



ASBSU

Associated Students of Boise State University
Governing Code

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CHAPTER 2: ETHICS CODE

II. Chapter Overview

- A. Students are entitled to have complete confidence in the effectiveness and integrity of ASBSU, and in every elected or appointed student in ASBSU working to serve the student body. This Chapter exists to ensure ASBSU is ethical and accountable to the students of the University.

III. Guiding Principles

- A. ASBSU exists to promote educational, social, and cultural engagement; finance student activities and initiatives; facilitate student involvement; and act as the official voice of University students.
- B. In fulfilling these duties, ASBSU and all Personnel will follow the Student Code of Conduct and the University Statement of Shared Values.
- C. In every action and decision, ASBSU will strive to fulfill its purpose as specified in Code Overview II.A. and do what it believes is best for the students of the University.

IV. Student Ethics Officer

A. Duties and Responsibilities

1. Hold all ASBSU Personnel accountable to both this Chapter and their job descriptions. The Student Ethics Officer can request, up to three (3) times per year per person, that any ASBSU Personnel provide a report that briefly explains how ze is fulfilling hir position description.
2. Chair a Constitutional Review Committee including four (4) Assembly Members to review and interpret the ASBSU Constitution, Code, and Regulations, when requested by any University student, faculty member, or staff member.
3. Chair and serve as a voting member of an Ethics Committee as specified in Executive Code IV.D.
4. Attend all Executive Council and Student Assembly meetings, as well as some meetings of the SFB and other ASBSU bodies.
5. Receive and respond to any Complaint regarding a violation of the ASBSU Constitution or ASBSU Code through the appropriate action with the Ethics Committee.
6. It is acceptable and expected that the Student Ethics Officer will file appropriate Complaints and play a proactive role in ensuring ASBSU Personnel fulfill their duties.

V. Ethics Committee

- A. Composition and leadership of the Ethics Committee is outlined in Executive Code V.C.

B. Responsibilities

1. Provide a formal hearing process for Complaints received, as outlined below.

2. Promote the transparency of ASBSU to the University by providing suggestions to ASBSU personnel.

C. Filing Complaints

1. University students, staff members and administrators can file Complaints against any ASBSU Officer for violating ASBSU Code, the ASBSU Constitution, hir job description, or other governing documents.
2. A standard form will be available online. Complainants must specify the Defendant and the violation. Complaints should be filed as soon as possible and cannot be submitted anonymously.

D. Handling Complaints

1. The Ethics Committee will hold a hearing involving the Defendant(s) against whom the Complaint was filed and the Complainant(s) within 7 business days.
2. All parties are permitted and encouraged to submit evidence, including statements from third parties. Complainants must submit evidence at the same time they submit a Complaint. Defendants will submit evidence at the time of the hearing.
3. The Defendant must receive a copy of the Complaint, including all evidence submitted by the Complainant, at least 72 hours prior to the hearing.
4. The Ethics Committee, led by the Student Ethics Officer, will convene prior to the arrival of the Defendant(s) and Complainant(s) to discuss the case and prepare questions for both parties.
5. The professional staff advisor to the Student Ethics Officer, or hir designee, must be present at the hearing.
6. The Ethics Committee (and advisor) will hear a brief argument from each party and then ask questions. When all questions have been answered, the Ethics Committee will deliberate and decide in private. Decisions should be designed to create an equitable and just outcome for all parties and may include Sanctions. Decisions will be made by a simple majority vote. The Ethics Committee must deliver a written result to all parties within 24 hours.
7. For all hearings, including appellate hearings, Defendants and Complainants are permitted to have a personal advisor present. This advisor may not directly present the case of the party ze is supporting.

E. Miscellaneous Issues

1. Complaints regarding elections will be handled according to the standard process, with Candidates being held accountable only to Election Code and Ethics Code.
2. If a Complaint is filed against the Student Ethics Officer, the Assembly Speaker will chair the Ethics Committee in all affairs related to the Complaint.
3. If a member of the Ethics Committee feels ze will have an unfair bias in a hearing, ze may recuse hirsself from the hearing. If this reduces the total number of members attending a hearing to less than three (3), including the Student Ethics Officer, the Assembly Speaker will appoint an Assembly Member to serve as a temporary member of the Ethics Committee.

F. Sanctions

1. Sanctions are determined by the Ethics Committee and, in general, are limited to the following options:
 - a. Requiring weekly reports on work
 - b. Initiating impeachment charges
 - c. Restitution for damages
 - d. Imposing additional office hours
 - e. Suspension of service awards for up to two (2) pay periods, to be effected at the end of the Defendant's term of employment
 - f. Other appropriate sanctions only if the Student Ethics Officer first consults with hir advisor and/or the Director of the Office of Student Rights and Responsibilities.
1. If the Ethics Committee determines the offenses of an Officer merit impeachment as a consequence, the Student Ethics Officer will bring impeachment charges against the Officer in the Student Assembly. The Student Assembly will then hold a hearing in which the Student Ethics Officer serves as the Complainant, with the Assembly Speaker presiding over the hearing. Assembly Members can ask questions of the Officer against whom impeachment charges are brought and of the Student Ethics Officer. After the hearing, the Assembly Members will vote by silent ballot, with a $\frac{2}{3}$ majority required to impeach the Officer.
2. If and when an Officer is impeached, ze is removed from office, and all associated payments, privileges, and responsibilities are terminated immediately.
3. If impeachment is recommended by the Ethics Committee, but not confirmed by the Assembly, the Ethics Committee may still impose other consequences on the Defendant, subject to the constraints above.

G. Appeals

1. Any Defendant or Complainant may appeal a decision made by the Ethics Committee. An Appeals Committee will handle all appeals proceedings.
2. The Appeals Committee is temporary in nature and includes a member from each branch: the Student Ethics Officer, the Vice President or hir delegate, and the Assembly Speaker or hir delegate that does not sit on the Ethics Committee.
3. The Appeals Committee will meet in private with an advisor within 72 hours of receiving an appeal to determine by majority vote whether or not the appeal merits a hearing. The advisor does not vote.
4. The Appeals Committee will notify the Appellant and Respondent parties within 24 hours of the decision as to whether a hearing will be held.
5. The Appeals Committee will hold a hearing at the earliest convenience of all parties, with an advisor present. The Appellant will present hir case, followed by the Respondent, followed by questions from the Appeals Committee.
6. The Appeals Committee will deliberate in private immediately following the hearing and deliver a decision to both parties within 24 hours of the hearing.

7. The Appeals Committee can decide to affirm an original decision, overturn an original decision, or remand an original decision to the Ethics Committee for further consideration.
 8. Impeachment cannot be appealed.
- H. When the Student Ethics Officer requests a personnel report, that report will be reviewed by the Ethics Committee. If any member of the Ethics Committee is dissatisfied with the work of the Personnel, ze may file a Complaint, which will follow the standard procedure outlined above in Ethics Code V.C and V.D.

VI. Accountability

- A. All Personnel will be required to follow the ASBSU Constitution, Code, and Regulations. They will affirm this commitment by signing a statement of understanding and a FERPA Release of Information form before starting work for ASBSU.