

## Appendix F: Impeachment

### Section 1: Rights of the accused

- A. In the impeachment process, the accused has certain inalienable rights;
  - a. To be afforded due process in a fair and timely manner;
  - b. To have full access to the petition of impeachment in writing, in advance of any group discussion or meeting;
  - c. To obtain documentation and ask questions of the accuser(s) during the impeachment hearing;
  - d. To seek advocacy in the form of formal sessions and hearings as per RIT's Center for Student Conduct Advocacy Program;
  - e. To receive, in writing, the decision of the standards board; and
  - f. To appeal the decision.

### Section 2: Grounds for Impeachment

- A. A Student Government or RSO member may be impeached for knowingly violating, or permitting others to violate the Charter, Bylaws, Standing Rules, or Role Expectations of their organization/position
- B. A member may be impeached for conduct not consistent with the best interests of their organization or the RIT student body.
- C. A member may be impeached for violation of Governance Policy D18.0 - Student Conduct Process.

### Section 3: Eligibility for Impeachment

- A. The following members of Student Government or Major Student Organizations may be removed through this impeachment process; a. Within Student Government: President, Vice President and Senators b. Within Representative Student Organizations: Any elected leaders or positions. B. The following members cannot be removed through this impeachment process; a. Appointed Cabinet and Executive Board members. b. Committee Heads
- C. Appointed Cabinet and Executive Board members shall be terminated in accordance with fair labor standards and RIT employment guidelines.

### Section 4: Standards Board Membership

- A. A standards board consisting of RSO representatives and 1 SG representative would have to be selected by the Student Government Vice President and will have to have met by week 4 of Fall semester to review the impeachment process.
  - a. The board will select their own chair by the first meeting.
  - b. If the accused or accuser is on the standards board, the remaining board members will choose a replacement to match the board member requirements.

- B. The board will meet on a per case basis to handle impeachment proceedings.
- C. An Administrative Advisor of Student Government shall advise the group but will not have a vote during the impeachment hearing.

### **Section 5: Initiation of Impeachment Process**

- A. The process is initiated when a written petition for impeachment is brought to the Chair of the Standards Review Board.
  - a. The petition must include the name of the accuser, the name and position of the accused, and reason(s) for pursuing impeachment.
- B. The Chair will notify the Standards Review Board upon receipt of a petition for impeachment within 2 business days. The Standards review board will determine if the impeachment process should go forward. If the Standards Review Board determines that the impeachment process should not go forward, they shall notify the accuser of their reasoning.
- C. If the Standards Review Board determines that the impeachment process should go forward, they shall notify the advisor of the Standards Review Board, the accused, and the organization's advisor(s) within 5 business days of the decision.
- D. The Chair will inform the standards board of the petition and will convene a meeting within 3 weeks of the petition submission.
- E. Evidence supporting the accuser and supporting the accused must be submitted to the Chair and adviser no later than one week prior to the meeting.
- F. A meeting agenda and supporting documentation, including evidence, shall be provided to the Standards Review Board no later than 5 days prior to the meeting.

### **Section 6: Meeting**

- A. Two-thirds of voting representatives must be present for quorum
- B. The Advisor (or their delegate), the Accuser, and the Accused (or someone that the accused has put in their defense) must be present.
- C. Additional participants allowed will be consistent with Governance Policy D18.VI.D - Hearing Participants.
- D. Petition of impeachment and evidence of misconduct is presented.
- E. Flow of meeting:
  - a. The Chair will convene the meeting.
  - b. The accuser will present their reasoning for impeachment, supported by evidence. Voting representatives will have the opportunity to ask questions.
  - c. The accused will present their defense, supported by evidence. Voting representatives will have the opportunity to ask questions.
  - d. The accuser and accused will each have the opportunity to give a final statement for no more than 2 minutes each.
  - e. The Chair will direct the accuser and accused to leave the room and discussion and deliberation will take place. The accuser and accused may be called back to answer questions as necessary.
  - f. A decision of impeachment must come from a two thirds ( $\frac{2}{3}$ )

- majority vote.
- g. The decision would be effective immediately following the meeting. F. The results of the vote must be sent to the President and Vice President of Student Government, the accused, the accuser, the head of the accused's organization, advisor for the accused's organization, and the Student Government advisors from the Chair of the Standards Review Board.

## **Section 7: Appeals**

- A. If the voting representatives elect to impeach the accused, the accused individual has the right to appeal the decision within 10 days of the sanction. B. Appeals will then be presented to the Senate for a final decision a. Two-Thirds of voting members must be present for quorum
- C. There shall be three options for eligible voting members to choose on appeal "Yes", "No", and "Abstain"
- a. "Yes" shall indicate the voting member believes the impeachment decision from the Standards Review Board should stand
  - b. "No" shall indicate the voting member believes the impeachment decision from the Standards Review Board should be overturned
  - c. "Abstain" shall indicate the voting member is not choosing "yes" or "no" and subsequently does not impact final results
  - d. In order for the decision from the Standards Review Board to be confirmed, two-thirds of votes must be cast in the "yes" category
    - i. If two-thirds of the votes cast are not in the "yes" category the impeachment process shall conclude, and the accused will remain in Student Government

## **Section 8: RSO Impeachments**

- A. The process for impeaching an RSO representative will be initiated when a petition for impeachment is brought to the Chair of the Standards Review Board.
- B. The Chair of the Standards Review Board will communicate with the respective RSO to begin the impeachment process.
- C. The impeachment process will follow the respective RSO's bylaws.
- D. The decision must be communicated to the standards review board within 5 days, and shall be presented at the next Student Government Senate.