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Title

3

The Executive Branch

Chapter

300

Composition and Authority of the Executive Branch

- 300.1** The composition and authority of the Executive Branch shall be derived from the Student Body Constitution and the Student Government Statutes and further defined within the context of the Executive Administrative Code.
- 300.2** The power of the Executive Branch shall be vested in the Student Body President.
- 300.3** The Executive Branch shall be comprised of the Executive Office and the Executive Cabinet of the President, Agencies, Commissions, Councils, Bureaus, Task Forces, and any other entity of Student Government which executes policy or programs of Student Government.
- 300.4** The Executive Branch must operate throughout all active academic terms at the University of South Florida.

Chapter

301

Powers and Responsibilities of the President

- 301.1** The powers and responsibilities of the President shall be enumerated herein.
- 301.2** Constitutionally granted powers of the President are those powers delineated in the Student Body Constitution, including to:
- 301.2.1** Nominate, with the advice and consent of the Senate, Justices to the Supreme Court.
 - 301.2.2** Nominate, with the advice and consent of the Senate, a Chief Justice to the Supreme Court.
 - 301.2.3** Nominate, with the advice and consent of the University President, Student Representatives to University Wide Committees.
 - 301.2.4** Represent the Student Body to the Florida Student Association Board of Directors, and other similar representative bodies.
 - 301.2.5** Sign or Veto within ten (10) business days, all legislation passed by the senate, with exception to changes of the Rules of Procedure of the Senate. Failure to act within this time period shall be deemed as approval of such legislation.
 - 301.2.6** Address the Senate at least once a semester in a State of the Student Body.
 - 301.2.7** Call for a referendum of the student body, subject to the approval of a supermajority of the Senate.
 - 301.2.8** Initiate the Annual Budget proceedings by convening the Activity and Service Fee Recommendation Committee.
 - 301.2.9** Nominate, with the advice and consent of the Senate, a student to fill a vacancy in the position of Student Body Vice President, should the need arise.
- 301.3** Statutorily granted powers are those powers granted to the President by these Statutes. These powers, duties, and responsibilities are to:
- 301.3.1** Propose, with the advice and consent of the Senate, an Executive Branch structure no later than the first Senate meeting of the summer term;
 - 301.3.2** Nominate, with the advice and consent of the Senate, Executive Department Directors and Executive Branch Employees.
 - 301.3.3** Terminate Executive Branch Employees, unless otherwise specified within the Constitution or Statutes.
 - 301.3.4** Nominate Student Representatives to serve on the Marshall Student Center Board.
 - 301.3.5** Proclaim and promulgate Executive Orders at his or her will.
 - 301.3.5.1** Executive Orders shall not infringe on any inherent legislative or judicial proceedings or be used to compel a Senator or Justice to vote in a certain manner.
 - 301.3.6** Administer and enforce all Student Government Statutes.
 - 301.3.7** Initiate legislation for consideration by the Student Government Senate.
 - 301.3.8** Call, at will, special session of the Student Senate, providing at least 72 hours' notice to all members in writing.

301.3.9 Authorize, in conjunction with the Senate President, all reoccurring contracts and agreements totaling less than \$50,000 a year. The Student Body President must inform the Chief Financial Officer, ASBO, SGATO, and the Chair of the Senate Committee on Appropriations and Audits of any such expenditure forty-eight hours prior to the action. If the expenditure request requires action to be taken in less than forty-eight hours, the Student Body President shall be required to inform the parties immediately upon taking action.¹

301.3.10 Officially present the Activity and Service fee increase request to the University of South Florida Local Fee Committee, in conjunction with the Chair of the Activity and Service Fee Recommendation Committee.²

301.3.5.1 Neither the Student Body President nor the Chair of the Activity and Service Fee Recommendation Committee shall be one of the three (3) student members appointed to sit on the Local Fee Committee.³

301.3.11 Officially represent the USF Tampa Student Body to all vested bodies of interest that the Student Body or Student Government has a vested stake hold in.⁴

301.3.12 Any and all other actions necessary and proper to carry out the duties of this office.

301.3.13 The Student Body President shall call the Our Shirt taskforce through an Executive Order by the second Friday in November. The President shall ensure that the committee has a finished product by the last official business day in April.

301.3.14 Nominate an Election Rules Commission Supervisor of Elections by 4:59:59 PM of the last business day of the third week in July.

301.3.14.1 Once the aforementioned deadline has passed, if the nominee for the position of Supervisor of Elections is failed by the Senate, the Student Body President must submit a new nomination within fifteen (15) business days.⁵

301.3.15 Initiate, following the termination of the Student Body General Elections, an Advisory Council which shall, in a non-binding form, assist and advice the President Elect during his/her transition period. The council shall include at a minimum, but is not limited to, the Attorney General, the Chief Financial Officer, the Chief of Staff, the Director for Student Government Advising, Training & Operations, and the Student Government Business Office Manager. This council shall be initiated no later than ten (10) business days following the termination of the Student Body General Elections and shall be terminated no later than five (5) business days following the Inauguration of the President Elect.

301.4 If elected as the Student System Advisory Council President, then the Student Body President shall also have the following duties:⁶

¹ SB [S] 52-028 Adds clause 301.3.9

² SB [S] 54-023 Adds clause 301.3.10

³ SB [S] 54-023 Adds sub clause 301.3.10.1

⁴ SB [S] 53-010 Deletes old clause 301.3.11

⁵ SB [S] 004 Adds clause 301.3.13.1

⁶ SB [S] 53-010 Adds clause 301.4 and sub clauses 301.4.1 & 301.4.2

- 301.4.1** Officially represent the USF System students as a voting member of the USF Board of Trustees.
- 301.4.2** Officially represent the USF System students as a voting member of the Florida Student Association Board of Directors.

Chapter

302

Powers and Responsibilities of the Vice President

- 302.1** Constitutionally granted powers of the Vice President are those powers delineated in the Student Body Constitution, including:
- 302.1.1** Assume responsibilities of the President, should the President be unable to complete his or her term for any reason.
 - 302.1.2** Represent the Student Body in the absence of the President.
- 302.2** Statutorily granted powers are those powers granted to the Vice President by these Statutes. These powers, duties, and responsibilities are:
- 302.2.1** Officially represent the USF System students to the Alumni Association Board of Directors.⁷
 - 302.2.2** Any and all other actions necessary and proper, delegated to by the President, to carry out the duties of this office.

⁷ SB [S] 53-010 Adds clause 302.2.1

Chapter

303⁸

Student Government Transition

- 303.1** The President-elect and Vice President-elect shall begin a paid transition period, at the discretion of the current Student Body President and the Senate President, on the first Monday after Spring Break or the first Monday after the election results are certified, whichever comes later but no later than the first business day of April.⁹
- 303.1.1** During the transition period, the President-elect and Vice President-elect may utilize some Student Government resources and are entitled to full payroll benefits.
- 303.2** The President-elect and Vice President-elect may begin the interview process, subject to hiring guidelines as outlined in statutes, for the following members of their staff upon the certification of the election results:
- 303.2.1** Chief of Staff
 - 303.2.2** Chief Financial Officer
 - 303.2.3** Attorney General
 - 303.2.4** Solicitor General
- 303.3** All appointment memos for individuals selected via the interview process shall not take effect until the first day of the new term.
- 303.4** The Student Body President-elect, upon taking office, may make temporary appointments to aid throughout the transition so long as the applicable budget allows it.
- 303.4.1** These appointments shall not extend beyond the end of the applicable fiscal year.
 - 303.4.2** These appointments shall need to be authorized by the current Chief Financial Officer and Student Body President to assure the current budget allows for additional payroll personnel.
 - 303.4.3** The Senate President must be notified of all temporary transition-limited appointments.
- 303.5** The President-elect may work to propose a new executive structure and budget during the transition. The structure and budget shall be subject to the Senate's approval prior to taking effect.
- 303.5.1** The proposal can be heard by the current term Senate, but if passed must be subject to a vote of confidence by the new Senate at their first Summer meeting.

⁸ SB [S] 52-025 Adds this chapter

⁹ SB [S] 53-010 Modifies multiple clauses in this chapter

Chapter

304¹⁰

Standing Positions

304.1 The positions outlined in this chapter shall serve as permanent positions of the Executive Branch and are not subject to the proceedings of Chapter 304. The positions outlined in this Chapter shall still remain subjected to all other processes and restrictions outlined within the Constitution and Statutes, unless otherwise specified. These processes specifically include, but are not limited to, Chapter 306 and Chapter 807 of these Statutes.

304.2 Chief of Staff

304.2.1 The Chief of Staff shall serve as the primary Advisor to the President and Vice President and assist in the management of the Executive Branch.

304.3 Office of the Attorney General¹¹

304.3.1 The Office of the Attorney General shall act as the official legal counsel and representation of Student Government and enforcement entity of Student Government governing documents and University Policies.

304.3.2 Officers in the Office of the Attorney General may include:

304.3.2.1 The Attorney General

304.3.2.2 The Solicitor General

304.3.2.3 The Deputy Attorney General

304.3.3 No member of the Office of the Attorney General shall be involved in the hiring or appointment of any Supreme Court Justice.¹²

304.4 Attorney General

304.4.1 The Attorney General shall be responsible for the clarification and enforcement of all Student Government Regulations and Laws. The Attorney General shall also serve as legal counsel for Student Government and the prosecutor of impeached officials in all cases before the Student Supreme Court.

304.4.2 The Attorney General shall be responsible to:

304.4.2.1 Draft legal documents on behalf of the Executive Branch and the President;

¹⁰ SB 51-001 Adds this chapter

¹¹ SB [S] 022 Adds clause 303.3 and all subsequent sub clauses

¹² SB 52-013 Adds this clause

- 304.4.2.2** Provide written legal opinions for the purpose of clarifying and enforcement of statutes or any other legal documents of Student Government. Such opinions must be requested to the Office of the Attorney General¹³ in writing;
- 304.4.2.3** Enforce and clarify all Student Government laws, rules, policies and procedures and protect the legal interests of the entity of Student Government;
- 304.4.2.4** Serve as legal counsel to Student Government in all matters before the Student Supreme Court;
- 304.4.2.5** Serve as prosecutor of all cases of impeached officials before the Student Supreme Court.

304.4.3 The Attorney General shall only be removed from his or her office by means of impeachment

304.5 Solicitor General¹⁴

304.5.1 The Solicitor General shall be used as a resource to students with their knowledge of Student Government Governing Documents, University Policies, and Parking and Transportation Rules and Procedures. The Solicitor General shall serve as the defense in cases which include, but not limited to, election violation appeals on behalf of the candidates, parking and transportation appeals, and a resource to any Student Government impeached official for purposes of clarifying rules and assisting defendants in understanding trial procedures.

304.5.2 The Solicitor General shall be responsible to:

- 304.5.2.1** Assist in researching and clarifying statutes and other policies to students during their appeal process.
- 304.5.2.2** Review documents upon request of the student who wish to file an appeal to the Supreme Court.
- 304.5.2.3** Serve as legal counsel at the request of the students in all matters that may come before the Student Supreme Court which may include:
 - 304.5.2.3.1** Parking Appeals
 - 304.5.2.3.2** ERC Candidate Appeals
 - 304.5.2.3.3** Grievances against Student Government members
 - 304.5.2.3.4** Impeachment Proceedings
 - 304.5.2.3.5** Appeals of Student Government Laws, Actions, or Decisions
- 304.5.2.4** The Solicitor General may only act upon the request of a student; all requests must be made in writing;
- 304.5.2.5** Assist in any other duties prescribed, as necessary and appropriate, within the capacity of a member of the Office of the Attorney General.

304.5.3 The Student Body President may remove the Solicitor General with the advice and consent of the Senate by a supermajority vote.

¹³ SB [S] 022 Changes Office of Legal Affairs to Office of the Attorney General

¹⁴ SB [S] 022 Adds clause 303.5 and all subsequent sub clauses

304.5.4 The Attorney General may not provide instruction to the Solicitor General on matters pertaining to an active case in which the Attorney General is party to.

304.6 Chief Financial Officer

304.6.1 The Chief Financial Officer shall:

304.6.1.1 Assist the President in overseeing the preparation of the Executive Annual Budget;

304.6.1.2 Supervise the administration of the budget within the Executive Branch Departments and Agencies;

304.6.1.3 Evaluate the effectiveness of Executive Branch Departments and Agency programs, policies, and procedures;

304.6.1.4 Authorize contracts and agreements that mandate a one-time expense. The Chief Financial Officer must inform the Student Body President, the Senate President, ASBO, SGATO, and the Chair of the Senate Committee on Appropriations and Audits of any such expenditure prior to the action. If the expenditure request requires action to be taken in less than forty-eight hours, the Chief Financial Officer shall be required to inform the parties immediately upon taking action.¹⁵

304.6.1.5 Assist with managerial and clerical duties as prescribed by the President.

304.6.1.6 Serve as the Chief Financial Officer for all branches of Student Government equally.

304.6.2 The Chief Financial officer shall only be removed from his or her office by means of impeachment.

¹⁵ SB [S] 52-028 adds clause 303.6.1.4

Chapter

305

Executive Branch Composition and Structure¹⁶

- 305.1** The Structure of the Executive Branch shall be determined by the Student Body President with the advice and consent of the Senate. The Student Body President shall submit a proposal outlining the Offices and Departments comprising the Executive Branch. Each individual position shall be outlined within the proposal and shall include a specific job description. Upon ratification, this proposal shall comprise Chapter 305 of these statutes.
- 305.2** The Student Body President shall submit the aforementioned proposal to the Senate President no later than the first Senate meeting of the Summer term.
- 305.2.1** The proposal shall be directed to the Senate Committee on Rules. The Senate Committee on Rules shall have the jurisdiction, by a majority vote of the committee, to amend the proposal. The committee may then vote to pass or fail the proposal.
- 305.2.2** If the proposal passes, it shall be directed to the Senate for a vote. If the proposal fails, Student Body President may draft a new proposal or request that the failed proposal be sent to the Senate Floor for a vote.
- 305.2.2.1** The proposal shall not be amended on the Senate floor. Amendments may be made in the Senate Committee on Rules.
- 305.2.2.2** If the proposal fails on the Senate Floor, the Student Body President shall be permitted to resubmit a proposal and the process shall start anew.
- 305.2.3** Upon ratification by the Senate, the Executive Branch Structure shall be valid for the remainder of that term. No proposal shall be valid for more than one term. Upon ratification, the proposal shall be codified in these statutes as Chapter 305.
- 305.2.4** The Student Body President, with the advice and consent of the Senate, may propose amendments to Chapter 305 throughout the term. Proposed amendments may not in turn be amended by the Senate.
- 305.2.5** The Senate Committee on Rules may propose amendments to Chapter 305 throughout the term. Proposed amendments must be approved by the Senate and signed by the Student Body President.
- 305.2.5.1** In the case that the Student Body President vetoes said amendments, the veto may be over-turned per the constitutionally outlined process.
- 305.3** The Student Body President's proposal shall not include both the positions of Attorney General and Chief Financial Officer. The authority and jurisdiction of the aforementioned positions shall be as defined within statutes.

¹⁶ SB 51-001 Adds this chapter

305.4 The Student Body President may retain some members of the Marketing Department, for up to a maximum of 30 business days following the first day of the Student Government term, or earlier if a replacement(s) is appointed.¹⁷

¹⁷ SB [S] 51-025 Adds clause 304.4

Chapter

306

Executive Branch Structure¹⁸

- 306.1** The fifty-fifth term Executive Branch shall be composed as outlined below. Individual positions outlined below shall be contingent upon position funding in accordance with Chapters 307 and 807 respectively.
- 306.2** The Executive Branch shall include the following Departments:
- 306.2.1 Department of Marketing** – shall oversee and coordinate the production of all Student Government marketing materials and graphics. The department shall develop advertising strategies for all marketing initiatives.
- 306.2.1.1** The department shall be comprised of the following positions: a Director, an Assistant Director, and a Coordinator.
- 306.2.2 Department of Communications** – shall oversee the communication of Student Government with the Student Body and promote Student Government events, initiatives, and services offered to the Students. This department shall oversee and coordinate the Student Government Street Team. In addition, the department shall be responsible for managing the Student Government Website.
- 306.2.2.1** The department shall be comprised of the following positions: a Director, an Assistant Director, and a Coordinator.
- 306.2.3 Department of Programming** – shall execute and oversee all programs, initiatives, and traditions of Student Government. The department shall be responsible for developing and growing new traditions.
- 306.2.3.1** The department shall be comprised of the following positions: a Director, and an Assistant Director.
- 306.2.4 Department of University Affairs** – shall assist the Student Body President and Vice President on internal issues facing the University administration, Student Affairs, Student Organizations, Academics Affairs, and Student life at the University of South Florida, shall cultivate and grow relationships between Student Government and the University, while engaging the Student Body, and shall be in charge of overseeing and coordinating student participation on University Wide Committees and the Marshall Student Center Advisory Board.
- 306.2.4.1** The department shall be comprised of the following positions: a Director, an Assistant Director, and a Coordinator.

¹⁸ SB [S] 55-001 Adds this Chapter

306.2.5 Department of Community Affairs – shall assist the Student Body President and Vice President as the liaison on issues affecting the Tampa Bay Community and the Student Body, shall advise the President and Vice President on local community matters, shall cultivate and grow relationships with our community partners and local businesses, and shall oversee and coordinate a student discount program.

306.2.5.1 The department shall be comprised of the following positions: a Director, an Assistant Director, and a Coordinator.

306.2.6 Department of Government Affairs – shall advise the Student Body President and Vice President on external affairs facing the University relating to the Municipal, State, and Federal Government, shall stay up to date on legislative proceedings and bills of interest, and shall be responsible for coordinating all lobbying efforts on behalf of Student Government.

306.2.6.1 The department shall be comprised of the following positions: a Director, and an Assistant Director.

306.3 The Executive Branch shall include the following position:

306.3.1 Auditor General – shall be responsible of ensuring fiscal responsibility, conducting audits, evaluating efficiency, and work to improve transparency of all A&S funded entities, shall create reports on the fiscal status of Student Government.

Chapter

307

Executive Branch Employment Policy & Procedure¹⁹

- 307.1** All Executive Branch appointees shall be employed in accordance with statutes and Chapter 306. No person may be appointed to a position outlined in Chapter 306 prior to its ratification by the Senate.
- 307.1.1** In the case that a Chapter 306 had not been ratified by the Senate for the term in question, the Student Body President may only appoint those positions formerly outlined within Statutes. These positions shall include the Chief of Staff, the Chief Financial Officer, the Solicitor General²⁰, and the Attorney General.
- 307.2** All Executive Branch Directors, the Chief of Staff, the Attorney General, the Solicitor General, and the Chief Financial Officer shall be confirmed by the Senate within 20 business days of their nomination.
- 307.3** All Executive Branch Associate Directors, Assistant Directors, and Coordinators shall be required to appear before the appropriate Senate oversight committee, as designated by the Senate, within twenty (20) business days of their nomination.
- 307.3.1** In the event that the applicant is employed while the committee is not in session, the confirmation hearing shall be delayed (at no penalty to the applicant) pending the commencement of the committee. The committee shall have thirty (30) days following commencement of the committee to conduct the interview.
- 307.4** All applicants will be required to provide a valid job description, position application and personal resume within a minimum of five (5) business days prior to the scheduled interview which shall be submitted to the Senate Pro Tempore.
- 307.5** The committee shall have the authority to question all applicants as to the nature of their experience, background and opinions as deemed relevant to the position which they are applying for.
- 307.6** The committee shall have the jurisdiction to either confirm or reject said applicant by a majority vote of the committee.
- 307.7** In the case that the applicant does not receive a vote of confirmation by the committee, the applicant may be directed to the Senate at the next regularly scheduled meeting at which the Senate Body shall entertain its own interview process and either confirm or reject said applicant.

¹⁹ SB [S] 51-001 Adds this Chapter

²⁰ SB [S] 53-010 Adds Solicitor General to this Chapter

- 307.8** All staffing shall be established by the Administration within budgetary means, in accordance with the formerly allocated budget.
- 307.9** Executive Branch employees and staff must be appointed or re-appointed with each new Administration.
- 307.10** Any positions not outlined within the original Executive payroll request must pass through the Senate Appropriations and Audits Committee.
- 307.11** The Executive Branch shall be required to advertise for any Executive Department position, which requires Senate confirmation, for a minimum of one full business week and as further outlined within the State of Florida Sunshine State Laws.
- 307.12** The Executive Branch Administrative Code shall be set by the President and must be confirmed by a majority vote of the Executive Cabinet.
- 307.13** All Executive Branch and agency employees, not aforementioned in the above process, shall be required to submit a copy of their application and resume to the Senate Committee on Judiciary and Ethics.
- 307.13.1** The Committee shall have the authority to review said application, and if deemed necessary, carry out further investigation in accordance with the Senate Committee Rules of Procedure. Such action must be initiated within twenty (20)²¹ days of said employee's appointment.
- 307.14** Any change in the number of authorized hours approved for an Executive Branch employee must be submitted in the form of a memorandum to the Senate Committee on Judiciary and Ethics. Such action must be initiated within fifteen (15) business days of the position change.²²
- 307.14.1** The appropriate Committee shall have the authority to review the memorandum, and if deemed necessary, carry out further investigation in accordance with the Senate Committee Rules of Procedure. Such action must be initiated within twenty (20) business days of the position change.
- 307.15** Changes to an existing position, including a change in the Department or other entity overseeing the position, must be submitted in the form of a memorandum to the appropriate Senate oversight committee for review. Such action must be initiated within fifteen (15) days of the position change.²³
- 307.15.1** The appropriate committee shall have the authority to review said position change, and if deemed necessary, carry out further investigation in accordance with the Senate Committee Rules of Procedure. Such action must be initiated within twenty (20) business days of the position change.

²¹ SB [S] 53-010 Modifies number of days throughout Chapter

²² SB 50-026, Adds this clause and the subsequent sub clause

²³ SB 50-026, Adds this clause and the subsequent sub clause

Chapter

308

Department of Lakeland Affairs²⁴

- 308.1** There shall be a Department of Lakeland Affairs, comprised of one (1) Director of Lakeland Affairs and one (1) Assistant Director of Lakeland Affairs, for the purpose of organizing and providing student programming, student services, and any other student initiatives deemed appropriate by the Director of Lakeland Affairs, Assistant Director of Lakeland Affairs, and the Student Body President.
- 308.2** The duties and responsibilities of the positions that compromise the Department of Lakeland Affairs shall be specified in the Executive Administrative Code.
- 308.3** The Department of Lakeland Affairs shall be appointed by the Student Body President.
- 308.3.1** The Department of Lakeland Affairs member appointments shall be delivered to the Senate President for confirmation at the Senate's discretion.
- 308.3.2** The Student Body President does not need to conduct a formal hiring process to appoint members to the Department of Lakeland Affairs.
- 308.4** Any member of the Department of Lakeland Affairs may only be removed by the Student Body President with justifiable cause via written memo and with a majority vote of the Senate.
- 308.5** The Department of Lakeland Affairs shall be responsible for reporting to the Student Body President at least once every two (2) weeks.
- 308.6** The Department of Lakeland Affairs shall be responsible for creating an interim allocation request to the Student Body President.
- 308.6.1** The Student Body President shall recommend an interim allocation for the Department of Lakeland Affairs no later than the second Friday of the Fall semester.
- 308.6.2** The Department of Lakeland Affairs shall submit an interim budget request to the Student Body President no later than the fourth Friday in July.
- 308.6.3** The interim requests for funding from the Department of Lakeland Affairs shall not be subject to any late penalties.
- 308.6.4** The process for requesting additional funding shall be outlined in the Executive Administrative Code.

²⁴ SB[S] 55-005 updates SB [S] 53-003 and changes functionality of this chapter