

**ASSOCIATED STUDENTS OF
MICHIGAN STATE UNIVERSITY
GENERAL ASSEMBLY
SIXTY-FIRST SESSION**



BILL NO. 61-94

INTRODUCED BY: Sparks (CSS)

SECONDED BY: Seidel (Education)

CONTRIBUTORS: A. Guo (CDEIO), R. Mirza (ADEIO), K. Harding (VPIA), D. Jones (VPFO), Q. Barker (Grad Assistant)

A BILL TO: Amend the ASMSU General Assembly Code of Operations to Add an ASMSU Ethics Oversight Committee

THE ASSOCIATED STUDENTS OF MICHIGAN STATE UNIVERSITY ENACT:

WHEREAS, In the 55th Session, the General Assembly passed Bill 55-99, which called for research for an internal ethics committee¹; and,

WHEREAS, In the 59th Session, the Policy Committee moved to establish a working group to investigate the establishment of an internal ethics committee²; and,

WHEREAS, Within recent years, ASMSU has had issues with holding representatives and other members accountable for their actions; and,

WHEREAS, The establishment of an ASMSU Ethics Oversight Committee would assist with holding members accountable for breaking the code and other governing documents; therefore be it,

RESOLVED, That the Associated Students of Michigan State University shall amend the General Assembly Code of Operations to add Title 14 to the General Assembly Code of Operations which can be found in Appendix 1; therefore be it further,

RESOLVED, That in congruence with Bill 61-75³, mentions of DEI will be changed in Title 14 if deemed necessary by the language of Bill 61-75; therefore be it further,

¹ [Bill 55-99 Ethics Committee.docx](#)

² [MEMO Re: Establishing a Working Group for an Ethic Committee](#)

³ [61-75_ Amend the ASMSU Code to Include Precautionary DEI Changes_Harding_Jones](#)

RESOLVED, That if passed, this committee will begin at the start of the 62nd Session.

INTRODUCED ON 03.13.2025

REFERRED TO Policy **COMMITTEE ON** 02.27.2025

SPECIAL ACTION TAKEN Package with 61-96 & 61-97 **DATE** 03.13.2025

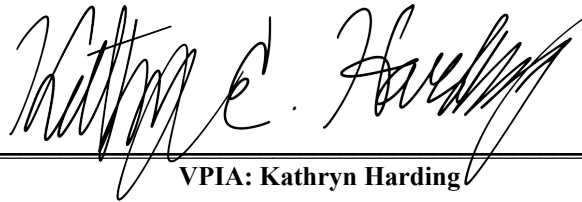
SPECIAL ACTION TAKEN Unanimous Consent **DATE** 03.13.2025

COMMITTEE ACTION X 14-0-0 02.27.2025
PASSED FAILED VOTE DATE

FINAL ACTION TAKEN X Unanimous Consent 03.13.2025
PASSED FAILED VOTE DATE



PRESIDENT: Connor Le



VPIA: Kathryn Harding

Appendix 1:

TITLE FOURTEEN: The ASMSU Ethics Oversight Committee

Section 1. There shall exist an ASMSU Ethics Oversight Committee that shall have the responsibility of upholding the ASMSU Code of Operations, Constitution, and other governing documents and ensuring that General Assembly Representatives and Office of the President members are held accountable for any violations of ASMSU governing documents.

Section 2. The ASMSU Ethics Oversight Committee shall be made up of the following individuals:

- A. The ASMSU Vice President for Governmental Affairs, who shall serve as the Chair of the Committee but still be allowed to vote.
- B. A member of the ASMSU DEI Office.
 - a. The seat for the ASMSU DEI Office can be rotated amongst the staff members.

- b. Once a member of the ASMSU DEI Office is assigned to a hearing, they must sit on the hearing for the entire process.
- C. The following members shall serve on the Committee as ex-officios:
 - a. The ASMSU Director of Human Resources
 - b. The ASMSU Recruitment and Engagement Coordinator
 - c. The ASMSU Advisor
 - d. The ASMSU Executive Assistant
- D. Three representatives chosen from the General Assembly as stated in Section 4 of this Title.

Section 3. All conflicts of interest must be reported to the Chair and the Advisor before proceedings.

- A. Conflicts of interest can be defined by Title II, Section 35.
- B. Failure to report conflict of interests will result in disciplinary actions, including being subject to the ASMSU Ethics Oversight Committee.

Section 4. All General Assembly Representatives have the duty of serving on the ASMSU Ethics Oversight Committee.

- A. When a case is brought forward to the ASMSU Ethics Oversight Committee, six General Assembly Representatives will be randomly selected in a number order to potentially serve on a specific case. Only three representatives from the randomly selected six will be called to hear an Ethics Oversight Committee case based on their predicted conflict of interest.
 - a. The Chair of the ASMSU Ethics Oversight Committee, with help from the Advisor, will assess each chosen Representative's potential conflict of interest in the numbered order in which they were selected until there are three Representatives with no compromise to the integrity of the Committee.
- B. If a General Assembly Representative is unable to participate in hearing a case for the ASMSU Ethics Oversight Committee, they will be relieved by submitting a written request to the Chair.
 - a. A General Assembly Representative is permitted to submit a request for relief from serving two times in any given Session.

Section 5. There shall be two sides of a submitted complaint:

- A. The Complainant
 - a. The individual who submitted the report
- B. The Respondent
 - a. The individual who was reported

Section 6. The ASMSU Advisor and the Chair of the ASMSU Ethics Oversight Committee will oversee the Case Submission Form for potential hearings.

- A. The ASMSU Advisor and the Chair shall determine whether or not the case submitted is in the purview of the committee or needs to be sent elsewhere, such as to a University Hearing Board or the Office of Student Support and Accountability.
- B. The individual submitting the form must include their name, contact information for themselves and the reported individual, their role in ASMSU, the testimony of the report, and a list of any witnesses they would like to bring in.
 - a. Testimony submitted must include information on what portion(s) of the code was broken and what action(s) broke the code.

Section 7. If a case is determined to be seen by the ASMSU Ethics Oversight Committee, then the Chair shall contact the Respondent to explain that they were reported, the allegations of the report, and to retrieve additional testimony, a witness list, and their availability from their side.

- A. The Respondent has 72 hours to provide the above information to the Chair.
- B. The Chair will contact all parties involved and members of the committee to schedule a hearing within 10 class days of the first submission of a complaint.
- C. If the alleged allegations are against the Chair, the duties of being chair will be passed to the Director of HR.

Section 8. If a case is denied by the ASMSU Ethics Oversight Committee to be seen, the complainant can write and introduce a bill to the General Assembly in order to appeal for the committee to hear their case.

- A. The bill must go through proper procedures for legislation by being submitted to committees first.

Section 9. Each party has the right to call upon witnesses for their hearings as established in Section 16 of this Title.

- A. Witnesses retain all of the same rights as Complainants and Respondents as established in Section 17 of this Title.
- B. Witness lists must be provided to the Chair when first submitting testimony as established in Sections 6 and 7 of this Title.
- C. Witnesses may only be questioned by the voting Ethics Oversight Committee members.
- D. The Chair shall have the discretion to yield time to witnesses in order to answer questions about the case.

Section 10. 48 hours before a hearing, both sides must be sent all documents that pertain to the case, including testimony, their rights as outlined in Section 17 of this Title, and any other documents that might be needed.

Section 11. For committee meetings, all voting members of the ASMSU Ethics Oversight Committee must be present in order to go forward with operations.

- A. For members of the committee, 24 hours notice must be given to the Chair, unless it is an emergent circumstance.

Section 12. For committee meetings, all ex-officios must be in attendance unless excused by the Chair.

- A. If the ASMSU Executive Assistant is unavailable to take minutes of the committee, the Chair shall appoint a member to take minutes.
- B. For ex-officio members of the committee, 24 hours notice must be given to the Chair, unless it is an emergent circumstance.

Section 13. For committee meetings, the complainant or respondent must give 24 hours notice if they are going to be absent from the committee meeting.

- A. The 24 hours notice must include future availability as well as the reason why they are unable to attend.
- B. If a 24 hours notice is given, the Chair shall cancel the meeting and reschedule it for as soon as possible.
- C. If a 24 hours notice is not given, the Chair shall have full discretion to continue committee business or to cancel the meeting for a future date.

Section 14. The ASMSU Ethics Oversight Committee shall operate under the most current version of Robert's Rules of Order, unless contradicted by this Title.

Section 15. The ASMSU Ethics Oversight Committee shall operate in a respectful and orderly manner at all times, as subject to Section 14 of this Title.

- A. If a party is determined to have breached decorum, they are subject to removal by discretion of the Chair.
- B. If a party is removed due to breaches of decorum, committee business shall continue by the discretion of the Chair.

Section 16. The ASMSU Ethics Oversight Committee shall use a preponderance of evidence standard when evaluating and debating the facts of each case.

- A. Either party shall not be determined as guilty until determined otherwise by the ASMSU Ethics Oversight Committee.
- B. The Burden of Proof for all cases shall be on the Complainant.

Section 17. All parties have the following rights during a committee meeting which will be read to them prior to the start of the meeting:

- A. Refuse to answer a question without the presumption of guilt.
- B. Not be subjected to a hearing for an accusation against them that was previously heard by the ASMSU Ethics Oversight Committee.
 - a. This right becomes void if additional evidence is reported to the committee.
- C. Call witnesses to answer questions of the board.

- D. See all evidence, testimony, and witness lists.
- E. All parties retain all rights guaranteed to them as students by Michigan State University.

Section 18. All cases put before the ASMSU Ethics Oversight Committee shall be seen as bench trials where the Committee has the duty to find evidence, determine the facts of the case, apply the ASMSU code, decide the culpability of the Respondent, and impose penalties.

- A. The committee shall find evidence by asking questions to both sides and witnesses about the content of their testimonies.
 - a. At the beginning of the committee meeting, the Chair shall read aloud a summary of each side's argument and verify if each side's argument is properly interpreted by the ASMSU Ethics Oversight Committee.
 - b. Following this, the ASMSU Ethics Oversight Committee will be allowed to ask questions to either side and their witnesses about the testimony provided to expand on information not included in the submitted testimonies and determine the factuality of each statement.
 - i. The respondent, complainant, and witnesses are only allowed to speak when yielded time to answer questions from the committee or when given permission by the Chair.
- B. The ASMSU Ethics Oversight Committee shall determine the facts of the case, apply the ASMSU code, and decide the culpability of the respondent by deliberating on the evidence found during the committee meeting and from the respondent's report, the complainant's report, and witness testimony.
 - a. At this time, the respondent, complainant, and all witnesses shall be escorted out of the room and supervised by the ASMSU Advisor.
 - b. Following deliberation of the committee, both parties shall be brought back in to hear the verdict of the committee.
 - i. The verdict shall be read by the Chair of the committee.
- C. The ASMSU Ethics Oversight Committee shall impose penalties on the respondent or the complainant if their actions have been found to break code or if they were determined to have made a false accusation.
 - a. Penalties shall be determined by Section 20 of this Title.

Section 19. Following a decision by the ASMSU Ethics Oversight Committee, the Chair of the committee must release a written decision to the General Assembly and the ASMSU website at most two days after the committee meeting.

- A. At the next General Assembly meeting following a committee meeting, the decision of the ASMSU Ethics Oversight Committee shall be given out verbally during Committee Reports.

Section 20. The ASMSU Ethics Oversight Committee shall have the right to determine the validity of the complaint and to issue penalties accordingly.

- A. Penalties can either be enforced by the ASMSU Ethics Oversight Committee or must be approved by the General Assembly.
- B. Penalties enforced by the ASMSU Ethics Oversight Committee include:
 - a. Verbal Warnings: A warning given by the ASMSU Ethics Oversight Committee to the guilty party that explains any wrongdoing and potential future consequences.
 - b. Censures: Formal statements of disapproval by ASMSU Ethics Oversight Committee. Censures shall be fully read to the General Assembly during the committee report.
 - c. Training Requirements: A requirement that the guilty party must go through a General Assembly representative, Human Resources, or Diversity, Equity, and Inclusion training based upon the violation.
- C. Penalties that must be enforced by the General Assembly through a bill include:
 - a. Revokage of Speaking Privileges: The removal of speaking privileges for a representative which includes participation in discussion on bills, reports, and member's privilege.
 - b. Recall: The removal of a representative from their seat. Further recall procedures are outlined in Title II, Section 38 of the General Assembly Code of Operations.
- D. The Committee reserves the right to issue multiple penalties as needed per case.
- E. The Committee reserves the right to issue penalties not specifically listed with approval from the General Assembly and the Office of Student Support and Accountability.
- F. A party removed from an ASMSU Ethics Oversight Committee for breaches of decorum cannot use the removal as a defense during discussions of penalties at the General Assembly.

Section 21. The ASMSU Ethics Oversight Committee wholeheartedly condemns false reports given by either the Complainant, Respondent, or a witness.

- A. If a party has been found to knowingly give a false report, said party can have a penalty enforced upon them by the ASMSU Ethics Oversight Committee regardless of their status as Complainant, Respondent, or witness.
- B. If a party has been found to unknowingly give a false report, said party will be issued a verbal warning, censure, or both, by the ASMSU Ethics Oversight Committee regardless of their status as Complainant, Respondent, or witness.
- C. The ASMSU Ethics Oversight Committee shall strike any false reports given through testimony in the minutes.

Section 22. All documents pertaining to the ASMSU Ethics Oversight Committee, including reports, decisions, minutes, testimony and other documents shall be publicly available on the ASMSU Website.

Section 23. Members of the public are allowed to attend meetings of the ASMSU Ethics Oversight Committee.

- A. Members of the public are allowed for the duration of the meeting except for periods of deliberation amongst the committee members.
- B. Members of the public are not allowed to speak during the proceedings of the committee.
- C. If a member of the public is found to be violating any part of this section, they are subject to removal by the Chair.