

## **THE HOUSE RULES OF THE SENATE**

### **Rule I. Officers of the Senate**

- I. The President Pro Tempore of Duke Student Government is the President of the Senate and the primary protector and enforcer of these House Rules.
- II. The Executive Secretary of Duke Student Government is the Clerk of the Senate.
- III. Any additional officers shall be either elected by the Senate or appointed by the President Pro Tempore with the advice and consent of the Senate.
  - A. Additional officers shall be referred to as Legislative Aides.

### **Rule II. Decorum**

- I. The Code of Dress permits Senators to dress casually, but discourages the wearing of loungewear, sleepwear or similar attire.
- II. Members shall treat one another with respect at all times, and shall confine themselves to civil and decent language.
- III. Members shall stand when recognized to speak, unless this is unreasonable given the circumstances.
- IV. Members may converse briefly and quietly as needed, but should strive to do so outside the chamber, returning for votes.
- V. Members are encouraged to use laptops and other technology for purposes related to the proceedings, but shall refrain from conducting unrelated business and social communication during meetings.
- VI. Members are prohibited from using laptops and other technology during any guest presentations.

### **Rule III. Quorum and Attendance**

- I. A quorum to transact business is a majority of the Members of the Senate, but any smaller number may lawfully convene, send for absent members, and adjourn when assembled at a scheduled meeting time.
- II. All Senators shall attend all meetings of the Senate in full unless excused pursuant to the Senate By-Law.
- III. In addition to those enumerated in the Senate By-Law, the following absences must also be considered excused:
  - A. Class schedule conflicts, not including non-mandatory review sessions;
  - B. Activities that are mandatory for full participation in an academic program, scholarship, or award;

- C. Mental health concerns; and
  - D. Activities that are mandated by an employer with whom the member is currently employed.
  - E. During emergencies, attendance policies shall comply with University-wide policies.
  - F. COVID, isolation, and/or quarantine procedures shall result in an excused absence.
- IV. Any Member who arrives late shall sign in with the Pro Tempore, Executive Secretary, or Legislative Aide(s).
- V. Any Member leaving early shall ask the permission of the President Pro Tempore, by written submission prior to the meeting or through an oral point of personal privilege. Brief exits, such as to use facilities, are an assumed privilege and are not covered by this Clause.
- VI. Any Member who fails to comply with the provisions of Clauses 3 and 4 of this Rule shall incur an unexcused absence as though they missed the entire meeting.
- VII. Each missed committee meeting shall count as an unexcused absence, unless excused by the committee's chair or by the President Pro Tempore.
- VIII. Any Senator who incurs a **third** or subsequent unexcused absence can be placed in bad standing by the President Pro Tempore. Any Senator in bad standing may no longer vote or be recognized in any DSG matter, except to defend themselves in a proceeding, until discharged from bad standing by the President Pro Tempore, or by the Senate.
- IX. If any Member incurs a **fourth** or subsequent unexcused absence, the Executive Secretary or Pro Tempore must refer that Member to the Senate Judiciary Committee for investigation. This Committee shall recommend to the President Pro Tempore whether the Member ought to be removed.
- A. If a Member is contacted by the Senate Judiciary Committee for investigation, they must respond to allegations within one week. If the Member fails to respond to the Senate Judiciary Committee request for investigation or hearing within that week, the Senate Judiciary Committee is to recommend their removal from DSG to the President Pro Tempore.
- X. During university-wide emergencies, where meetings are conducted virtually, members who are unable to attend Senate meetings due to changes in their circumstances (i.e inability to access the internet, time zone differences, etc.) shall have their absences excused for the remainder of the session by the Executive Secretary. The President Pro Tempore shall work with Senators to allow them to continue their duties as Senator. Senators will be given the opportunity to:
- A. Send questions on any agenda item to the Senate body before the meeting
  - B. Legislation will adopt a grace period of 24 hours. Senators under these circumstances will have 24 hours to carry out their responsibilities as Senators. If amendments,

questions, motions, etc are proposed they should be sent to the President Pro Tempore. The Senator's concerns will be addressed during the next Senate meeting and the vote shall be final.

- XI. Students are encouraged to attend Senate in person and if there is a virtual option, the President Pro Tempore may suspend the rules for voting. Zoom attendance should be reserved for students who are sick and/or cannot make it for a valid reason. The President Pro Tempore may amend this clause with a verbal or written notice.
- XII. For the 2021-2022 academic year, the absence form can be found at this link:  
<https://forms.gle/XM79P7F8dACTcMWj7>.

#### **Rule IV. Introduction of Legislation**

- I. All legislation must be considered by a committee. If legislation is sent to the President Pro Tempore other than by a committee, they shall refer it to the committee they deem most appropriate.
- II. SOFC and other committees of DSG (rather than strictly of the Senate) shall be considered committees for the purposes of this Rule.
- III. The President Pro Tempore may waive Clause 1 for good cause, and shall do so when a committee fails to report for seven days after referral. The Senate may also suspend the clause by a two-thirds vote without debate.
- IV. All legislation (with the exception of any legislation recommended by SOFC) must be submitted to the President Pro Tempore 36 hours before the meeting at which it is to be considered. Legislation submitted after this deadline may be considered for a first reading without debate.
- V. If a Senator considers bringing a matter before the Senate especially relevant to a specific community, they should notify the committee and a relevant student organization via email before the Senate, and encourage them to speak on the matter, in an effort to bring about informed debate.

#### **Rule V. General Rules of Procedure**

- I. The President of the Senate or person acting as such for the time being (hereinafter "Chair") shall recognize speakers, with preference for Members who have spoken less frequently during the meeting.
- II. The Chair shall apply, in order of priority, the Constitution, the By-Laws, these House Rules, and the most recent revision and edition of Robert's Rules of Order.
- III. In all doubtful matters, and whenever a Member raises a point of order, the Chair shall either make a ruling or submit the matter to a vote of the Senate.

IV. Any ruling of the Chair may be appealed to the Senate, which shall decide the matter by majority vote. Appeals shall not be debatable, but the Chair and the appellant may each speak for one minute to summarize the issue.

**Rule VI. Schedule of Motions**

Except where explicit provision is otherwise made, the following schedule of motions shall govern proceedings of the Senate. “Interrupt” indicates whether the motion may interrupt a speaker; “2nd” whether the motion requires a second; “amend” whether it may be amended; “vote” the vote required for its adoption.

Senators found repeatedly abusing their motions ( i.e. using points of information to debate ideas) will be reminded of House Rules by the Vice Presidents of their respective committee; failure to comply can result in speaking penalties and/or bad standing up to the discretion of the President Pro Tempore.

Senators wishing to speak on an issue are *highly* encouraged to motion for a debate, moderated caucus, or unmoderated caucus with majority consent from the Senate.

**Main Motions**, listed in order of precedence; a motion may be introduced if it is higher in the schedule than the pending motion:

Purpose:	You Say:	Interrupt?	2nd?	Debate?	Amend?	Vote?
Close meeting	I move to adjourn	No	Yes	No	No	Majority
Take break	I move to recess for...	No	Yes	No	Yes	Majority
Register complaint/ request special permission	I rise to a question of privilege	Yes	No	No	No	N/A

Call for the agenda	I call for the orders of the day	Yes	No	No	No	N/A
Lay aside temporarily	I move to lay the questions on the table	No	Yes	No	No	2/3
Begin an unmoderated caucus	I move for an unmoderated caucus for ___ minutes	No	Yes	No	Yes	Majority
Begin a moderated caucus	I move for a moderated caucus for ___ minutes	No	Yes	No	Yes	Majority
Close debate	I move the previous question	No	Yes	No	No	2/3
Limit or extend debate	I move that the debate be limited to ___	No	Yes	No	Yes	2/3
Postpone to a certain time	I move to postpone the motion to ___	No	Yes	Yes	Yes	Majority
Refer to committee	I move to refer the motion to ___ / the motion may be referred to a committee at the discretion of the Chair	No	Yes	Yes	Yes	Majority / the Chair
Modify wording of motion	I move to amend the motion by ___	No	Yes	Yes	Yes	Majority
Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
Bring business before assembly (a main motion)	I move that [or “to”] ___	No	Yes	Yes	Yes	Majority

**Incidental Motions** have no order of precedence. These motions arise incidentally and are decided immediately.

Purpose:	You Say:	Interrupt?	2nd?	Debate?	Amend?	Vote?
Enforce rules	Point of Order	Yes	No	No	No	None
Submit matter to assembly	I appeal from the decision of the Chair	Yes	Yes	No	No	Majority
Suspend rules	I move to suspend the rules	Yes	Yes	No	No	2/3
Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
Demand a rising vote/roll call vote	I move for a rising/roll call vote	Yes	No	No	No	None
Parliamentary law question	Point of parliamentary inquiry	Yes	No	No	No	None
Request for information	Point of information	Yes	No	No	No	None

**Motions that Bring a Question Again Before the Assembly** have no order of precedence. They may be introduced only when nothing else is pending.

Purpose:	You Say:	Interrupt?	2nd?	Debate?	Amend?	Vote?
Take matter from table	I move to take from the table ____	No	Yes	No	No	Majority
Cancel previous action	I move to rescind ____	No	Yes	Yes	Yes	$\frac{2}{3}$ or Majority with notice
Reconsider motion	I move to reconsider ____	No	Yes	Varies	No	Majority

### **Rule VII. Order of Business**

Meetings shall proceed as follows. Extensions or reductions of time limits may be proposed as

suspensions of the rules. The order of business is up to the Chair's discretion and may change.

- I. Call to Order
- II. Roll Call
- III. Announcements
  - A. Announcements may be made by any Member of the Senate.
  - B. Cabinet and non-Senate DSG Executive members may be recognized by the Chair
  - C. Announcements shall not exceed 1 minute each or ten minutes total unless extended by the Chair.
- IV. Special Presentations and Reports
  - A. The President Pro Tempore, Executive Board, or Senate members may invite guests to make special presentations.
  - B. Cabinet Officers and Committees may make reports with a 24 hour notice to the President Pro Tempore.
  - C. Guest presentations should normally be heard before reports
  - D. Each special presentation or report may last up to 15 minutes, with 10 minutes subsequently allotted for questions. Question time may also be extended ahead of time by the Chair.
- V. Public Forum
  - A. Any member or group of the Duke Community may address the Senate, and then yield to questions and comments, for up to ten minutes in the aggregate.
  - B. The member or group must inform the President Pro Tempore of their intent to address the Senate and of the matter they wish to raise 24 hours before the meeting at which it is to be heard.
  - C. The President Pro Tempore or a simple majority of the Senate may suspend the 24 hour rule to accommodate all additional speakers .
- VI. Question Time
  - A. Senators may ask questions of the President, Executive Officers, and any Cabinet Officers present.
  - B. Senators may request the presence of absent officers at the next meeting.
- VII. Caucus Reports
  - A. Any member of a Caucus can share updates from their Caucus meetings at any time. Updates shall not exceed 5 minutes, with 3 minutes subsequently allotted for questions.
  - B. Non-voting Senate members must be recognized to speak before a caucus report.
  - C. Caucus Chairs are required to share Caucus updates at least twice a month.

- D. Updates can be on project work of the caucus, and do not solely have to be meeting summaries.
  - E. Senators may request non-DSG caucus members to be present at the next meeting for questioning.
- VIII. Confirmation of Nominations
- A. The Senate shall hear nominations requiring its advice and consent.
  - B. Each nominee shall be permitted to make a brief statement, followed by questions from the Senate, not exceeding 15 minutes per category of nomination.
  - C. When there are no more questions, or the time for questioning expires, the Chair shall begin the debating procedure of Rule IX.
- IX. SOFC-Recommended Legislation
- A. The President Pro Tempore may place on the agenda one or more Statutes or Budgetary Statutes based on SOFC applications. The proposed legislation shall express the recommendations of SOFC, altered where necessary to reflect any conflicting recommendations of the Financial Oversight and Appeals Committee (FOAC).
  - B. SOFC, followed by FOAC if necessary, shall present its reasoning for not more than 5 minutes per piece of legislation. It shall also briefly note any cases in which it recommends no grant.
  - C. Questions may be directed to SOFC and FOAC for five minutes per piece of legislation.
  - D. When there are no more questions, or the time for questioning expires, the Chair shall begin the debating procedure of Rule IX.
  - E. The presentation shall be considered the authorship or first affirmative speech.
- X. Special Rules and Selections
- A. The Senate shall first hear and, by majority vote without debate, decide on any proposed Special Rules.
  - B. The Committee on Rules may propose Special Rules to govern debate in exceptional cases, such as on elections, complicated legislation, or competing amendments. At the discretion of the President Pro Tempore or by suspension of the rules, this may occur at a more appropriate earlier point in the meeting.
  - C. The Senate shall then conduct any selections it is required to, do business under Special Rules, and comply with any other laws as needed.
- XI. Old Business
- A. The Senate shall consider any second readings of By-Laws and any legislation postponed to the current meeting from a previous one.
  - B. The authors or sponsors shall have five minutes to present the legislation.

- C. Five minutes shall be allotted for non-debatable, technical questions and friendly amendments.
  - D. The debating procedure of Rule IX shall then apply.
- XII. New Business
  - A. The Senate shall consider newly introduced legislation. In general, the same procedures shall apply as for old business.
  - B. At first readings of By-Laws, the authors or sponsors shall have five minutes to present, followed by five minutes for questions, but no amendments may be proposed, and debate may not begin.
- XIII. Project Roundtable
  - A. At the discretion of the President Pro Tempore, senators will go into small groups to discuss project work or work on a larger issue.
- XIV. Adjournment

### **Rule VIII. Amendments**

- I. Before debate begins on proposed legislation, the authors or their designees may edit the legislation. This may include accepting “friendly amendments” proposed from the floor.
- II. After debate begins, a motion to amend must be made, subject to relevant parliamentary procedure.
- III. For non-controversial amendments deemed friendly by the authors, unanimous consent to waive formal procedure may be requested even after debate has begun on the legislation.

### **Rule IX. Debating Procedure**

- I. If there are no more questions, or when the time for questioning has expired, the Chair shall ask whether any Member objects or wishes to enter debate.
- II. If not, the Chair shall proceed to an immediate vote or call for unanimous consent.
- III. If there is an objection or request for debate, the Chair shall recognize the objector to speak for five minutes, followed by five minutes for questions, with each question and reply not to exceed one minute in total length. This protected negative speech may not be dispensed with even by attempting to call the previous question or suspend the rules, except by unanimous consent.
- IV. Debate shall thereafter be unlimited, and shall alternate between affirmative and negative speeches. Each speech may be followed by up to three minutes of brief questions.
- V. Members may make motions between speeches.
- VI. If there are no more speeches for or against when duly requested by the Chair, debate shall be deemed exhausted, and the question shall be immediately put.

- VII. The Chair may rule speeches out of order if they are utterly irrelevant to the matter at hand, patently dilatory, or intended to further one-sided debate.
- VIII. Debate shall also end if a Member successfully moves the previous question.

### **Rule X. Voting**

- I. At the discretion of the Chair, unanimous consent may be sought on any matter by calling for objections. In the absence of an objection, unanimous consent is granted; if an objection is made, a formal vote is required.
- II. A voice vote shall normally be taken on questions requiring a simple majority vote.
- III. A vote by raising hands shall normally be taken on questions requiring more than a majority, or where a voice vote has yielded unclear results. All votes to elect, select, or remove from office shall be by ballot unless this rule is suspended by the Senate.
- IV. A recorded roll call vote shall be held at the demand of any Member or of the President Pro Tempore, except on a question requiring ballots. A roll call vote shall be mandatory for any vote to override a presidential veto or propose an amendment to the Constitution. This requirement shall not be suspended except by unanimous consent.
- V. A division, that is a vote by rising, shall be held at the demand of any Member or of the President Pro Tempore on any question not requiring ballots or a roll call vote.
- VI. If at the request of the DSG advisor or by a simple majority of the senate, the results of a roll call vote will be sealed for 1 month if there is a need to preserve the integrity of the vote. The results of the vote will be released immediately but the vote breakdown by senator (i.e. if they voted yes, no, or abstain) will be sealed for a month.

### **Rule XI. Suspension and Amendment of the Rules**

- I. Except where otherwise noted, these Rules may be suspended at any time by a two-thirds vote. The question on the suspension of the rules shall be put without debate.
- II. Extension of the time allotted to a portion of the agenda, except where placed at the discretion of the Chair, shall be treated as a suspension of the rules.
- III. Amendments to these Rules may be passed by majority vote as legislation considered in due course.
- IV. Special Rules, which shall supersede these general rules, may be passed pursuant to Rule VII.
- V. The rules may not be suspended, except by unanimous consent, in consideration of any amendment to any rule that may itself not be suspended except by unanimous consent.
- VI. The Constitution and By-Laws may not be suspended, except where those documents themselves authorize a suspension, nor amended, except as provided in the Constitution.

**Rule XII. New Member Education**

- I. At the beginning of each session, the incoming President Pro Tempore shall conduct a meeting (or as many meetings as necessary) in order to educate new Senators on parliamentary procedure, DSG fiscal policy, and other Senate formalities. Attendance shall be mandatory for all new Senators and encouraged for other Members interested in reviewing parliamentary procedure and DSG fiscal policy.
- II. For Senators appointed at the start of the spring semester, the President Pro Tempore and the Vice Presidents of their respective committees shall be jointly responsible for their education in parliamentary procedure and DSG fiscal policy.

**Rules XIII. Adoption of House Rules**

- I. Once passed, these House Rules shall remain active until a new set of House Rules have been passed by the DSG Senate.