Rules and Accountability

A Report

of the

ad hoc Committee on Constitutional Revisions (GA/AC.CR)

of the

Graduate and Professional Student Assembly

of the

University of Pennsylvania

GA/44/BILL/17/R.0
GA/AC.CR/44/M/5/Corr.1
A/Const/44/Amend.4/Pro.3/R.0

February 25, 2023
Abstract

The ad hoc Committee on Constitutional Revisions was constituted by the GAPSA General Assembly on October 12, 2022 to review the GAPSA Constitution and recommend amendments.

These amendments add conflict of interest rules as to increases in emoluments for GAPSA service and decisions for group funding, incorporate sunshine and other regulations for GAPSA-funded groups onto GAPSA activities, clarify the budget proposal process, powers, and form, guarantee proportional apportionments to school appointing organizations, affirm the Budget Committee’s charge in advising in the preparation of the budget, place procedural checks on unveatable motions to ensure their informed and fair use, require that main motions and amendments be reported in writing, memorialize three Deputy Director positions (Records, Credentials, and Revenue), specify default rules for committee membership and access, and create a Drafting Committee, an institutional structure for the improvement of rules and resolutions.

Contents

1 Conflict of Interest Rules 3
2 Regulations 3
3 Budget 3
4 General Assembly Procedure 5
5 Committee Membership and Access 5
6 Drafting Committee 6
7 Deputy Director Memorialization 6
  7.1 Deputy Director for Records 6
  7.2 Deputy Director for Credentials 7
  7.3 Deputy Director for Technology 7
  7.4 Deputy Director for Revenue 7
8 Enactment 7
Resolved, by the Graduate and Professional Student Assembly of the University of Pennsylvania,

Section 1. That the amendments in this instrument are applied sequentially and take effect simultaneously, even if this instrument is divided and voted on in separate questions at the same meeting; all punctuation included quotes is literal and interpreted as the content of the quote, not as part of the enacting sentence;

1 Conflict of Interest Rules

Section 2. That Article III(B) is amended by adding “Any officer of GAPSA with a leadership position in any GAPSA-funded group must disclose said interest, may not lobby in the General Assembly or any of its committees and councils as to the funding of said group, and must recuse themselves from any decision in their official capacity as an officer of GAPSA in regards to funding of said group.” as paragraph (8) at the end of the section;

Section 3. That Article VIII(B) is amended by adding “No increase in the emoluments of members for service to GAPSA shall take effect until the end of the current fiscal year.” as paragraph (6) at the end of the section;

2 Regulations

Section 4. That Article VIII(B)(2) is amended by inserting “GAPSA activities and” before “direct or indirect support by GAPSA” so that it reads “All GAPSA activities and direct or indirect support by GAPSA requires disclosure of budgeted and actual expenses and revenue, including funding sources.”;

Section 5. That Article VIII(B) is amended by inserting “Unless otherwise specified, any standards or regulations that apply to GAPSA-funded groups shall also apply to GAPSA activities.” as paragraph (7) at the end of the section;

Section 6. That Article VIII(B) is amended by inserting “GAPSA’s continuing rights to use or access any physical plant or space on or off campus may not be relinquished, reduced, or traded, except as specifically authorized by the General Assembly.” as paragraph (8) at the end of the section;

3 Budget

Section 7. That Article VIII(A)(1) is amended by inserting “, with the advice of the Committee on the Budget,” after “outgoing Vice President for Finance” and before “shall present a provisional budget for the next academic year to the General Assembly”;
Section 8. That Article VIII(A)(2) is amended—

1. by striking out “Prior to the second scheduled General Assembly meeting of the fall semester, the Vice President for Finance shall propose a final budget to be approved by the General Assembly. No GAPSA funds may be spent after that meeting without General Assembly approval of a budget.”; and

2. by inserting “Prior to the second regular General Assembly meeting of the fall term, the Vice President for Finance shall present a final budget to be ratified by majority vote of the General Assembly. This budget must be identical (save for secretarial corrections authorized by the form of the budget) to the provisional budget and cannot be amended before its ratification. The General Assembly may reject the final budget and instruct the Vice President for Finance to prepare a new budget. No GAPSA funds may be spent after the second regular meeting without General Assembly approval of a budget.”;

Section 9. That Article VIII(A)(3) (as amended in Bill 11) is amended by inserting “Budget amendments must specify the item that is the source of funds and must specify the exact textual changes made to line item purposes, allocations, and/or authorizing agents and to auxiliary provisions.” at the end of the paragraph;

Section 10. That Article VIII(A)(4) is amended by adding “Each school student government shall be appropriated funds in proportion to the general fee contributions of its constituents.” as subparagraph (c) at the end paragraph;

Section 11. That Article VIII(A) is amended by adding a new paragraph (8) at the end, named “The Form of the Budget” with the following subparagraphs:

“(a) The budget is a list of line item allocations and an optional list of self-contained auxiliary provisions.

“(b) Each line item describes (1) a purpose, (2) an allocation (dollar amount), and (3) an authorizing agent. It is prohibited to use the allocation in a line item beyond the specified purpose. All expenditures require the approval of the authorizing agent and must also comply with the Constitution, Bylaws, and provisions the General Assembly may create by Standing Rule.

“(c) Auxiliary provisions describe automatic changes to line items that take effect upon the satisfaction of a defined condition. When the condition is satisfied, the according changes to line items can be made as secretarial corrections without explicit intervention of the General Assembly; the changes take effect upon their notification to the General Assembly.

“(d) Any additional funds that emerge that are not allocated to any item are automatically allocated to reserve as a secretarial correction unless there is an auxiliary provision to the contrary, provided the General Assembly is notified.
“(e) The Vice President for Finance or designee has the duty to report the aforementioned secretarial corrections to the budget to the General Assembly.

Section 12. That Article VI(A)(1)(c)(1)(a) is substituted by “The Committee on the Budget shall assemble and deliberate the budget for the next fiscal year throughout the fall and spring terms, create three and five year spending targets to ensure sustainable total allocation of funds and report them to the General Assembly, and review the provisional budget for the following year to present for the General Assembly’s approval in the spring. The Committee shall work closely with all relevant stakeholders, holding hearings and conducting surveys where appropriate, in carrying out its duties designing the budget of GAPSA Finances and GAPSA-funded events and initiatives. The Committee shall also review and report on any budget amendment proposals that come before the General Assembly.”;

4 General Assembly Procedure

Section 13. That Article II(D)(3) is amended by inserting “Before putting the undebatable motions that close debate, extend the meeting, or adjourn the meeting, the chair must first call for all those opposed (who either wish to speak, end the meeting, or continue the meeting, respectively) to rise (and, should there be none, the motion is thus adopted by unanimous consent) so members may cast an informed vote.” before “The Executive Board may appoint”;

Section 14. That Article II(D)(3) is amended by inserting “Before stating a motion that has the effect of ending debate, the Chair must recite: “I am instructed by the Constitution to say that a motion closing debate is considered to be a most exceptional procedure and the assembly will not agree to it except where it is felt to be the only means of ensuring the proper conduct of the business of the assembly. Does the member persist in their intention to move it?” before “The Executive Board may appoint” (after the insertion in the previous section);

Section 15. That Article II(D)(11) (as amended in Bill 11) is amended by inserting “The full, final text of every main motion or amendment thereto must be reported in writing to the General Assembly before it may be adopted or otherwise finally disposed of. Unwritten main motions are null and void.” before “Records of the General Assembly must be published per Article XII.”;

5 Committee Membership and Access

Section 16. That Article VI is amended by adding section (D), named “Committee Rules”, at the end of the Article with the following paragraphs:
“(1) Unless otherwise specified by the instrument creating the committee (or division), committees shall be appointed by open nominations and election by the General Assembly and chaired by a member thereof the committee shall appoint. Committees without an adopted membership shall operate and report under rough consensus with open participation.

“(2) Unless otherwise ordered, committees and other units may give permission to non-members of the committee to attend meetings and may add or remove non-voting members at their pleasure.

“(3) Committee reports must be approved by a majority of committee members present and voting in a quorate meeting. In accordance with Robert’s Rules, dissenting members may prepare a minority report elaborating alternative proposals which the General Assembly may receive, provided a majority vote permits it. Outside of this, no member may make allusion in the General Assembly to what has occurred during the deliberations of the committee except by unanimous consent.

“(4) Each standing committee shall meet every two (2) weeks during the fall and spring terms, unless it appoints a different schedule in its Bylaws.

6 Drafting Committee

Section 17. That Article VI(A) is amended by adding paragraph (5), named “Drafting Committee”, at the end of the section with the following subparagraphs:

“(a) The Drafting Committee shall review all proposed Bills before their introduction to the General Assembly to give advice refining and clarifying the same and to elucidate context and constitutionality. It shall also from time to time recommend improvements to the rules of GAPSA in consultation with relevant stakeholders.

“(b) The Drafting Committee shall be chaired by the Parliamentarian and be appointed from interested members of GAPSA well-versed in parliamentary law, the history of GAPSA, and/or the rules of GAPSA.

7 Deputy Director Memorialization

7.1 Deputy Director for Records

Section 18. That Article V(D) is amended by inserting “The Vice President for Operations shall appoint a Deputy Director of Operations for Records in accordance with Article III, section B, paragraph 6. The Deputy Director for Records shall assist in the recording of minutes and ensuring the correctness, preservation, access, announcement, and publication of records of GAPSA, as directed by the Vice President for Operations.” as paragraph (5) at the end of the section;
7.2 Deputy Director for Credentials

Section 19. That Article V(C) is amended by inserting “The Vice President for Operations shall appoint a Deputy Director of Operations for Credentials in accordance with Article III, section B, paragraph 6. The Deputy Director for Credentials shall assist in keeping the complete membership roll of the General Assembly, taking attendance at meetings, ensuring quorum exists, managing proxy certificates, distributing and collecting voting cards/placards, taking roll call votes, and other related duties, as directed by the Vice President for Operations.” as paragraph (6) at the end of the section;

7.3 Deputy Director for Technology

Section 20. That Article V(D)(4) is amended by substituting the header paragraph by “The Vice President for Operations shall appoint a Deputy Director of Operations for Technology in accordance with Article III, section B, paragraph 6. The Deputy Director for Technology shall provide technological support: updating the GAPSA website, social media pages, and newsletter; handling presentation and recording technology at General Assembly meetings; and assisting electronic mail communications.”;

7.4 Deputy Director for Revenue

Section 21. That Article V(C) is amended by inserting “The Vice President for Finance shall appoint a Deputy Director of Finance for Revenue in accordance with Article III, section B, paragraph 6. The Deputy Director for Revenue shall maintain and manage the ticket system for the sale of tickets and free registrations to GAPSA events, in conjunction with the Programming and Public Relations Committees, and events organized by GAPSA-funded groups and perform other related tasks as directed by the Vice President for Finance.” as paragraph (8) at the end of the section;

8 Enactment

Section 22. That measures previously passed in accordance with the Constitution at the time of passage that conflict with the Constitution as amended by this instrument shall remain in effect for the remainder of the academic year in which this instrument is adopted;

Section 23. That the official abstract of these amendments is “These amendments add conflict of interest rules as to increases in emoluments for GAPSA service and decisions for group funding, incorporate sunshine and other regulations for GAPSA-funded groups onto GAPSA activities, clarify the budget proposal process, powers, and form, guarantee proportional apportionments to school appointing organizations, affirm the Budget Committee’s charge in advising in the preparation of the budget, place procedural checks on undebatable motions to ensure their informed and fair use, require that main motions and amendments be reported in writing, memorialize three Deputy Director positions (Records, Credentials, and Revenue), specify default rules for committee membership and access, and create a Drafting Committee, an institutional structure for the improvement of rules and resolutions.”;