

Associated Students of the University of California, Merced

Bill #45

ASUCM Code of Ethics and Values to be deemed as unbinding

Introduced By:

Eva Perez, ASUCM Senator

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Background:

Recent conversations of a code of ethics has led to the discovery of Bill 71 passed the year of 2013. The Associated Students at the University of California Merced feel that these code of ethics are too broad to consider them binding. Although this bill works to nullify Bill 71's Code of Ethics, it is still important to recognize that a code of ethics is necessary for a fair and functioning associated students. This is a preemptive action to allow for a future Code of Ethics to be installed.

Purpose: The purpose of this bill is to nullify Bill 71 "ASUCM Code of Ethics and Values" authored and passed in 2013.

1. **Whereas:** In Article I section one, the value of honestly is in question. There is no black and white way to judge someone on their acts of honestly. A member of ASUCM could be called to question if they do not express their genuine opinion on issues, do not disclose their affiliations with any organization that is under purview of ASUCM, do not excuse themselves from voting if they cannot make an impartial judgement.
2. **Whereas:** One cannot make a legitimate judgement call on what they see to be fit as a "genuine opinion" of someone else.
3. **Whereas:** In Article I, Section 2, the value of Fairness is in question. A member of ASUCM can be called to question if they do not seek out diverse ideas/ opinions to make a decision, do not treat all viewpoints with respect, do not acknowledge others who have assisted their efforts, and do not demonstrate transparency in their decision making process.
4. **Whereas:** These bylaws hold an ASUCM member to follow them at all times. Respect is dependent on a situation and these code of ethics should not dictate a situational response.
5. **Whereas:** It does not specify when an ASUCM member must acknowledge the help they have received from others
6. **Whereas:** In Article I, Section 3, the value of flexibility is in question. A member of ASUCM can be called to question if they do not adapt their communication style to the situation and accommodate the concerns of persons involved.

7. **Whereas:** These Code of Ethics are unjust to punish an individual if they are unable to adapt their communication style to a situation, this is based on the fact that there is no specific layout for when it would be necessary of an individual to do so
8. **Whereas:** In Article I, Section 4, the value of responsibility is in question. A member of ASUCM can be called to question if they do not seek to maintain integrity in both their public and private life, cannot clearly articulate how their decision would advance ASUCM's core values, and do not take ownership for their decisions
9. **Whereas:** ASUCM bylaws should not regulate how an individual conducts their private life
10. **Whereas:** In Article I, Section 5, the value of communication is in question. A member of ASUCM can be called to question if they do not clearly convey messages and relay information as soon as possible, do not ask clarifying questions when confused, do not actively seek feedback,
11. **Whereas:** There is no way to justify a solid time frame of "as soon as possible" for it is dependent on the individual and what responsibilities they have within and outside of ASUCM.
12. **Whereas:** In Article I, Section 6, the value of responsiveness is in question. A member of ASUCM can be called to question if they do not make themselves available to all students and representatives, do not keep the public informed on ASUCM projects, do not make an effort to be informed of the issues relevant to the mission of ASUCM and UC Merced, do not respond in a direct and respectful manner to issues of our community, and do not maintain a professional level of communication
13. **Whereas:** This document does not clarify what a professional level of communication is. This being said it is not justifiable to hold one accountable to undefined standards of professionalism
14. **Whereas:** In Article I, Section 7, the value of collaboration is in question. A member of ASUCM can be called to question if they do not divide responsibilities on a task, do not encourage new ideas, do not share all relevant information with others, and do not strive to reach a consensus that best serves the UC Merced Community.
15. **Whereas:** This document should not be able to punish members if they do not encourage new ideas. The concept of encouragement should come organically in an organization and setting this standard puts an unnecessary duty on all members of ASUCM
16. **Whereas:** In Article I, Section 8, the value of commitment is in question. A member of ASUCM can be called to question if they do not pursue worthy goals, do not have set clear objectives, and a timeframe, do not make a recommendation of potential services to fulfil a request that one cannot fulfil

17. **Whereas:** This document does not define what a “worthy goal” is and in what sense is a “worthy goal necessary. Being that this document has power over the public and private life of individuals, it should be clearly outlined when one necessary. Without further defining this term it implies that for every duty an ASUCM member has they must present a “worthy goal” with “set objectives and a “timeframe”
18. **Whereas:** In Article I, Section 9, the value of professionalism is in question. A member of ASUCM can be called to question if they do not bring necessary materials to meetings, do not arrive on time, do not make guests feel welcome, do not devote their full attention to the guest, do not speak respectfully with good intentions, does not constructively approach those whom they have a conflict with, do not maintain a healthy and constructive environment for their colleagues.
19. **Whereas:** It should not be punishable if one forgets their materials to a meeting.
20. **Whereas:** It is not clearly defined what an ASUCM member should do to make a guest feel welcomed, due to the lack of a clear standard, this code of ethics should not be binding
21. **Whereas:** In Article I, Section 10, the value of service is in question. A member of ASUCM can be called to question if they do not make an effort to assist their peers in any capacity to the best of their abilities, do not focus on the needs of a greater student body, do not understand their role as an ASUCM representative.
22. **Whereas:** Again this document is binding to all of ASUCM members at all times and does not clearly outline the situations when one can accuse another for not adhering to these code of ethics. That being said one could be called into question for not following these guidelines at any point in time while they hold a position in ASUCM, even if they are conducting themselves in a private manner.
23. **Whereas:** In Article II, Section 1, all members of ASUCM are held accountable to the code of ethics for the duration of their term
24. **Whereas:** In Article II, Section 2, all members of ASUCM can be held to the process of impeachment, judicial proceedings, and internal review if they are found in violation of the code of ethics.
25. **Whereas:** In Article II, Section 3, any individual charged with violating these code of ethics would be given due process.

26. **Whereas:** Many of the situations outlined in the code of ethics do not provide a solid ground to put someone in review of their position.

Be it enacted: this bill will nullify Bill 71 “ASUCM Code of Ethics and Values” authored and passed in 2013.

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Date Introduced: _____

Submitted Senate Committee(s):

Date Settled: _____

Budget and Finance

Student Advocacy

Veto Expires: _____

Student Activities

Academic Affairs

Other _____

Comments/Recommendations:

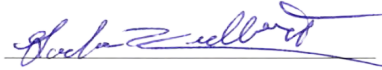
This bill is vetoed as there is currently no replacement for the ethics code in progress, it is completely inappropriate and detrimental to our organization to run ASUCM without any laws keeping members responsible for their actions. Free reign of student government without consequences can allow members to poorly represent ASUCM and allow them to not take their position with the weight of responsibility a leadership position has. It is the duty of those in leadership positions to be held accountable for their actions as they influence the student body. Students look to ASUCM to be making the right decisions when need be, as well as be held responsible for their mistakes.

Senate Action:

Approved

Not Approved

Senate Chair Authorization:



Date: 03/01/17

Gabriel Hulbert, Internal Vice President

President Action:

Approved

Not Approved

President's Signature: _____



Date: 03/08/17

