **SECTION 2(G): Finance Committee Budget Mark-Up Executive Session**

1. After all SRO/SFPs have submitted their Budget Request Packet, and the Officers of each SRO have presented their request to the Finance Committee, the Finance Committee will proceed in Executive Session to vote on final amounts of budget allocations for each SRO.
2. The Senate Treasurer will format the final marked-up levels of funding for each SRO into a single recommendation motion that must be passed by majority of the Finance Committee to be sent to the 111 Senate as the proposed Combined Budget Resolution.

#### **SECTION 2(H): Combined Budget Resolution Rule**

1. The Combined Budget Resolution will include the proposed budgets for the (1) Student Senate (2) Student Trustee (3) the four Classes, and (4) the various SRO/SFP's. The proposed Combined Budget Resolution will then be presented to the Student Fees Allocation Committee (S.F.A.C.) by the newly elected Senate President and Senate Treasurer.
2. A 2/3 majority of the Senate must vote to approve a Combined Budget Resolution for it to be enacted. The Combined Budget Resolution must be enacted by the Senate before the third Monday in October of each year.

#### **SECTION 2(I): Letter of Allocations Rule**

1. After the Senate has enacted a Combined Budget Resolution, the Senate Treasurer will transmit to University authorities an official Letter of Allocations signed and certified by both the Senate President and Treasurer for the University to then load funds into the respective accounts.
2. The Letter of Allocations will contain each line item and each corresponding funding amount approved by the Senate in the Combined Budget Resolution.
3. The Letter of Allocations must be transmitted to University authorities no later than the third Friday in October of each year.

### **TITLE II: SENATE GRANT 1 EMERGENCY FUNDING**

#### **SECTION 1: Definition – Grant/Emergency Funding Line-Item**

1. Each fiscal year, the Senate will include in its Combined Budget Resolution a Senate line-item containing unaligned funds that will be available for the purposes of grant funding, emergency contingencies, or paying unanticipated expenses.

2. Grant/emergency funding may be requested/ received either by/for the Senate, the SRO/SFP's or any other entity which the Senate by Resolution may so permit.

## **SECTION 2: Senate Grant/Emergency Funds Account Rule**

After all other funds are allocated to their prescribed line items and accounts after the Combined Budget Resolution is enacted and the Letter of Allocation is sent, grant/emergency funds will be kept in the Senate Reserve Account until allocated.

## **SECTION 3: Exceptions List Rule**

1. If an SRO/SFP is not on the Senate's Exceptions List, and if the sum it is requesting in grant/emergency funding, when added to the SRO/SFP's original budget allocation for that year totals more than \$700, that SRO/SFP must first request to be included on the Exceptions List before the Finance Committee may proceed to consider the request for grant/emergency funding.
2. The provisions contained in TITLE I, Section 1 (A)-(G) must be adhered to in this procedure.

## **SECTION 4: Requesting/Receiving Grant/Emergency Funding – Process**

1. Any SRO/SFP, the Senate itself, or any of its departments may submit a request to the Finance Committee for additional funds in the form of a grant/emergency funding at any time during the year. The Finance Committee will move to consider the request and will vote on its recommendation motion either to allocate such funds or not.
2. The Finance Committee's recommendation motion will then be presented to the full Senate and 213 of the Senate will be necessary to approve the motion.

## **SECTION 5: Automatic Funds Transfer Order Rule**

1. Any grant/emergency funding duly approved by the Senate under this Title will automatically require the Senate Treasurer to order either an internal or external funds transfer between original (normally the Senate Reserve Account) and the destination account(s).
2. In this case, the automatic funds transfer order rule will pre-empt TITLE III, Section 1 (2) and (3) and Section 2(2), and none of these specified provisions under TITLE III may be invoked in the operation of this Title.

## **TITLE III: FUNDS TRANSFERS, EXTRAORDINARY EXPENDITURES, REQUISITIONS & DEPOSITS**

### **SECTION 1: Definition - Internal Funds Transfers**

1. All funds transfers between Senate accounts are internal funds transfers, and must be authorized by the Senate Treasurer and approved by the Senate.

2. For internal funds transfers under the amount of \$500, the Finance Committee will have the power to:
  - (a) Over-ride any internal funds transfer authorization made by the Treasurer, or
  - (b) Over-ride the Treasurer's refusal to authorize any internal funds transfer, and if a majority of the Finance Committee votes to over-ride the Treasurer's refusal to authorize, it
  - (c) May authorize an internal funds transfer without the Treasurer's approval, provided a majority of the Finance Committee concur.
3. All internal funds transfers exceeding the sum of \$500 will require the recommendation motion of either the Senate Treasurer or the Finance Committee to the Senate and a majority of the Senate must concur for the said internal funds transfer to be authorized.

#### **SECTION 2: Definition - External Funds Transfers**

1. All funds transfers between Senate and SRO/SFP accounts or between two or more SRO/SFP accounts are external funds transfers.
2. External funds transfers must be authorized by the Senate Treasurer. The Finance Committee will have the power to:
  - (a) Over-ride any external funds transfer authorization made by the Treasurer, or
  - (b) Over-ride the Treasurer's refusal to authorize any external funds transfer, and if a majority of the Finance Committee votes to over-ride the Treasurer's refusal to authorize, it
  - (c) May authorize an external funds transfer, provided a majority of the Finance Committee concur.

#### **SECTION 3: Senate Power to Over-Ride Funds Transfers**

The Senate reserves the power and right to over-ride any decision on internal or external funds transfers made either by the Senate Treasurer or the Finance Committee, in any instance, whatsoever.

#### **SECTION 4: Senate Expenditures Exceeding \$500 - Extraordinary Expenditures Rule**

1. Any request made by the Senate, or by the Executive Board, by any Committee, or by any Officer or Senator, for an expenditure exceeding the amount of \$500, must be presented to the Finance Committee for its consideration and majority concurrence. The Finance Committee must inform the full Senate of the question, and then submit its majority recommendation motion on the question to the full Senate meeting in session.
2. The Senate must then consider the Finance Committee recommendation motion and the concurrence of a majority of Senators will be necessary to approve the motion of expenditure exceeding \$500.

## **SECTION 5: Requisitions/Purchase Orders Protocol**

1. All Requisitions must be typewritten and submitted to the Senate Treasurer at least university business days before the anticipated function, event, pick-up or delivery of goods or services.
2. A Requisition is a request by the Senate or an SRO/SFP that the University Purchasing Office encumber (set aside/designate) a specific amount of funds in a specific Senate or SRO/SFP university account, in order to purchase goods or services from a vendor (i.e. a store, market, performer, factory, etc.).
3. Requisitions must be approved in signature by either the Senate President or Senate Treasurer, and the proper University authority to become a Purchase Order.
4. Purchase Orders may be mailed to the Senate, SRO or SFP, or picked up at the University's Purchasing Office.
5. There are two kinds of Purchase Orders: (1) Blanket Purchase Orders for establishing an account with a vendor, and (2) Standing Purchase Orders which encumber a specific amount of funds to be drawn on the Senate or SRO/SFP university account.
6. Purchase Orders of either kind are to be presented to the respective vendor by the Senate or SRO/SFP for the vendor to then demand payment from the University.
7. The Senate and all SRO/SFP's are responsible to keep an official record of all their Purchase Orders and Purchase Order slips.

## **SECTION 6: Deposits Protocol**

1. A university-mandated Deposit Slip (available in either the Senate Office or the Bursar's Office) is to accompany each deposit made by the Senate or an SRO/SFP.
2. All deposits are to be brought to the University Bursar's Office on the same day they are received. They are not to be held in an SRO/SFP office or stored over-night.
3. Any monies received from functions after 5:00pm during a university business day, or on Saturday or Sunday at any time, must be deposited in the Campus Center Depository the on same day the monies are received. Any monies received on Friday night after 5:00pm, on Saturday or Sunday, is to be deposited with the University Bursar's Office no later than the following Monday morning (or on the following university business day) at 11:00am.
4. The Senate and all SRO/SFP's are responsible to keep an official record of all their deposits and deposit slips.

## **TITLE IV: NEW SRO/SFP STATUS**

### **SECTION 1: Definition/Procedure - Creating a New SRO/SFP**

1. Pursuant to the Constitution and Bylaws of the Senate, an organization must first propose its constitution/charter to the consideration of the Senate. Second, a constitution/charter must be approved by the Senate for that organization to become an SRO or SFP.
2. No proposed SRO/SFP constitution/charter may be considered by the Senate after the time the Finance Committee will have concluded its Spring Exceptions List Hearings, (or after the Senate will have approved the Spring Exceptions List), until the Combined

Budget Resolution will have been enacted by the Senate and the Letter of Allocations executed by the third Friday in October of each year, as provided for under TITLE I, Sections 2(H) and 2(I).

3. otherwise, all SRO/SFP's are eligible to request and receive funding from the Senate, provided that they comply with the terms and conditions of their SRO/SFP Funding Agreement. The SRO Funding Agreement will constitute the basic rules of financial procedure and fiscal operation regulations of the SRO/SFP as required by the Senate.

## **SECTION 2: SRO/SFP Classification Rule**

Each SRO/SFP must classify itself as either a (n):

- (1) academic organization;
- (2) honor society;
- (3) social organization;
- (4) community service organization;
- (5) cultural organization; or
- (6) a combination of any of these.

This classification must appear on all Exceptions List-, Spring Budget-, or Grant/Emergency Funding-Request Packets submitted to the Finance Committee.

## **SECTION 3: "New Status" Rule**

An SRO/SFP whose constitution/charter is approved by the Senate will be classified under New Status until the next scheduled Spring Exceptions List Hearings and will be included on the List of New Status SRO/SFP's.

## **SECTION 4: New Status SRO/SFPY-s Funding Limit Rule**

1. The Finance Committee will hold a hearing upon the request of any SRO/SFP's holding New Status in order for them to submit their initial funding request.
2. Any SRO/SFP on the List of New Status SRO/SFP's may be considered to receive up to \$200 in grant/emergency funding from the Senate before the next scheduled Spring Budget Hearings. The rules and regulations prescribed under TITLE 11, Sections 1-5, are to be applied to all New Status SRO/SFP's requesting funding outside of the Spring Budget Hearings.

## **TITLE V: OFFICIAL FINANCIAL FORMS**

### **SECTION 1: Senate-Issued Financial Forms Rule**

The Senate Treasurer will have the power to craft, format, issue and make available all Senate and SRO/SFP financial forms, which must be used in all pertinent Senate or SRO/SFP financial matters. The Senate Treasurer will take care that the rules and regulations prescribed in this By-Law for official financial forms are adhered to.



## **SECTION 2: University-Mandated Financial Forms Rule**

The Senate and all SRO/SFP's will use only the standard and uniform Deposit Slips, Requisition Forms, Non-Work Study Forms, Payroll Forms, W-4 Tax Forms, and Contract Forms issued by the University for its official purposes.

**SECTION 3: "One Form, Three Uses" Rule: The Uniform Request Packet A Uniform Request Packet is to be used by an SRO/SFP for purposes of:**

- (1) requesting Exceptions List status;
- (2) requesting grant/emergency funding, or
- (3) requesting funding in the Spring Budget Hearings. An SRO/SFP Funding Agreement and Official Contact Form is to be included in each Request Packet.

## **SECTION 4: SRO/SFP Funding Agreement - Terms & Conditions**

The terms and conditions of the SRO/SFP Funding Agreement will include the following verbatim:

- A. That the SRO/SFP maintains an official SRO/SFP mailbox in the Campus Center (furnished by and registered with the Student Activities Office) and that the SRO/SFP checks that mailbox at least once per week;
- B. That the SRO/SFP have no financial accounts with any external financial institution, nor will it deposit monies in, or draw funds from, any non-university account;
- C. That under no circumstances whatsoever, do the SRO/SFP's expenditures exceed the total deposited funds in its University-provided account; that the SRO/SFP maintains a balanced budget; and
- D. That the SRO/SFP submit a completed Semester Financial Report in both the fall and Spring semesters each year and in a timely manner; and
- E. That the SRO/SFP maintains accurate and current internal financial records in writing, which are subject to the discretionary inspection of the Finance Committee and Senate Treasurer;
- F. That the Officers of the said SRO/SFP have read the Finance By-Laws of the Senate and understand the requirements the by-laws establish for all SRO/SFP's;
- G. That the Officers of the said SRO/SFP attend a Senate-sponsored Financial Information Session;
- H. That the SRO/SFP fully complies with the Senate rules and regulations contained in this By-Law, and the rules and business policies of the University (which are available at the University Business Office);
- I. That the SRO/SFP not spend its funds for any purpose that would violate the Constitution and By-laws of the Senate, the financial rules and regulations of the University, or the laws of the Commonwealth of Massachusetts or of the United States; nor shall the SRO's funds be used for any criminal object; and
- J. That it is the duty and responsibility of the Officers of the said SRO/SFP to ensure their organization's full compliance with the terms and conditions enumerated in this Funding

Agreement, and that they subscribe their signatures to the Funding Agreement freely and by their own volition without duress.

#### **SECTION 5: SRO/SFP Official Contacts Form**

The information to be provided the Senate on a completed SRO/SFP Official Contacts Form will include the following:

- a. Each of the SRO/SFP Officers' names;
- b. Each of the SRO/SFP Officers' addresses;
- c. Each of the SRO/SFP Officers' official telephone numbers;
- d. The SRO/SFP official university mailbox number and location.

#### **SECTION 6: Official Financial Forms Availability Rule**

The Senate Treasurer will take care that up-to-date Budget Request Packets, SRO Semester Financial Report forms, Deposit Slips, Requisition Forms, W-4 Tax Forms, Payroll Forms, and Contracts are kept available to the public for official use in a conspicuous location within the Senate office.

#### **SECTION 7: Official Financial Forms Issuance & Notification Rule**

1. The Senate Treasurer may, from time to time, issue revised official financial forms for any of the aforementioned forms according to the rules prescribed in TITLE V, Sections 1 - 6 of this By-Law.
2. In order to take effect, the issuance of revised official financial forms must be posted by the Senate Treasurer and each SRO/SFP must notified by memorandum at least twenty (20) university business days prior to the revised forms' being implemented by the Senate.

### **TITLE VI: OFFICIAL FINANCIAL RECORDS**

#### **SECTION 1: Official Financial Records & Freedom of Information Rule**

Pursuant to Massachusetts General Law Chapter 75, Section 3 and the University Board of Trustees Statement on University Governance, T73-098 the Senate is a state sponsored agency and must comply with Massachusetts' freedom of information and public records law. The Senate Treasurer will keep each of the following official Senate financial records in a publicly accessible file in the Senate office:

- A. SRO/SFP Funding Agreements;
- B. Attendance lists of SRO/SFP Officers or representatives at Senate-sponsored Financial Information Sessions;
- C. The Exceptions List, together with any subsequent revisions, thereto;
- D. The List of Inactive SRO/SFP's;
- E. The List of New Status SRO/SFP's;
- F. Spring Budget Request Packets for each SRO/SFP;

- G. Grant/emergency Funding Request Packets for any SRO/SFP that has submitted such;
- H. Semester Financial Reports submitted to the Senate by each SRO/SFP;
- I. The current fiscal year Senate Combined Budget Resolution, and the resolutions for each of the past fiscal years;
- J. The current fiscal year Senate Letter of Allocations, and the letters of allocations for each of the past fiscal years;
- K. Notices of Official Forms Revisions;
- L. Notices of Freezing Access to or Confiscation of Funds in SRO/SFP accounts;
- M. Memoranda with Instructions to Freeze Access to or Confiscate Funds in SRO/SFP accounts;
- N. The Constitution of the Senate, these Finance By-Laws, and all other By-Laws and Acts pertaining to Senate or SRO/SFP finance and management; and
- O. Any other official papers and records which the Senate may designate to be accessible to the public.

## **SECTION 2(A): Freedom of Information Rule Exemptions**

Pursuant to Massachusetts General Law Chapter 75, Section 3 and the University Board of Trustees Statement on University Governance, T73-098 the Senate is a state sponsored agency and must comply with Massachusetts' freedom of information and public records law. Therefore, the following exemptions are in effect over the following areas of information held by the Senate:

1. SRO/SFP Official Contacts Lists; and
2. Pursuant to Massachusetts General Law (MGL) Chapter 4, Section 7(26) (c), personnel and medical files of any Senator or senatorial staff, the disclosure of which may constitute an unwarranted invasion of privacy;
3. Pursuant to MGL Chapter 4, Section 7(26) (d), internal Senate memoranda or letters relating to policy positions being discussed or developed by the Senate, excluding official reports or studies including data and/or evidence or testimony;
4. Pursuant to MGL Chapter 4, Section 7(26) (e), notebooks and other materials prepared by a Senator or senatorial staff which are personal to him and not maintained as part of the official public records of the Senate; and
5. Those specific files or records which may be exempted by Resolution or Act of the Senate, but in no instance may any file or record listed under TITLE VI, Section 1 be exempted from public view and access under this Section.

## **SECTION 2(B): Denial/Permit of Access to Records Decision Rule**

1. Whenever the Senate Treasurer will decide to deny a request to access any official financial records referred to in this Title, the Senate Treasurer must produce a written decision to be delivered to the requesting party within 10 university business days after the request is made.
2. The Senate Treasurer's decision must include the reasons, justifications, and causes for the denial of access. But only the exemptions provided for under

Section 2(A) of this Title may be invoked in a decision to deny access to official financial records.

3. Any decision to deny or permit access to official Senate or SRO/SFP financial records made by the Senate Treasurer may be appealed to the Senate directly by any requesting party or Senator. A 213 vote of the Senate will be necessary to over-ride the Senate Treasurer's decision to deny or permit access to an official financial record.

### **SECTION 3: SRO/SFP Financial Records Inspection Rule**

1. Each SRO/SFP must keep accurate, past and current financial records including: (1) a fiscal year balance sheet of all expenses of and revenue earned/allocations received by the SRO/SFP (2) deposits made by the SRO/SFP (3) Purchase Orders opened and paid out by the SRO/SFP.
2. At their discretion, the Senate Treasurer and Finance Committee will have all powers to inspect and review said financial records of all SRO/SFP's upon demand.

## **TITLE VII: SENATE REGULATORY ENFORCEMENT**

### **Section I (A): Definition - Senate Power to Freeze Accounts**

The Student Senate reserves the sole power and right to freeze an SRO/SFP's account if the Senate determines that the said SRO/SFP has violated the terms and conditions of its SRO Funding Agreement, any provisions of the Senate Constitution, or provisions of this or any Senate By-Law, or University policy. Freezing an account will result in an SRO/SFP's inability to draw on, or spend funds from, its University-provided financial account.

### **SECTION 1 (B): Informal Freezing of Accounts Rule**

1. The Senate Treasurer may at any time informally freeze an account under the care of the Student Senate. However, if the Senate Treasurer informally freezes an account, no instruction will be made by the Senate to University authorities to place an electronic lock on the account in the University account system. Both the Senate- Allocated Funds account and the SRO/SFP Fund Raising account may be frozen by the Senate Treasurer in this way.
2. The Senate Treasurer must notify the President and/or Treasurer of the SRO/SFP whose account(s) has been informally frozen of the decision to freeze the account(s). The SRO/SFP then has ten (10) University business days in which to respond to the Senate Treasurer's decision and comply with any administrative instructions the Senate Treasurer may issue to them.
3. Failure to do so will result in the Senate Treasurer formally freezing the account(s) of the said SRO/SFP by instructing University authorities to place an electronic lock on the account(s).
4. A majority vote of the Finance Committee may over-ride the Senate Treasurer's decision to instruct a formal freezing of and account.

### **SECTION 1 (C): Formal Freezing of Accounts Rule**

1. The Finance Committee may at any time formally freeze an account under the care of the Student Senate. However, if the Finance Committee formally freezes an account, an instruction will be made by the Senate to University authorities to place an electronic lock on the account in the University account system. Both the Senate- Allocated Funds account and the SRO/SFP Fund Raising account may be frozen by the Finance Committee in this way.
2. The Senate Treasurer must notify the President and/or Treasurer of the SRO/SFP whose account(s) have been formally frozen of the decision to freeze the account. The SRO/SFP then has 10 university business days in which to respond to the decision and comply with any administrative instructions the Finance Committee may issue to them. A majority vote of the Senate may over-ride the Finance Committee's decision to instruct a formal freezing of account.
3. If the SRO/SFP fails to comply with the administrative instructions of the Senate Treasurer and Finance Committee by the deadline, the Senate Treasurer may invoke TITLE VII, Section 4 powers and place the said SRO/SFP under the receivership of the Senate until the Senate and the SRO/SFP will have resolved the matter.

### **SECTION 2(A): Definition/Procedure - Confiscation of Funds**

1. Any SRO/SFP which has been determined to be inactive for, and which has been included on the Inactive SRO List for two (2) years, may have any funds deposited in its Senate-Allocated Funds account confiscated by the Senate.
2. The Senate Treasurer must notify in writing the SRO/SFP whose account will be confiscated, and such notice will be mailed to the SRO/SFP official mailbox and the registered address of the last registered President and/or Treasurer and advisor of the said SRO/SFP. If the SRO/SFP or any of its officially registered contacts fails to respond to this notice of confiscation of funds within thirty (30) University business days, the Senate Treasurer will proceed to instruct University authorities to transfer all funds held in the SRO/SFP'S senate-Allocated Funds account out of that account and deposit said funds into the Senate Reserve account.

### **SECTION 2(B): Confiscation of Funds – Exemptions**

1. The Senate's power to confiscate funds from an SRO/SFP account extends over Senate-Allocated Funds accounts alone, and not to the SRO/SFP Fund Raising accounts, other than for purposes provided under TITLE VII, Section 4.
2. The Senate may not confiscate the funds deposited in Fund Raising accounts of the Classes.
3. SRO/SFP funds confiscated by the Senate may only be deposited in the Senate Reserve Account.

### **SECTION 3(A): List of Inactive SRO/SFP's Rule**

1. SRO's that have been determined by the Senate Treasurer to be inactive for the period of 2 years will be included on an Inactive SRO's List kept and updated throughout the year by the Senate Treasurer.
2. The Inactive SRO/SFP's List and any amendments to it during the course of the year must be presented to the Finance Committee for its inspection and approval.
3. The Inactive SRO/SFP's List and any Finance Committee approved revisions must then be introduced to the full Senate as a recommendation motion for the purpose of permitting Senate confiscation of funds. If the Senate concurs with the recommendation motion, all Senate-allocated funds held by the SRO/SFP's on the List of Inactive SRO/SFP's will be confiscated by the Senate Treasurer and transferred into the Senate Reserves account.

### **SECTION 3(B): Inactive SRO/SFP - Re-Activating Protocol**

1. If an SRO/SFP is included on the List of Inactive SRO/SFP's, and students express their interest to re-activate the said SRO/SFP, the following rules and regulations apply;
2. The Senate Vice-President must certify that a new and recent election for the Officers and/or Board has been held for the SRO/SFP;
3. The Senate Vice-President must certify the results of said election and certify the SRO/SFP's appointment of an Advisor;
4. The newly elected Officers and/or Board must attend a Financial Information Session with the Senate Treasurer and/or designated Finance Committee;
5. The SRO/SFP must complete, sign and register a new Funding Agreement and Official Contact List with the Senate Treasurer and Finance Committee;

### **SECTION 3(C): Re-Activated SRO/SFP's - Funding Limit Rule**

Any SRO/SFP which has been re-activated by the Senate as prescribed under Section 3(A) and (B), may be considered for not more than \$200 in grant/emergency finding before the next scheduled Spring Exceptions List Hearings and Spring Budget Hearings.

### **SECTION 4: SRO/SFP's Over-Spending Prohibition Rule**

SRO/SFP's are prohibited from over-spending, which is defined as spending more than the total amount which is deposited within its Senate-Allocated Funds account and Fund Raising account.

### **SECTION 5: Senate Receivership Powers Rule**

1. Any SRO/SFP which has been discovered to have over-spent as defined under TITLE VII, Section 4, and which has outstanding liabilities, claims or debts against it, and refuses to pay the same from its Fund Raising account, will be automatically transferred by the Senate Treasurer to the direct control and receivership of the Senate. The SRO/SFP's university account will be informally frozen by the Senate Treasurer and the

Finance Committee must be informed within two (2) university business days of the Treasurer's action.

2. The Senate Treasurer and Finance Committee will conduct an inquiry into the matter of unpaid debts and present their report on findings of fact and law to the Senate.
3. The Senate will have the power to: (1) negotiate with vendors/creditors and/or (2) pay the remaining liabilities, claims and debts.
4. Outstanding debts may be paid by the Senate with (a) funds drawn on the SRO/SFP Fund Raising account; or (b) with grant/emergency Senate funds, or (c) with a combination of both and/or (d) fine the SRO/SFP by either garnishing any future accounts receivables owed to the said SRO/SFP or by deducting the balance from any future allocations the Senate may make to that SRO/SFP.
5. If malfeasance and professional misconduct on the part of any Officer(s) and/or Advisor(s) of the SRO/SFP is determined by the Senate upon the Finance Committee's report, the Senate will have the power to order the dismissal of said Officer(s) and/or Advisor(s) from their respective positions in the SRO/SFP. In such case, the Senate must order a new election to be held for that organization or a new appointment(s) be made, whichever applies. But the Senate may not prevent any dismissed Officer(s) and/or Advisor(s) from membership in that or any other SRO/SFP.
6. A 213 majority vote of the Senate will be necessary to remove an SRO/SFP from Senate-managed receivership under this Section.

#### **SECTION 6: Senate Final Authority Powers - Refusal to Fund an SRO/SFP Rule**

1. The Senate reserves the sole and final power and right to deny funding an SRO/SFP in its Combined Budget Resolution or refuse to approve grant/emergency funding if the Senate determines that the said SRO/SFP has violated the terms and conditions of its SRO/SFP Funding Agreement, any provisions of the Senate Constitution, or this or any Senate By-Law, or University policy; or
2. If the SRO/SFP fails to satisfy the criteria provided for under TITLE I, Sections 1(B) and Section 2(F) of this By-Law.
3. A report of the decision not to fund and the findings of fact and law justifying such decision is to be produced to the said SRO/SFP by the Senate Treasurer and Finance Committee upon demand by the said SRO/SFP. The Senate Treasurer and Finance Committee then have ten (10) university business days in which to respond to the request and produce a report on its findings of fact and law in the matter.

### **TITLE VIII: OFFICIAL STANDARDS OF CONDUCT & ETHICS**

#### **SECTION 1: Conflict of Interest Rule**

1. Members of the Finance Committee (either Senators or non-Senate/student-at-large members) including the Senate Treasurer, must register with the Senate Vice- President the names of any SRO/SFP which they may be a member of, upon their appointment to the Finance Committee by the full Senate. This will be the Official Conflict of Interest Register

2. The Official Conflict of Interest Register will kept by the Senate Vice-President in the Senate office and will be publicly accessible upon demand.
3. If any member of the Finance Committee (either a Senator or a non-Senate/student at-large member) is a member of an SRO/SFP that has business pending within the Finance Committee, the said Finance Committee member must excuse himself from the committee's proceedings pertaining to that SRO/SFP, and abstain from any vote which may occur on any question pertaining to that SRO/SFP alone.
4. This rule does not prohibit any Senator or non-Senate member of the Finance Committee from voting on the Finance Committee's final Combined Budget Resolution recommendation to the Senate.
5. This rule does not prohibit any Senator on voting on the final motion to pass/enact the Combined Budget Resolution in the Senate.

## **SECTION 2: Presents and Compensation Rule**

No Officer or Senator or senatorial staff may accept any present or compensation offered them at any time by any party for official services they may have rendered, are rendering, will render, or may appear to have rendered or to be rendering.

## **SECTION 3: Funding of Salaries for Senators Rule**

The funding of salaries, wages or any other compensation for Officers or Senators is expressly prohibited in all instances. This provision does not extend to senatorial staff.

## **SECTION 4: Funding of Salaries for Senatorial Staff Rule**

1. A senatorial staff post not provided for by the Constitution can be created only if a majority of the Senate concurs.
2. Compensation for services provided to the Senate may be paid, but no member or Officer of the Senate may be compensated in any fashion for any services he has performed, is performing or will perform, for the Senate.
3. No change in the salary, wages or compensation of any senatorial staff Post will take effect until after the first meeting of a new Senate.

## **SECTION 5: Exclusion Rule**

No Officer or Senator will, during the term for which he was elected to that office, be appointed to any senatorial staff post. No senatorial staff member will be a member of the Senate during his continuance in the senatorial staff.

## **SECTION 6: Violations Protocol**

Any formal complaint, allegation or charge of abuse or violation under this Title must be presented in writing to the Senate President and Senate Ethics Committee. Anyone may present a formal complaint, allegation or charge of abuse or violation to the Senate President and Senate



Ethics Committee. The Senate will by law provide for the judicial due process of inquiry, hearing, and ruling on findings of fact and law in such cases.