Mission College Removal Policy
For the Associated Student Government Senate

Removal of Office
A. The Senate may remove any Member from office if they are not fulfilling their duties.
   a. An agenda item for Removal of Office must be submitted to the Senate President and the Advisor.
   b. Within seven (7) calendar days of receiving the Removal of Office request, The President shall form a Judiciary Committee to hear the request. The Judiciary Committee shall not be a standing committee and shall be formed and disbanded only when needed to hear Removals.

B. Judiciary Committee:
   a. The Chairperson shall be the President of the Senate. The Chair shall not count towards the number of Senate members on the committee.
   b. In the event that the Senate President is the subject of Judicial Committee review, the ICC President shall be the Chair. An additional ICC member shall be appointed by the Vice President of ICC and confirmed by 2/3 vote of the ICC board.
   c. All members shall have one vote, except for the chairperson, who may vote only in the case of a tie or to affect the outcome of the vote.
   d. Membership shall be no less than 2 members of Senate (but no more than 4), 2 members of ICC (but no more than 4), and the Chair, and two (2) student members chosen by the advisor, unaffiliated with the person under investigation by the Judicial Committee.
   e. The President of each board will appoint and have confirmed by 2/3 vote of their respective boards any committee member.
   f. The duties of the Judiciary Committee shall be to review charges of misconduct by members of the Senate.
   g. Any complaint and petition must be filed, in writing, to the President of the Senate, or the advisor within 5 calendar days of an alleged violation.
   h. The Committee will meet no later than 15 calendar days of the complaint being filed.
   i. The member, or their representative, who is the subject of the complaint shall be required to attend the meeting. The meeting shall not conflict with the accused member’s class or work schedule.
   j. The member, or their representative, will be allowed to offer evidence and testimony prior to and during the meeting to refute any complaint against them.
   k. Any member who refuses to attend a Judiciary Committee meeting shall not be presumed to be responsible. However, the Committee shall have the authority to hold the meeting without the member if they refuse to attend.

C. The committee shall make one of the following recommendations to the Senate:
   a. NO ACTION
      i. A recommendation of no action will signify that the committee does not feel any further action on the complaint needs to be taken.
   b. UNFOUNDED
      i. A recommendation of unfounded will signify that the committee found no merit in the complaint.
   c. SUSPENSION
      i. In the event the committee recommends suspension, it will further make a recommendation on the length of the suspension. A recommendation of
suspension shall signify the committee concludes a suspension of duties is merited.

d. **REMOVAL**
   
i. A recommendation of removal by the committee shall signify that the committee found the complaint to be grievous enough for the member to be removed from the Senate. In the event of a recommendation of removal the committee may also recommend a suspension for two academic years of the member from any further Senate involvement.

D. Any member subject to action by Judiciary Committee shall have the right to appeal the recommendation of the committee.
   
a. The appeal must be made in writing to the advisor and the Chair of the Judicial Committee within 5 calendar days of the committee’s recommendation.
   
b. The appeal board shall consist of the Senate Executive Board. None of the Appeals Board members’ shall have been on the committee that heard the complaint under appeal.
   
c. Appeals may be made only on the grounds of gross error in procedure, new evidence, or on the part of the judicial board. Appeals may not be filed solely based on disagreeing with the board's decision.
   
d. The appeal board will have the authority to modify the recommendation of the Judiciary Committee, overturn the decision of the committee, or make no changes to the recommendation of the committee.
   
e. The decision of the appeals board must be made within 10 calendar days of receipt of the appeal.
   
f. The advisor will inform the member and the Judiciary Committee in writing of the decision of the appeals board.
   
g. The decision of the appeals board is final and no appeal of the decision shall be allowed.