

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN PERIOD

1. Student Senate Interns – Mock Trial

APPROVAL OF MINUTES

ANNOUNCEMENTS

COMMENDATIONS

COMMITTEE REPORTS

DIRECTORS' REPORTS

APPROVAL OF APPOINTMENTS

Res 09/10/47 Approval of New Student Senator

GENERAL ORDERS

FINAL ACTION

Bill 09/10/06 Continuance of Bramlage Coliseum Privilege Fee

Bill 09/10/10 FY 2010 Allocation to Gamma Rho Lambda

Bill 09/10/11 FY 2010 Allocation to Collegiate Entrepreneurs Organization

Bill 09/10/12 FY 2010 Allocation to Student Mobilization

Bill 09/10/05 Amendments to the Kansas State University Student Governing Association By-Laws (*reprinted*)

Bill 09/10/13 Amendments to the Kansas State University Student Governing Association Statutes (*reprinted*)

INTRODUCTION OF LEGISLATION

Bill 09/10/14 FY 2010 Allocation to Society for the Appreciation of Bharatiya Heritage and Arts

Bill 09/10/15 FY 2010 Allocation to Emerging Green Builders

Bill 09/10/16 Amendments to the Statutes Concerning Educational Opportunity Fund

Bill 09/10/17 By-Laws Amendment Concerning the Executive Branch

OPEN PERIOD

REFERENCE OF LEGISLATION

ANNOUNCEMENT OF CONSTITUTIONAL AND/OR BY-LAWS REVISIONS

ROLL CALL

ADJOURNMENT

ANNOUNCEMENTS FOR THE WEEK

1. Applications for the position of Elections Commissioner are available in the Office of Student Activities are services. The applications are due next Wednesday, October 21, 2009 at 4:00pm.

2. Excused:
 - Senator Chesny*
 - Senator Haug*
 - Senator Weinert*
 - Senator Reynolds*
 - Chair White*
 - Senator Gosser*
 - Intern Hill (1st Roll Call)*

3. Proxies:
 - Shane for Chesny*
 - Banion for Haug*
 - McGuire for Weinert*
 - Marchesini for Reynolds*
 - Bachmann for White*

4. Upcoming Events Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
11	12	13 Legislation Due	14	15 SGA Exec – 5:30pm Social with Salina SGA – 6:15pm Student Senate	16	17
18 <i>Homecoming Week</i>	19	20 Legislation Due	21	22 SGA Exec Student Senate	23	24
25	26	27 Legislation Due	28	29 <i>Parking Garage Ribbon Cutting – 10:30am</i> SGA Exec Student Senate	30	31

“Nobody made a greater mistake than he who did nothing because he could do only a little.”
Edmund Burke

1 **RESOLUTION 09/10/47**

**APPROVAL OF NEW
STUDENT SENATOR**

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4 **BY:** Amy Schultz, Annie Oliver, and Senate Operations Committee

5
6 **WHEREAS,** There is one vacancy in the office of Student Senator for the College of Education; and

7
8 **WHEREAS,** Brittany Lykins was selected by the Education College Council to fill the vacant position.

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10 **BE IT RESOLVED THAT:**

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12 **SECTION 1.** Brittany Lykins be approved as Student Senator for the College of Education.

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5 BY: Senate Operations Committee

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7 WHEREAS, It is necessary to continuously review the effectiveness and efficiencies of the SGA
8 Elections and Elections Review Committee; and

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10 WHEREAS, After evaluation of the current SGA Elections and Elections Committee, it has become
11 apparent that refinements are in order.

12
13 BE IT ENACTED THAT:

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15 SECTION 1. Article I of the Kansas State University Student Governing Association By-Laws is
16 amended to read as follows:

17 Section. 1. SGA Elections.

18 A. Elections Commissioner.

19 1. *The Elections Commissioner shall be appointed by the third Thursday of*
20 *October, by the Speaker of the Student Senate, the Student Body President and*
21 *the Attorney General, with the approval by Student Senate. Elections*
22 *Commissioner shall be responsible for carrying out the Kansas State University*
23 *Student Governing Association elections, carrying out all provisions of the*
24 *Elections Regulations Code, and reviewing and making recommendations to*
25 *Student Senate concerning revisions of the Elections Regulations Code.*

26 2. *The Elections Commissioner shall be responsible for carrying out the Kansas*
27 *State University Student Governing Association elections, carrying out all*
28 *provisions of the Elections Regulations Code, and reviewing and making*
29 *recommendations to Senate Operations Standing Committee of Student Senate*
30 *concerning revisions of the Elections Regulations Code. The Elections*
31 *Commissioner shall be appointed by the Speaker of the Student Senate, the*
32 *Student Body President and the Attorney General with the approval by Student*
33 *Senate.*

34 3. *In the event of the resignation, removal from office or the permanent inability of*
35 *the Elections Commissioner to discharge his or her duties as the Elections*
36 *Commissioner, the Speaker of the Student Senate, the Student Body President,*
37 *and the Attorney General shall appoint a new Elections Commissioner within 48*
38 *hours of notice, with the approval of Student Senate.*

39 B. ~~Student Tribunal. Deputy Commissioner~~

40 1. *The Student Tribunal shall be responsible for carrying out all provisions of the*
41 *Elections Regulations Code during the appeal process. No member on the*
42 *Student Tribunal shall be a candidate for any office by which the Elections*
43 *Commissioner has authority. The Deputy Commissioner shall be appointed by*
44 *the Commissioner with the approval of Student Senate.*

45 2. ~~Duties of the Deputy Commissioner shall include tasks delegated by the~~
46 ~~Commissioner, excluding any election code violation rulings.~~

47 C. ~~The Elections Review Committee~~

48 1. ~~The Elections Review Committee shall be composed of five members not~~
49 ~~including the chair. There will be two members from the Judicial Branch who~~
50 ~~will be appointed by the Attorney General with the approval of Student Senate,~~
51 ~~and three members from the Legislative Branch appointed by the Senate~~
52 ~~Operations Committee with the approval of Student Senate.~~

53 2. ~~No member on the Elections Review Committee shall actively or passively~~
54 ~~campaign for another student's SGA elections campaign.~~

55 3. ~~No member on the Elections Review Committee shall financially contribute to~~
56 ~~another student's SGA election campaign.~~

57 CD. Election Procedures.

58 1. The Elections Regulations Code shall govern all Student Governing Association
59 elections at Kansas State University.

60 DE. ~~The Elections Commissioner and members~~ Members of Student Tribunal ~~and members of~~
61 ~~Judicial Council~~ shall not actively or passively campaign for another student's SGA
62 campaign.

63 EF. ~~The Elections Commissioner and members~~ Members of Student Tribunal, ~~and members~~
64 ~~of Judicial Council~~ shall not financially contribute to another student's SGA campaign.

65
66 **SECTION 2.** Article 4 Section 4 of the Kansas State University Student Governing Association By-
67 Laws is amended to read as follows:

68 Section 4. Presidential Succession.

69 A. In the event of the temporary absence or inability of the Student Body President, the
70 Student Body Vice President shall exercise the powers and duties of the Student Body
71 President.

72 B. In the event of the resignation, removal from office or the permanent inability of the
73 Student Body President to discharge his or her duties as the Student Body President, the
74 Student Body Vice President shall succeed to the office of Student Body President.

75 C. In the event of the resignation or removal of the Student Body President and Student
76 Body Vice President, the Speaker of the Student Senate shall serve as Interim Student
77 Body President.

78 1. In the event of the Speaker of the Student Senate serving as Interim Student
79 Body President, the Student Senate shall appoint an ~~Emergency Election~~
80 ~~Committee Elections Commissioner~~ as outlined in the Elections Regulations
81 Code; unless there are less than 45 class days before the next election in which
82 case the Speaker of the Student Senate will serve as the Student Body President
83 for the remainder of the term.

84 D. In the event of the resignation or removal of the Student Body Vice President, the Student
85 Body President will appoint a new Student Body Vice President subject to approval by
86 Student Senate.

87
88 **SECTION 3.** Article 6 Section 5 of the Kansas State University Student Governing Association By-
89 Laws is amended to read as follows:

90 Section 5. Duties of Attorney General and Judicial Boards.

91 C. Duties of Student Tribunal.

92 1. Interpret the KSU SGA Constitution, By-Laws and legislation, upon written
93 request by the Student Body President, Chair of Student Senate or by
94 presentation of a petition signed by 50 members of the KSU SGA. The
95 interpretation should be (in the order of priority):

96 a. Based primarily on the common understanding of the words and
97 phrases.

98 b. Logically consistent with the remainder of the document.

99 c. Consistent with prior interpretations.

100 d. In the best interest of the members of the KSU SGA.

101 2. Try bills of impeachment passed by Student Senate, with the exception of
102 judicial boards.

103 3. Hear appeals of decisions from the Housing and Dining Services Judicial
104 Boards, Ad Hoc Boards, ~~SGA Elections Review Committee~~, SGA Elections

- 105 Commissioner, and Student Review Board, with the authority to modify or
106 overturn the decisions of such persons or bodies.
- 107 4. Hear in the first instance disciplinary cases involving special circumstances or
108 situations for which jurisdiction is not otherwise described. These cases shall be
109 assigned by the Attorney General or designee upon consultation with the Dean
110 of Student Life or designee.
- 111 5. Consider appeals of decisions originating under the Policy Prohibiting Sexual
112 Harassment, Policy Prohibiting Sexual Violence, and Policy Prohibiting Racial
113 and/or Ethnic Harassment when appeal beyond the administrative process is
114 desired.
- 115 6. Hear appeals from any committee created according to the legislative powers
116 granted in Article V of the KSU SGA Constitution when legislation specifies
117 such an appeal.
- 118 7. Consider appeals of parking privilege revocations issued by KSU Parking
119 Services.

120
121 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, this bill
122 shall take effect upon passage and ratification of Bill 09/10/13.

**AMENDMENTS TO THE KANSAS STATE
UNIVERSITY STUDENT GOVERNING
ASSOCIATION STATUTES**

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5 **BY:** Senate Operations Committee

6
7 **WHEREAS,** It is necessary to continuously review the effectiveness and efficiencies of the SGA
8 Elections and Elections Committee; and

9
10 **WHEREAS,** After evaluation of the current SGA Elections and Elections Committee, it has become
11 apparent that refinements are in order.

12
13 **BE IT ENACTED THAT:**

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15 **SECTION 1.** A new Chapter 50 Sections 0110 through 0112 of the Kansas State University Student
16 Governing Association Statutes be added to read as follows and all subsequent sections
17 be renumbered accordingly.

18 ~~50-0110~~ Make Public. The term make public shall mean to publish on the SGA Elections website.

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19 50-0149~~11~~ Major Offenses. As defined under Code, are those following: The term "major offenses" shall
20 include the following.

- 21 a. Tampering with ballots or the electronic election system.
- 22 b. Casting more than one ballot.
- 23 c. Allowing a person to cast a ballot in a name other than his/her own.
- 24 d. Deliberate submission of false or misleading information or deliberate omission of
25 information.
- 26 e. Failing to file required reports except as provided in 50-0119(f).
- 27 f. Harassment, intimidation, bribery, or fraud with the intent of affecting the outcome of an
28 election.
- 29 g. Libelous or slanderous statements or conduct.
- 30 h. Intentional actions to mislead or obstruct the Elections Commissioner ~~or the Elections~~
31 ~~Review Committee~~ in the completion of their duties.
- 32 ~~i. Three or more minor offenses~~
- 33 ~~ji.~~ Encouraging the commission of a major offense under this Code.
- 34 ~~kj.~~ Incurring campaign expenses that exceed the limit by more than five percent.
- 35 ~~lk.~~ Failing to comply with rulings or pay ~~finer~~ restitution.
- 36 ~~ml.~~ Campaign materials or activities that are disorderly, lewd, or indecent; breach the peace;
37 or aid, abet, or procure another person to breach the peace on university premises or at
38 university-sponsored activities.
- 39 ~~nm.~~ Failure to comply with the mass distribution regulation under 50-0134(i).

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40 50-015012 Minor Offenses. Minor offenses, as defined under the Code, are shall be defined as any other
41 violations of this Code other than those in ~~50-0149~~ 50-0111.

42
43 **SECTION 2.** Current Chapter 50 Sections 0117.b. of the Kansas State University Student Governing
44 Association Statutes shall be amended to read as follows.

45 50-0147~~20~~ Generally

- 46 b. Disqualifications. The Elections Commissioner, ~~the Deputy Commissioner,~~ and members
47 of the ~~Elections Review Committee~~ Student Tribunal are disqualified from being a
48 candidate in any election that falls during their term of office.

49
50 **SECTION 3.** A new Chapter 50 Section 0134 of the Kansas State University Student Governing
51 Association Statutes be added to read as follows and all subsequent sections be
52 renumbered accordingly.

53 50-0155~~34~~ Appeals of Contested ~~Primary~~ Election

- 54 a. Appeals concerning contested election decisions made by the Elections Commissioner
55 shall be made to the Student Tribunal.
- 56 b. Upon official notification of a decision by the Elections Commissioner, contesting parties
57 may file an appeal within 24 hours.
- 58 c. Once an appeal of a contested election is filed, all individuals listed on the ballot as
59 candidate for that position shall be notified by the Elections Commissioner.
60

61 **SECTION 4.** A new Chapter 50 Section 0136 of the Kansas State University Student Governing
62 Association Statutes be added to read as follows and all subsequent sections be
63 renumbered accordingly.

64 50-0155~~36~~ Appeals of Contested ~~General~~ Election

- 65 a. Appeals concerning contested election decisions made by the Elections Commissioner
66 shall be made to the Student Tribunal.
- 67 b. Upon official notification of a decision by the Elections Commissioner, contesting parties
68 may file an appeal within 24 hours.
- 69 c. Once an appeal of a contested election is filed, all individuals listed on the ballot as
70 candidate for that position shall be notified by the Elections Commissioner.
71

72 **SECTION 54.** Current Chapter 50 Section 0147 of the Kansas State University Student Governing
73 Association Statutes be ~~struck from the Chapter~~ repealed.

74 50-0147 Elections Review Committee

- 75 a. ~~The Elections Review Committee shall be made up of five voting members and a chair.
76 Two members from the Judicial Branch shall be appointed by the Attorney General with
77 the approval of Student Senate, and three members from the Legislative Branch shall be
78 appointed by the Senate Operations Committee with the approval of Student Senate. A
79 quorum shall consist of two of the appointed legislative members, and one appointed
80 judicial member. The Chair shall have a vote only in the case of a tie. All members of
81 the Elections Review Committee must be appointed at least four weeks prior to the
82 Primary Election. If an individual has already contributed to a campaign for any office
83 governed by these regulations, they are ineligible to serve on the Elections Review
84 Committee.~~
- 85 b. ~~The Chair of the Elections Review Committee shall be the current Assistant to the
86 Attorney General or the Chairperson of Student Review Board, who shall be appointed
87 by the Attorney General with the approval of Student Senate and shall hold that position
88 throughout the existence of the current Elections Review Committee. The chair of the
89 Elections Review Committee must be appointed at least four weeks prior to the Primary
90 Election. If an individual has already contributed to a campaign for any office governed
91 by these regulations, they are ineligible to serve as the chair of the Elections Review
92 Committee.~~
- 93 e. ~~The Elections Review Committee shall follow the hearing procedures outlined in Article
94 VI Section 7A of the Kansas State University Student Governing Association By Laws.~~
- 95 1. ~~Appeals of decisions of the Elections Review Committee must be made within
96 24 hours of notification of the decision.~~
97

98 **SECTION 65.** Current Chapter 50 Sections 0148 through 0161 of the Kansas State University Student
99 Governing Association Statutes be amended to read as follows.

100 50-0148~~52~~ Complaints

- 101 a. Filing Complaints. Any election complaints involving a suspected violation of this Code
102 must be filed with the Elections Commissioner within 24 hours after discovery of the
103 suspected violation. Complaints shall be made in such a form that states the name of the
104 filer, the section(s) under which the suspected violation shall have occurred, any evidence
105 to support the complaint, the names and contact information of any witnesses, and shall
106 be signed by the filer.
- 107 b. The Elections Commissioner shall make a reasonable effort to seek out all suspected
108 violations and file complaints.
- 109 c. In the event that the elections commissioner is filing a complaint, documentation and

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- evidence must be included in the complaint. Personal observations by the Elections Commissioner without any evidence are not grounds enough to file a complaint.
- d. At any time prior to the hearing, the party filing the complaint may withdraw their complaint by notifying the commissioner in writing.
 - ~~be.~~ ~~Notification and Investigation Review. Upon the receipt of a complaint by the Elections Commissioner, he or she shall notify the~~ The Elections Commissioner shall have 48 hours to notify the individual(s) suspected of the violation, and the individual(s) filing the complaint, make public the suspected violation, and conduct a review as outlined in 50-0153. ~~The Elections Commissioner shall conduct an investigation of the suspected violation. Notification shall include the suspected violation, the name of the person filing the complaint, and the date, time, and location of the scheduled hearing.~~
 - e. ~~Determination of Major/Minor Offense. After receiving a complaint, the Elections Commissioner shall determine whether the violation is a major or a minor offense, as defined by the Elections Regulations Code.~~
 - d. ~~Minor Offense. If the Elections Commissioner finds evidence to support a minor offense as defined under 50-0151(b), he/she shall issue an order for resolution. The individual(s) receiving the orders shall then be required to answer the order within 72 hours after the order is issued.~~
 - e. ~~Major Offense. If the Elections Commissioner finds evidence to support a major offense he/she shall immediately refer the complaint to the Elections Review Committee.~~
 - f. ~~The Elections Review Committee shall conduct hearings concerning all major violations defined by the Elections Regulations Code.~~
 - g. ~~Determination of Violation. Within 72 hours of hearing a complaint, the Elections Review Committee shall determine whether or not a violation of the Code was committed and, in the event that a violation did occur, shall determine a reasonable penalty for the violation under those restrictions as set forth in 50-0150.~~
- 50-0149 Major Offenses. As defined under Code, are those following:
- a. ~~Tampering with ballots or the electronic election system.~~
 - b. ~~Casting more than one ballot.~~
 - e. ~~Allowing a person to cast a ballot in a name other than his/her own.~~
 - d. ~~Deliberate submission of false or misleading information or deliberate omission of information.~~
 - e. ~~Failing to file required reports except as provided in 50-0119(f).~~
 - f. ~~Harassment, intimidation, bribery, or fraud with the intent of affecting the outcome of an election.~~
 - g. ~~Libelous or slanderous statements or conduct.~~
 - h. ~~Intentional actions to mislead or obstruct the Elections Commissioner or the Elections Review Committee in the completion of their duties.~~
 - i. ~~Three or more minor offenses~~
 - j. ~~Encouraging the commission of a major offense under this Code.~~
 - k. ~~Incurring campaign expenses that exceed the limit by more than five percent.~~
 - l. ~~Failing to comply with rulings or pay fines.~~
 - m. ~~Campaign materials or activities that are disorderly, lewd, or indecent; breach the peace; or aid, abet, or procure another person to breach the peace on university premises or at university sponsored activities.~~
 - n. ~~Failure to comply with the mass distribution regulation under 50-0134(i).~~
- 50-0150 Minor Offenses. Minor offenses, as defined under the Code, are any other violations of this Code other than those in 50-0149.
- 50-0153 Review of Suspected Violations
- a. All actions of the review of suspected violations shall be documented.
 - b. Review Process
 - 1. The Elections Commissioner shall conduct an investigation of the suspected violation prior to the scheduled hearing.
 - 2. The respondent shall have the opportunity to submit a written response to the

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complaint, any evidence to support their response, and the names and contact information of any witnesses prior to the scheduled hearing to the Elections Commissioner. If the respondent chooses to admit the violation in their response, the violation and penalty will still be considered at the time of the hearing.

3. The Hearing

- a. The hearing will be held at the scheduled time listed in the notification. Upon request of the parties involved, the Elections Commissioner may reschedule the hearing for another time within the time allowed for notification and review.
- b. The Coordinator of Student Activities or his/her designee shall attend all hearings as counsel to the Elections Commissioner.
- c. Failure to attend the hearing by either party shall not constitute an admission of violating the elections regulations. If neither party is present for the scheduled hearing the Elections Commissioner shall make a ruling based on the investigation and submitted evidence.
- d. The hearing shall be open to the public.
- e. An audio recording will be made of the full hearing.
- f. The respondent shall have the opportunity to support their case by making any statements, calling relevant witnesses, and submitting any evidence.
- g. The party filing the complaint shall have the opportunity to support their case by making any statements and calling relevant witnesses. In the event that the Elections Commissioner filed the complaint, the Elections Commissioner shall not make a statement as the complaining party but may call witnesses as the Elections Commissioner to support his/her investigation.
- h. The Elections Commissioner shall question witnesses provided by all parties involved in the review.
- i. The Elections Commissioner shall present the results of their investigation, and the respondent and party that filed the complaint shall have the opportunity to respond and ask questions of the Elections Commissioner.
- j. Public participants attending the hearing shall not have speaking rights during the hearing and may be removed from the hearing by discretion of the Elections Commissioner.
- k. After the completion of the hearing, the Elections Commissioner may no longer investigate the suspected violation.

50-0154 Determination of Violation

- a. Within three hours of the completion of the hearing, the Elections Commissioner shall, with the counsel of the Coordinator of Student Activities or his/her designee, make a determination of whether or not a violation of the code was committed and, in the event that a violation did occur, shall determine a reasonable penalty for the violation under those restrictions as set forth in this section.
- b. The Elections Commissioner shall notify the respondent, the party who filed the complaint, and make public the determination.
- 50-0154 c. Penalties. In determining penalties the Elections Commissioner shall consider repeat violations and the number of violations incurred by a campaign.
 - a. Major Offenses. Upon the determination of the commission by the Elections Commissioner of a major offense by a candidate, the Elections Review Committee Commissioner may cause the disqualification of such candidate(s) from the Primary Election or General Election or impose such other penalties as deemed appropriate.

- 217 50-0152a. Disqualifications.
- 218 a1. Any candidate who fails to file any required report for a
- 219 position shall be disqualified from that position by the
- 220 Elections Commissioner except as provided in 50-014922(f).
- 221 b2. Any non-advancing Primary Election candidate who fails to
- 222 remove their primary election campaign materials by the
- 223 deadline in 50-01349(d). may be disqualified by the Elections
- 224 Review Committee Commissioner from any other office
- 225 governed by these regulations in the current year.
- 226 e3. Individuals who have been disqualified by the Elections
- 227 Review Committee or the Elections Commissioner or Student
- 228 Tribunal from the Primary or General Election shall not be
- 229 elected as a write-in candidate for the position from which
- 230 they were disqualified.
- 231 2. Upon the determination of the commission of a major offense by a person who
- 232 is affiliated with a candidate or campaign, the Elections Review Committee may
- 233 cause the disqualification of such candidate(s) from the Primary Election or
- 234 General Election or impose such other penalties as deemed appropriate.
- 235 b2. Minor Offenses. Upon the determination by the Elections Commissioner of a
- 236 minor offense, the Elections Commissioner may impose such penalties as
- 237 deemed appropriate.
- 238 e3. No fines shall be levied as punishment for any violations committed under this
- 239 code. This does not include such payments of restitution as may be deemed
- 240 appropriate in the case of destruction or damage of property.
- 241 d4. In cases of destruction or damage to campaign materials or election equipment
- 242 by a candidate or campaign, the Elections Commissioner may order restitution
- 243 for damaged items to those parties whose materials were so damaged.
- 244 e5. Upon determination of an offense committed by a student who is not a
- 245 candidate, including destruction of or damage to campaign materials or election
- 246 equipment, the Elections Commissioner may refer the case to the Attorney
- 247 General for resolution within the judicial system.
- 248 f6. In assessing penalties, the Elections Commissioner and/or Elections Review
- 249 Committee shall consider the severity of the violation or any mitigating factors
- 250 that may be involved in the situation as well as any cooperation provided by any
- 251 person so involved.

- 252 50-0152 Disqualifications.
- 253 a. Any candidate who fails to file any required report for a position shall be disqualified
- 254 from that position by the Elections Commissioner except as provided in 50-0119(f).
- 255 b. Any non-advancing Primary Election candidate who fails to remove their campaign
- 256 materials by the deadline in 50-0134(d). may be disqualified by the Elections Review
- 257 Committee from any other office governed by these regulations in the current year.
- 258 e. Individuals who have been disqualified by the Elections Review Committee or the
- 259 Elections Commissioner from the Primary or General Election shall not be elected as a
- 260 write-in candidate for the position from which they were disqualified.

261 50-0153 Appeals

262 50-01545 Appeals of Violations

- 263 a. Any determination of violation made by the Elections Commissioner may be appealed by
- 264 Any decision reached through a primary judicial board hearing may be appealed by the
- 265 complainant or respondent to Student Tribunal. Appeals concerning determination of
- 266 violations made by the Elections Commissioner shall be made to the Elections Review
- 267 Committee Student Tribunal. Appeals of Elections Commissioner's decisions must be
- 268 filed with the Student Tribunal Chancellor Chancellor of Student Tribunal within 15 hours
- 269 of the completion of the hearing.
- 270 b. Appeals concerning determination of violations made by the Elections Review
- 271 Committee shall be made to the Student Tribunal.
- 272 1. Appeals of Elections Review Committee decisions must be filed within 24 hours of
- 273 notification of violation.

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274 eb. Once an appeal of a violation is filed, all individuals listed on the ballot as candidates for
275 that position and the Elections Commissioner shall be notified by the Elections
276 Commissioner. ~~Student Tribunal Chancellor~~Chancellor of Student Tribunal.

277 c. Grounds for Appeal

278 1. The determination of violation failed to follow written procedures and rules as
279 outlined in the Elections Regulations Code.

280 2. There was not sufficient evidence to support the determination of violation.

281 3. The determination of violation was reached in an unjust manner including but
282 not limited to the presence of bias; unreasonable, arbitrary, or capricious action;
283 or discrimination on the basis of race, religion, color, sex, physical ability,
284 national origin, sexual orientation, or ancestry.

285 4. The determination of violation denied a student their constitutional rights as
286 identified in the SGA Constitution.

287 5. The penalty is too harsh or too lenient.

288 6. There is new evidence that was not known nor could ~~not~~ have been discovered
289 at the time of the review.

290 d. Appeals shall be of the record only and any new evidence allowed by Student Tribunal.

291 e. Appeals to Student Tribunal shall follow the procedures outlined in the SGA By-Laws
292 except for specific exceptions provided for in the Elections Regulations Code.

293 f. Student Tribunal shall hear the appeal within 24 hours of the appeal being filed with the
294 ~~Student Tribunal Chancellor~~Chancellor of Student Tribunal.

295 g. The “appellant” shall be defined as the person appealing to Student Tribunal the decision
296 of the Elections Commissioner.

297 h. At the completion of the hearing, Student Tribunal shall notify the original complainant
298 and respondent, Elections Commissioner, and make public the decision of the appeal.

299 50-0155 Appeals of Contested Election

300 a. Appeals concerning contested election decisions made by the Elections Commissioner
301 shall be made to the Student Tribunal.

302 b. Upon official notification of a decision by the Elections Commissioner, contesting parties
303 may file an appeal within 24 hours.

304 e. Once an appeal of a contested election is filed, all individuals listed on the ballot as
305 candidate for that position shall be notified by the Elections Commissioner.

306 50-0156 Special Elections

307 50-0157 Emergency Elections. An emergency election shall be held in accordance with the provisions of
308 the Elections Regulations Code.

309 50-0158 Post Election Review

310 50-0159 The Elections Commissioner shall, within three weeks of the end of the election, submit in writing
311 to the Student Senate Operations Standing Committee on the third Student Senate meeting after
312 the certification of the election results by the Student Senate a complete analysis of the election
313 held and any recommendations on how to improve future elections and appear before the
314 committee. The Elections Review Committee shall continue in existence until the end of the
315 spring semester.

316 50-0160 Elections Commissioner Records

317 a. The following elections records shall be kept for a period of five years.

318 1. Documentation and recordings of the suspected violations; notification and
319 reviews; determinations of violations; and appeals.

320 b. The following elections records shall be kept for a period of one year.

321 1. Expense reports

322 50-0161 The Elections Commissioner must be appointed at least four weeks prior to the Primary Election.

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324 **SECTION 76.** Any inaccurate citations of renumbered sections referenced within Chapter 50 shall be
325 amended to be accurate.

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327 | **SECTION 87.** Upon passage by the Student Senate and signature of the Student Body President, this bill
328 | shall take effect upon passage and ratification of Bill 09/10/05.
329 |

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5 **BY:** Allocations Committee

6
7 **WHEREAS,** The Allocations Committee received and reviewed the allocations request of the Society
8 for the Appreciation of Bharatiya Heritage and Arts (SABHA);
9

10 **WHEREAS,** SABHA is bringing a renowned artist, Sougata Ganguli, from India to perform on a
11 Sarod;
12

13 **WHEREAS,** This event will increase cultural diversity and international awareness at Kansas State
14 University; and
15

16 **WHEREAS,** The funds requested by this group and the funding recommendation made are as follows:

17
18 Project 1 – Lecture, Speaker, Entertainer (LSE) fee and Promotions for SABHA to bring
19 Sougata Ganguli to campus for a concert on November 8, 2009.
20

	<u>Request</u>	<u>Recommendation</u>
LSE fee	\$2,200.00	\$1,200.00
Promotions	\$ 300.00	\$ 300.00
TOTAL	\$2,500.00	\$1,500.00

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24
25 **BE IT ENACTED THAT:**

26
27
28 **SECTION 1.** The Society for Appreciation of Bharatiya Heritage and Arts shall be allocated \$1,500.00
29 for the activity described.
30

31 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, these
32 funds shall be transferred from the Fine Arts Reserve Account NISAFASRSV to the
33 account NISAFAS021 of SABHA.

2
3
4 **BY:** Allocations Committee

5
6 **WHEREAS,** The Allocations Committee received and reviewed the allocations request of Emerging
7 Green Builders;

8
9 **WHEREAS,** Emerging Green Builders in sending ten members to Greenbuild 2009 in Phoenix,
10 Arizona;

11
12 **WHEREAS,** Greenbuild 2009 will expose attendees to products and concepts that are directly
13 applicable to numerous disciplines across campus; and

14
15 **WHEREAS,** The funds requested by this group and the funding recommendation made are as follows:

16
17 Project 1 – Travel for Emerging Green Builders to send 10 members to Greenbuild
18 International Conference and Expo in Phoenix, AZ on November 11-14, 2009.

	<u>Request</u>	<u>Recommendation</u>
Travel	\$1,000.00	\$1,000.00
TOTAL	\$1,000.00	\$1,000.00

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24 **BE IT ENACTED THAT:**

25
26 **SECTION 1.** Emerging Green Builders shall be allocated \$1,000.00 for the activity described.

27
28 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, these
29 funds shall be transferred from the Reserve for Contingencies Account NISACONRSV to
30 the account NISACWO109 of Emerging Green Builders.

4 **BY:** Educational Opportunity Fund Committee

5
6 **WHEREAS,** Chapter 25 in the Statutes for the Kansas State University Student Governing Association
7 outlines the guidelines for the Educational Opportunity Fund (EOF) Committee;

8
9 **WHEREAS,** EOF provides funds for student wages; and

10
11 **WHEREAS,** The campus minimum wage was raised to \$7.25 per hour.

12
13 **BE IT ENACTED THAT:**

14
15 **SECTION 1.** Chapter 25 of the KSU SGA Statutes be amended to read as follows.

16
17 **Informal Guidelines for the Educational Opportunity Fund**

18
19 25-0201 The Educational Opportunity Fund Committee shall operate within the formal guidelines
20 established each year by the Kansas Board of Regents.

21
22 25-0202 Preference shall be given to applications using the following criteria:

- 23 A. Continue existing programs
- 24 B. Programs that have definite, predictable outcomes
- 25 C. Programs that affect large numbers of students
- 26 D. Programs that have no other sources of funding

27
28 25-0203 Scholarships are funded at \$700 each.

29
30 25-0204 Graduate Positions are funded at \$9,890 each.
31 Nine month positions are funded at \$9,890
32 Twelve month positions are funded at \$12,890

33
34 25-0205 Wages are calculated at ~~\$7.00~~ 7.25 per hour.

35
36 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, this bill
37 shall go into effect.

2
3
4 **BY:** Dalton Henry, Wayne Stoskopf, and Amy Schultz

5
6 **WHEREAS,** The Student Body President is in need of an advisory board that will represent the views
7 of various constituents across campus;

8
9 **WHEREAS,** There is a desire for increased representation for various groups of students within the
10 Executive Branch of SGA;

11
12 **WHEREAS,** The advice and suggestions of an advisory board would be beneficial to the successful
13 completion of the Student Body President’s duties; and

14
15 **WHEREAS,** The Student Body President has the opportunity to appoint other representatives to the
16 Student Body President’s Advisory Board throughout the term.

17
18 **BE IT ENACTED THAT:**

19
20 **SECTION 1.** Article IV of the Kansas State University Student Governing Association By-Laws is
21 hereby amended to read as follows:

22 Section. 1. Meetings of the KSU SGA shall be called at the discretion of the Student Body President.

23 Section. 2. Student Body Vice President. The Student Body Vice President shall assist the Student Body
24 President in all executive duties, attend meetings and functions at the request or in the place of the
25 Student Body President.

26 Section. 3. The Student Body President’s Cabinet shall consist of the following officers.

- 27 A. The Chief of Staff, whose duties shall include:
 - 28 1. Coordinate the activities of Cabinet.
 - 29 2. Serve as advisor to Cabinet members.
 - 30 3. Conduct communication between Cabinet members and the Student Body
31 President and between Cabinet members and Student Senate.
 - 32 4. Chair Cabinet Meetings.
 - 33 5. Give directors’ reports for Cabinet members unable to attend Student Senate
34 meetings, as necessary.
- 35 B. The Public Relations Director, who shall foster public relations and enhance the
36 distribution of information for the Executive branch.
 - 37 1. Attend Student Senate meetings.
 - 38 2. Serve on the Public Relations Standing Committee.
- 39 C. The College of Technology and Aviation Student Body President (or designee) shall be
40 an ex officio member during the duration of the Student Body President’s term of office
41 and shall represent the interests and concerns of the College of Technology and Aviation
42 in Salina.
- 43 D. The International Affairs Director, who shall represent the interests and concerns of
44 international students.
 - 45 1. Serve as the SGA Liaison to the Office of International Programs.
 - 46 2. Attend International Coordinating Council Meetings.

- 47 E. The Multicultural Affairs Director, who shall represent the interests and concerns of
48 multicultural students.
- 49 1. Represent the Student Body President's Cabinet on the Diversity Programming
50 Committee.
- 51 2. Serve on the President's Commission on Multicultural Affairs.
- 52 3. Meet regularly with student leaders of multicultural organizations.
- 53 F. The State Relations Director, who shall represent the interests and concerns of the KSU
54 SGA to state governments.
- 55 1. Attend monthly Board of Regents Meetings with the Student Body President.
- 56 2. Assist in coordination of State Higher Education Day.
- 57 3. Assist in coordination of Big XII on the Hill Day.
- 58 4. Serve on Governmental Relations Standing Committee.
- 59 G. The Local Relations Director, who shall represent the interests and concerns of the KSU
60 SGA to local governments.
- 61 1. Provide updates to the Student Body President and Student Senate concerning
62 the City Commission.
- 63 2. Serve on Governmental Relations Standing Committee.
- 64 H. The Technology Coordinator, who shall promote improved technology resources and
65 represent students on matters of technology.
- 66 1. Serve on Faculty Senate Committee on Technology
- 67 2. Serve as SGA Liaison to the Vice Provost for Information Technology Services.
- 68 I. The Student Director of Sustainability, who shall represent the interests and concerns of
69 students regarding sustainability.
- 70 1. Serve on the Student Sustainability Coalition.
- 71 2. Serve as SGA Liaison to the K-State Director of Sustainability.
- 72 J. Such other appointed officers as determined by the Student Body President.

73 *Section. 4. The Student Body President's Advisory Board shall consist of the following members.*

- 74 A. *President of Graduate Student Council, or his/her designee.*
- 75 B. *President of Inter-fraternity Council, or his designee.*
- 76 C. *President of International Student Coordinating Council, or his/her designee.*
- 77 D. *Representative of Multi-Cultural Student Organizations selected by the Multicultural
78 Student Organization office.*
- 79 E. *Representative of non-traditional students selected by the Non-Traditional Student office.*
- 80 F. *President of Pan-hellenic Council, or her designee.*
- 81 G. *President of Association of Residence Halls, or his/her designee.*
- 82 H. *College of Technology and Aviation Student Body President, or his/her designee.*
- 83 I. *Representative of student athletes selected by the Department of Athletics.*
- 84 J. *Representative of the campus sustainability office, recommended by the Director of
85 Sustainability.*
- 86 K. *Such other appointed officers as determined by the Student Body President.*

87 *Section. 45. Presidential Succession.*

- 88 A. In the event of the temporary absence or inability of the Student Body President, the

89 Student Body Vice President shall exercise the powers and duties of the Student Body
90 President.

91 B. In the event of the resignation, removal from office or the permanent inability of the
92 Student Body President to discharge his or her duties as the Student Body President, the
93 Student Body Vice President shall succeed to the office of Student Body President.

94 C. In the event of the resignation or removal of the Student Body President and Student
95 Body Vice President, the Speaker of the Student Senate shall serve as Interim Student
96 Body President.

97 1. In the event of the Speaker of the Student Senate serving as Interim Student
98 Body President, the Student Senate shall appoint an Emergency Election
99 Committee as outlined in the Elections Regulations Code; unless there are less
100 than 45 class days before the next election in which case the Speaker of the
101 Student Senate will serve as the Student Body President for the remainder of the
102 term.

103 D. In the event of the resignation or removal of the Student Body Vice President, the Student
104 Body President will appoint a new Student Body Vice President subject to approval by
105 Student Senate.

106
107 **SECTION 2.** Upon passage of the Student Senate and signature of the Student Body President, this bill
108 shall take effect immediately.