

# THE UNIVERSITY COMMITTEE BY-LAW

*Be it enacted by the Senate of Duke Student Government (DSG):*

## TITLE I. Definitions and General Principles

### SECTION 1: Scope of Applicability

This By-Law applies to all appointments of undergraduate representatives by Duke Student Government to university committees.

### SECTION 2: University Committee Defined

1. A “university committee” is any committee, council, board, task force, or other body that is established by a proper authority within Duke University, falls outside DSG’s direct jurisdiction and control, and is not explicitly excluded by Clauses 3-6 of this Section.
2. Neither the Board of Trustees itself, nor any committee directly involved in the election of the Young Trustee, shall be considered a university committee.
3. No committee implementing the addition, removal, or assessment of residential groups pursuant to another By-Law shall be considered a university committee.

### SECTION 3: Appointment Defined

An “appointment” is any appointment, nomination, designation, or recommendation of a student to serve on behalf of Duke Student Government, of any of its parts, or of the undergraduate student Body.

### SECTION 4: Trustee Committee Defined

A Trustee Committee is a committee of the Board of Trustees of Duke University, or appointed under its authority and including trustees as members. Trustee Committees include the Committees on External Engagement, Resources, and Undergraduate Education.

### SECTION 5: Presidential Committee Defined

A Presidential Committee is a group directly established or appointed by the President of Duke University. Presidential Committees include, but are not limited to, the Advisory Council on Investment Responsibility (ACIR), the Athletic Council, the Committee on Facilities and Environment, the President’s Council on Black Affairs (PCOBA), President’s Art Advisory Committee, President’s Advisory Committee on Institutional History, and the University Priorities Committee (UPC).

### SECTION 6: Provost Committees Defined

A Provost Committees is a group directly established or appointed by the Provost of Duke University. Provost Committees include, but are not limited to, the Bass Connections Advisory Council, the Council for the Arts, the Global Priorities Committee (GPC), the Library Council, and the University Schedule Committee.

### **SECTION 7: President Defined; Spring Appointments**

1. When this By-Law refers to “the President” without further qualification, it generally refers to the President of Duke Student Government currently in office.
2. The President-Elect of Duke Student Government, rather than the sitting President, shall act as President for the purposes of any selection or nomination process leading to appointments that will become effective only after the President-Elect takes office.

### **SECTION 8: Person Specifically Requested**

When the university authority overseeing a committee requests that a specific individual or the holder of a specific position be appointed, the President may, with the advice and consent of the Senate, waive any selection process and appoint that person.

## **Title II. General Responsibilities of the Executive Vice President**

### **SECTION 1: General Mandate; Recusal**

1. The Executive Vice President shall coordinate all of DSG’s activities concerning university committees, including the duties outlined under this Title.
2. If any conflict of interest or temporary incapacity prevents the Executive Vice President from discharging such duties, the President shall be informed and may either personally undertake them or assign them to a qualified officer.
3. The Executive Vice President may, with the permission of the President, recuse themselves only for those positions for which a conflict exists, and continue to discharge their duties with respect to other positions.

### **SECTION 2: Maintenance of List of Committees**

The Executive Vice President shall keep and maintain a list of university committees to which DSG may appoint student representatives. This list shall include the University authority overseeing each committee, its chair, and its purpose, or a citation of a public source where this information may be found. This list shall be promptly furnished to any student on request.

### **SECTION 3: Oversight of Selection Process**

The Executive Vice President shall prepare and distribute applications, schedule interviews, and see to it that these interviews be properly staffed. They should prepare a tentative plan and schedule for doing so no later than two weeks before the selection process is to begin.

## **Title III. Selection of Appointees to Trustee Committees**

### **SECTION 1: Reserved Seats**

The President shall occupy a reserved seat on the Undergraduate Education Trustee Committee.

### **SECTION 2: Seats At Large**

1. All other appointments to Trustee Committees shall be by the President, with confirmation of the Senate, and through the application process outlined under this Title.
2. This process shall occur in the spring, and must be finished no later than the Annual Meeting of the Board of Trustees, except in the case of a student representative specifically requested at another time.
3. For all spring appointments under this Title that occur before the inauguration of a new President, the President-Elect shall act as President as authorized by Title I Section 7B..

### **SECTION 3: Publication of Application**

The Executive Vice President, or Executive Vice President-Elect, shall prepare an application, determine an application deadline, and publish the positions and applications in campus-wide media at least one week prior to the application deadline.

### **SECTION 4: Eligibility**

1. Any undergraduate in good standing shall be eligible to apply by submitting a completed application before the deadline, provided that they are reasonably expected to remain an enrolled undergraduate at Duke University's campus in Durham for the duration of the term.
2. A candidate may apply for two Trustee Committees by completing two separate applications.
3. No person may simultaneously be a candidate for more than two Trustee Committees

### **SECTION 5: Interview Committees**

The President shall convene a separate Interview Committee for each Trustee Committee to which a representative is to be chosen. This Interview Committee shall be chosen at the President's discretion, and shall include the following members:

1. At least one current or recent student member of the Trustee Committee
2. A Senator or Vice President, if possible from a relevant Standing Committee of the Senate
3. A second Senator or Vice President chosen at the President's discretion

If invited by an Interview Committee, the President and Executive Vice President may observe and provide feedback during interviews. No person shall serve on any Interview Committee assessing his or her own application.

### **SECTION 6: Interviews**

The President and Executive Vice President, or their elects, shall review each application and put forth no less than five candidates for each committee. The Interview Committee shall interview all recommended candidates. Upon request to The President, an Interview Committee may view declined applications and offer additional interviews. At the Interview Committee's request, the President may ignore any candidate who misses the originally scheduled interview or submits an incomplete or otherwise insufficient application.

### **SECTION 7: Recommendations**

The Interview Committee shall determine a recommendation by majority vote and transmit it to the President and the Executive Vice President. This recommendation shall include the recommended nominee and at least two alternates listed in order of preference.

### **SECTION 8: Alleged Violations**

All alleged procedural violations shall be submitted to the Judiciary, which shall then hear the evidence and do one of the following:

1. Rule that no material violation occurred; or
2. Propose a remedy, and order the President to either implement this remedy or report to the Senate that they have elected not to; or
3. Rule that a material and irreparable violation has occurred, and order the President to report the same to the Senate immediately before it votes on confirmation.

### **SECTION 9: Presidential Nomination**

1. The President may accept or override the recommendations of the Interview Committees, and shall transmit to the Executive Vice President a final list of nominees chosen at their sole discretion.
2. No person may be appointed to serve on more than one Trustee Committee. If two Interview Committees have both recommended a candidate, and the President does not wish to override these recommendations, they shall offer the choice to the nominee.
3. The Senate shall be notified of all Presidential overrides of Interview Committee recommendations immediately before it votes on confirmation.

### **SECTION 10: Executive Board Confirmation**

The Executive Vice President shall schedule prompt Executive Board consideration of the Presidential nominations. A majority vote shall be necessary and sufficient to grant confirmation. If the Executive Board rejects a nominee, the President shall proceed to nominate another. The Senate may choose to repeal these nominees once the Senate session resumes.

## **Title IV. Selection of Appointees to Other University Committees**

### **SECTION 1: President's Mandatory and Optional Seats**

The President of Duke Student Government shall automatically serve on the University Priorities Committee. They shall also have the right to serve on any other University Committee at their own discretion.

### **SECTION 2: Appointment of Other Representatives**

All other appointments to University Committees shall be nominated from the Senate. The President may recommend students from the undergraduate Body if deemed appropriate for the role. The Senate shall confirm all nominees.

## **Title V. Accountability and Removal from Office**

### **SECTION 1: Communication of Duties**

The Executive Vice President or Interview Committees shall inform all applicants to Trustee and Presidential Committees of their duties, and shall not recommend for appointment any candidate who does not express understanding and assent.

### **SECTION 2: Key Duties**

Each student member appointed to a university committee under this By-Law shall:

1. Attend all meetings of that committee unless excused for compelling cause by its Chair,
2. Communicate with the DSG President or designee thereof regarding the committee's operations, promptly upon request, and
3. Provide a presentation, upon request of the Senate, of their service and the committee's operations, to the extent that confidentiality permits, to the Senate not less than once per semester.

### **SECTION 3: Penalties for Senators**

Senators who miss meetings of university committees on which they serve shall be assessed absences in like manner as for Senate meetings.

### **SECTION 4: Removal from Position**

1. On the motion of five of its members, the Senate shall consider accusations of malfeasance, misfeasance, or nonfeasance against any student member of any university committee.
2. Any member accused shall have the right to present written and oral defense.
3. A two-thirds vote of the Senate shall be necessary and sufficient to remove from the position.

### **SECTION 5: Effect of Removal**

A student removed under this Title shall immediately forfeit the position and tender their resignation to the appropriate university authority. If they fail to resign, the DSG President shall formally request removal by the university authority.

## **Title VI. Terms and Vacancies**

### **SECTION 1: Term of Appointment**

Each appointment shall be for such term as the President specifies upon nomination, consistent with the rules and nature of each university committee.

### **SECTION 2: Vacancies**

If a student representative on a university committee cannot finish their term because of death, incapacitation, resignation, or removal, the President shall, with the advice and consent of the Senate, appoint a replacement to serve out the remainder of the original term. The President shall be

permitted, but not required, to follow the selection process that would ordinarily apply to a full-term appointment to the university committee in question.

**SECTION 3: Interim Appointments**

If a vacancy occurs or an appointee to a new position is requested when the next meeting of the Senate is scheduled to occur no sooner than in seven days, the President may unilaterally fill up the vacancy by making an interim appointment. This interim appointment shall expire fourteen days after the next meeting of the Senate adjourns, or upon the completion of a regular appointment approved by the Senate, whichever is sooner.

**TITLE VII. ENACTMENT AND EFFECTS**

This By-Law shall be effective immediately. The previous University Committee By-Law is hereby repealed, and any By-Law, Statute, policy, or practice in conflict with this By-Law is hereby declared null and void.