



GSO Senate Resolution 24.11

A Resolution to Amend the GSO Constitution (Reclassifying GSO Secretary Positions as Staff)

Author(s): Members of the Rules & Administration Committee: Daniel J. Kimmel (GSO President & Chief Executive Officer); CJ Arnell (Vice President of Internal Affairs & Chair of the Senate); Roger Rosena (President Pro Tempore of the Senate); Joe Beckmann (APS Mathematics); Andrea Sprague-Getsy (APS Chemistry); R. Luke VanderSchaaff (Parliamentarian)

Sponsor(s): Becca Vinciguerra (Director of External Affairs); Melissa Alvisi (Comptroller); Abiodun Adeoye (General Secretary of the Senate); Aditee Malviya Finance Secretary)

Date(s): 3 April 2024 (Introduced); 1 May 2024 (Voting Date)

Action(s): Passed (23 Yes, 0 No, 3 Abstentions)

Chair of the Senate: CJ Arnell

President Pro Tempore of the Senate: Roger Rosena

Parliamentarian: R. Luke VanderSchaaff

President of the Student Body: Daniel J. Kimmel

Whereas, GSO Officer positions are “executive” in function,¹ invested with powers necessary to preside over the internal, external, and financial operations of the GSO;² and,

Whereas, GSO Staff positions are “advisory, consultatory, and/or supportive in function”;³ and,

¹ **GSO Article III, Section 1:** “All executive powers of the GSO are vested in the GSO Executive Board, which shall be empowered to oversee and to act for the organization within the limits set by this Constitution and the Senate.” See too GSOC Article III, Sections 2 & 3 on the collective powers of the Executive Board.

² I.e., the President & Chief Executive Officer (GSOC Article III, Section 4); the Vice President of Internal Affairs, Chair of the Senate, and Chief of Staff (GSOC Article III, Section 5); the Director of External Affairs (GSOC Article III, Section 6); and the Comptroller (GSOC Article III, Section 7).

³ **GSOC Article IV, Section 1:** “All staff positions of the GSO are advisory, consultatory, and/or supportive in function.”

Whereas, the GSO Secretary positions are advisory, consultatory and supportive in function;⁴ and,

Whereas, the annual election of Secretaries at the first Regular Meeting of the Senate, in addition to At-Large and University Senators,⁵ often prolongs that Meeting to exceed the average of three hours while, nevertheless, scarcely permitting the Executive Board and Senate to gather an informed sense of the nominees; and,

Whereas, an appointment and confirmation process regarding the Secretaries similar to that regarding the President Pro Tempore of the Senate and Parliamentarian⁶ would unburden the first Regular Meeting while also allowing the Executive Board and Senate adequate time to gather an informed sense of potential candidates; and,

Whereas, the proposed reclassification would not diminish the dignity of these positions; affect the pay of these positions;⁷ or alter the function of these positions; and,

Whereas, the current Secretaries unanimously support the proposed reclassification,⁸ alongside the full Executive Board and Rules & Administration Committee, believing the change to be beneficial to the Secretary positions, the Senate, and the GSO; therefore, be it,

Resolved, that the General Secretary of the Senate, Financial Secretary, and Communication Secretary positions be reclassified as GSO Staff by adoption of the following amendments to the GSO Constitution:

(1) Amendments by striking and/or replacing portions of:

- a. **Article III, Section 2**, so that it reads: "The Executive Board shall consist of **four** Officers: President, Vice President of Internal Affairs, Director of External

⁴ I.e., the General Secretary of the Senate (GSOC Article III, Section 8); the Communications Secretary (GSOC Article III, Section 9); and the Financial Secretary (GSOC Article III, Section 10).

⁵ **GSOC Article II, Sections 6-8** (Electing University and At-Large Senators); **GSOC Article III, Section 2(d)** (Electing Secretaries).

⁶ **GSOC Article IV, Section 2(b)(i)**: "...the staff positions of Parliamentarian and President Pro Tempore of the Senate shall be appointed in the following manner: The Vice President of Internal Affairs shall recommend a member to the Executive Board to be appointed by majority vote. The Senate shall then confirm the appointment by majority vote at the next Regular Meeting."

⁷ Regarding both the Executive Board and Staff, the GSO Senate sets the position stipends (**GSOC Article III, Section 2(k) & Article IV, Section 2(f)**).

⁸ Namely, General Secretary Abiodun Adeoye, who has served two years in this position (2022-2023; 2023-2024), and Financial Secretary Aditee Malviya, who has served one year in this position (2023-2024). Additionally, Comptroller Melissa Alvisi, who has served both one year as Financial Secretary (2022-2023) and one year as Comptroller (2023-2024).

Affairs, and Comptroller." (Striking "General Secretary of the Senate, Financial Secretary, and Communications Secretary." after Comptroller and adjusting the number from seven.)

- b. **Article III, Section 2(a)**, so that it reads: "The President, Vice President of Internal Affairs, Director of External Affairs and Comptroller shall serve as voting members of the Executive Board on Board business." (Striking "The Secretaries shall serve as Junior Officers of the Executive Board without the power to make motions on the Board or vote on Board business." that follows.)
- c. **Article V, Section 1**, so that it reads, "A GSO Officer or member of the Staff shall be removed from office in a manner listed in this Article." (Striking "—both are referred to as "Officer" within this Article—" from between Staff and shall.)

(2) Amendments by striking in full:

- a. **Article III, Section 2(d)**, which reads: "The General Secretary of the Senate, Financial and Communications Secretaries shall be elected by the Senate at the first Regular Meeting of the academic year during which they will serve."
- b. **Article III, Section 2(h)**, which reads: "The Secretaries shall hold office immediately upon election until the following May 31st."

(3) Amendments by relocating:

- a. **Article III, Sections 8, 9, and 10**, in order, on the duties and powers of the General Secretary of the Senate, Communications Secretary, and Financial Secretary, to Article IV, placing them either before or after Sections 4 and 5 on the President Pro Tempore of the Senate and Parliamentarian, respectively, renumbering the Sections as appropriate. Otherwise, their powers and duties shall remain unchanged.

(4) Amendments by inserting:

- a. **Article II, Section 2**, so that it reads: "The following shall be members of the Senate with the power to vote: GSO Officers, Secretaries, Academic Plan Senators, University Senators, At-large Senators, and SUNY-ESF Senators. The GSO Parliamentarian shall be considered a member of the Senate without the power to vote, per Article IV Section 5." (Inserting "Secretaries,")
- b. **Article II, Section 13(m)**, so that it reads: The Senate shall have the power to "Call any Officer or Staff before the Senate for a hearing;" (Inserting "or Staff".)

- c. **Article III, Section 2(b)(i)**, so that it reads: "To be eligible to serve as President, Vice President of Internal Affairs, Director of External Affairs or Comptroller, a person must have previously attended at least four Regular Meetings of the Senate as a Senator, Officer, or Staff excepting the rules for executive appointment of Interim Officers per Article III Section 2(e)." (Striking "and" from between "Senator and Officer," adding commas, and inserting "or Staff".)
- d. **Article IV, Section 5(i)**, so that it reads: The Parliamentarian shall "Intervene in the situation that GSO Senators, Staff, Officers, legislation, or initiatives contradict the GSO Constitution, bylaws, or Syracuse University policies;" (Inserting "Staff".)
- e. **Article V, Section 4**, so that it reads: "An Officer or Staffer may resign from office by submitting a written Letter of Resignation to be accepted by the Executive Board." (Inserting "or Staffer".)

(5) Amendments by inserting/adding:

- a. **Article IV, Section 2(b)(ii)**,⁹ so that it reads: "As an exception to the general rule for appointing staff positions, the Secretary staff positions shall be appointed in the following manner: The Vice President of Internal Affairs shall recommend a member to the Executive Board to be appointed to General Secretary of the Senate; the Director of External Affairs shall recommend a member to the Executive Board to be appointed to Communications Secretary; the Comptroller shall recommend a member to the Executive Board to be appointed to Financial Secretary. Appointment requires a majority vote. The Senate shall then confirm the appointment by majority vote at the next Regular Meeting." (Creating a new sub-sub-section (ii).)¹⁰
- b. **Article IV, Section 2(e)(iii)**,¹¹ so that it reads: "the Secretaries, who may not simultaneously be Academic Plan or At-large Senators but may serve in the

⁹ **GSOC Article IV, 2(b)**: "Staff positions are appointed by the President and managed by the President with the assistance of the Vice President of Internal Affairs."

¹⁰ The addition mirrors the process for the appointment and confirmation of Interim Officers expressed in **GSOC Article 3, Section 2(e)** and of the President Pro Tempore and Parliamentarian expressed in **GSOC Article IV, Section 2(b)**. Renumerate to maintain standardized order if necessary.

¹¹ **GSOC Article IV, Section 2(e)**: "Staffers, during their terms in office, may simultaneously be Senators, with the exception of: ..." Renumerate to maintain standardized order if necessary.

- University Senate without any of the associated duties and rights of a University Senator in the GSO Senate." (*Creating a new sub-sub-section (iii).*)¹²
- c. **Article IV, Section 3(b)(iv)**, so that it reads: "Attend all Meetings of the Executive Board unless excused by the Executive Board." (*Creating a new sub-sub-section (iv).*)
 - d. **Article V, Section 1(a)**, so that it reads: "For the sole purpose of removal outlined in this Article (Article V Removal of Officers), the President *Pro Tempore* of the Senate and the Parliamentarian shall be considered Officers, not Staff." (*Creating a new sub-section (a).*)¹³
 - e. **Article V, Section 4**, renumbering the current Sections 4 and 5 as Sections 5 and 6, respectively, with proper formatting, so that it reads:

"A member of the Staff shall be removed by the process as follows:

- (a) Charges to remove may be brought by any Executive Board member. Charges to remove shall either be brought to the President at any time, or the Executive Board as a whole at any time.
 - (i) Charges to remove must be submitted in writing.
 - (ii) The President shall preside over the removal process or may appoint the Vice President of Internal Affairs to preside.
- (b) Once charges to remove are received, the presiding Officer, per Article V, Section 4(a), shall arrange a meeting between the Officer submitting the charges, the Executive Board, and the Staff, including the Staffer in question, to take place within 48 hours of receiving the charges.
- (c) At this meeting, the Staffer in question will be briefed on the removal process and the Officer submitting the charges shall be afforded the opportunity to explain their reasons for requesting removal.
 - (i) Following the Officer's explanation of their reasons for submitting charges to remove, the Staffer in question shall be afforded the opportunity to ask questions and offer a defense.
 - (ii) Following this, the Staffer in question shall be offered the opportunity to resign.

¹² The addition preserves the stipulation presently pertaining to the Secretary positions expressed in **GSOC Article III, Section 2(j)** that: "An Officer may serve as a University Senator without any of the associated duties and rights of a University Senator in the GSO Senate."

¹³ See **Appendix A: President Pro Tempore of the Senate and Parliamentarian Removal as Officers not Staff Rationale**.

- (iii) The Staffer shall have 24 hours to submit a written Letter of Resignation to the Executive Board and Staff. Upon receipt of the Letter of Resignation, the Resignation is effective immediately and shall be communicated to necessary parties.
- (d) If the Staffer in question chooses not to resign, or does not submit a Letter of Resignation within the 24 hour window, the presiding Officer shall call a meeting of the Executive Board and Staff, without the Staffer in question, to take place within 48 hours.
- (e) At this meeting, the Executive Board shall vote on the charges to remove.
 - (i) Removal of a Staffer requires a majority vote of the Executive Board.
 - (ii) The decision, effective immediately, shall be communicated to the Staffer in question and to necessary parties.
- (f) The Executive Board reserves the right to suspend any power or access of the Staffer subject to removal for the duration of the removal proceedings should they deem necessary.
 - (i) Any power or access suspended in this manner must be clearly communicated to the Staffer.
 - (ii) Any power or access suspended in this manner shall be automatically reinstated upon rejection of the charges to remove the Staffer in question.
- (g) All meetings, documents and correspondence pertaining to the removal process occurring from the submission of the charges of removal up to and including the final decision on charges to remove shall be held in Executive session.
 - (i) The Executive Board reserves the right to lift the protections of Executive Session for any documents or information pertaining to the removal process in question by majority vote."

(Creating a new Article V, Section 4, and renumbering the current Article V, Sections 4 and 5.)

And be it further, Resolved, that the Rules & Administration committee be empowered to adjust for standardization of vocabulary and style, grammar, punctuation, formatting, numeration, and other non-substantive matters when integrating these amendments into the text of the GSO Constitution; and,

Resolved, that these amendments be effective immediately upon a $\frac{3}{4}$ vote.¹⁴

¹⁴ **GSOC Article VI, Section 3:** "Amendments to the Constitution require a $\frac{3}{4}$ vote. Amendments to Resolutions to Amend the Constitution also require a $\frac{3}{4}$ vote. Quorum for amendments shall be a majority of voting Senate membership per Article II Section 2, excluding vacant seats."

Appendix A: *President Pro Tempore of the Senate and Parliamentarian Removal as Officers not Staff Rationale*

Although the President *Pro Tempore* of the Senate (Pro Temp) and the Parliamentarian complete similar levels of work to the General Secretary, Communications Secretary, and Finance Secretary, there are critical differences in the spaces that the Pro Temp and Parliamentarian occupy that warrants their removal by impeachment as an Officer.

On the one hand, the Secretaries primarily perform clerical and administrative tasks in direct support of their associated Executive Officer. In doing so, they work closely to support the role of the Executive Board of the GSO overall. The Pro Temp and Parliamentarian, on the other hand, serve as checks on the executive branch (i.e., the Executive Board) by representing the will of the Senate on committees and ensuring Executive Board members abide by the rules and regulations outlined in the Constitution of the GSO (GSOC), any standing legislation, and *Robert's Rules of Order: Newly Revised*. The Pro Temp and Parliamentarian likewise serve as checks on the legislative branch (i.e., the Senate) for the same reasons and preserve decorum on the assembly floor.

Consequently, though the Pro Temp and Parliamentarian are Staff, having these positions subject to removal in the same manner as other Staff (i.e., the Secretaries and any other Staff positions the Senate may create) may create pressure upon these roles to appease Officers of the Executive Board to the point, potentially, of forsaking their constitutional duties. Requiring the Senate to investigate and vote on charges of impropriety, dereliction of duty, *et cetera*, made against the Pro Temp and Parliamentarian in the same manner as Officers prevents the Executive Board from leveraging the removal of individuals who hold these roles, which preserves the positions' ability to act as a check and balance on both the Executive Board and Senate.

However, is there any benefit in allowing the Pro Temp and Parliamentarian to be subject to the Staff removal process? The only imaginable situation warranting the Pro Temp and Parliamentarian being subject to the Staff process is if their actions are so egregious that they are damaging to the GSO's internal operations or threaten the GSO's external perception/legitimacy. The expediency of the Staff removal process would mitigate these negative impacts. The likelihood of individuals who fulfill these roles acting in such a way is quite slim. Therefore, pursuant to the reasoning above regarding the Pro Temp and Parliamentarian serving as fundamental checks and balances in the GSO, it is crucial the GSO do what it can to preserve this ability, even at the cost of a degree of expediency.

*Memo from the GSO Parliamentarian
R. Luke VanderSchaaff*