

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN PERIOD

1. KSU Theatre – “Speech and Debate”

APPROVAL OF MINUTES

ANNOUNCEMENTS

COMMENDATIONS

COMMITTEE REPORTS

DIRECTORS’ REPORTS

APPROVAL OF APPOINTMENTS

Res 09/10/44 Approval of Student Body President’s Cabinet Member

Res 09/10/45 Approval of Recommendations to the Presidents Advisory Committee on Intercollegiate Athletics

Res 09/10/46 Approval of Appointments to the Long-Term Tuition Strategies Committee

GENERAL ORDERS

FINAL ACTION

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

Bill 09/10/07 FY 2010 Allocation to Tau Beta Sigma

Bill 09/10/08 FY 2010 Allocation to Ordinary Women

Bill 09/10/09 FY 2010 Allocation to Sensible Nutrition and Body Image Choices

INTRODUCTION OF LEGISLATION

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 09/10/13 Amendments to the Kansas State University Student Governing Association Statutes

OPEN PERIOD

REFERENCE OF LEGISLATION

ANNOUNCEMENT OF CONSTITUTIONAL AND/OR BY-LAWS REVISIONS

ROLL CALL

ADJOURNMENT

ANNOUNCEMENTS FOR THE WEEK

1. Excused:
Intern McClarty
Senator Swoyer
Chair Bachman
Senator Scott (1st Roll Call)

2. Proxies:
Norris for Bachman

3. Upcoming Events Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
4	5 Fall Break – No Classes	6 Legislation Due	7	8 SGA Exec Student Senate	9	10
11	12	13 Legislation Due	14	15 SGA Exec – 5:30pm Social with Salina SGA – 6:15pm Student Senate	16	17
18	19	20 Legislation Due	21	22 SGA Exec Student Senate	23	24

“Every day you may make progress. Every step may be fruitful.
 Yet there will stretch out before you an ever-lengthening, ever-ascending, ever-improving path.
 You know you will never get to the end of the journey.
 But this, so far from discouraging, only adds to the joy and glory of the climb.”
Winston Churchill

1 **RESOLUTION 09/10/44**

**APPROVAL OF STUDENT BODY
PRESIDENT'S CABINET MEMBER**

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

5
6 **WHEREAS,** The Student Body President shall appoint a Cabinet;

7
8 **WHEREAS,** This position on the Student Body President's Cabinet were sufficiently advertised;

9
10 **WHEREAS,** This appointment is subject to Student Senate approval; and

11
12 **WHEREAS,** The following individual proved to be best qualified for the position.

13
14 **BE IT RESOLVED THAT:**

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16 **SECTION 1.** The following individual be confirmed as a member of the 2009-2010 Student Body
17 President's Cabinet:

18
19 Student Affairs Director

Reed Pankratz

1 **RESOLUTION 09/10/45**

2 **APPROVAL OF RECOMMENDATIONS**
3 **TO THE PRESIDENT'S ADVISORY COMMITTEE**
4 **ON INTERCOLLEGIATE ATHLETICS**

5 **BY:** Dalton Henry, Wayne Stoskopf, and Amy Schultz

6
7 **WHEREAS,** The following people have been selected by the Student Body President, in consultation
8 with the Student Body Vice President, to be potential members of the President's
9 Advisory Committee on Intercollegiate Athletics, and

10
11 **WHEREAS,** These appointments are subject to approval by Student Senate.

12
13 **BE IT RESOLVED THAT:**

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15 **SECTION 1.** The following individuals be recommended as potential members of the President's
16 Advisory Committee on Intercollegiate Athletics.

17
18 Annie Bachman
19 Jamie Ball
20 Peter Boos
21 Cole Galyon
22 Erin Gettler
23 Andrew Huschka

5 **BY:** Amy Schultz and Dalton Henry

6
7 **WHEREAS,** The Kansas State University Student Governing Association By-Laws provide for a
8 Long-Term Tuition Strategies Committee;

9
10 **WHEREAS,** The Long-Term Tuition Strategies Committee is responsible for studying, analyzing and
11 recommending tuition principles, tuition funding initiatives, college-specific fees, and
12 proposals to KSU Student Governing Association and University Administration.

13
14 **WHEREAS,** The Student Body President and the Speaker of the Student Senate must appoint nine
15 students to the committee; and

16
17 **WHEREAS,** The following appointments are subject to Student Senate approval.

18
19 **BE IT RESOLVED THAT:**

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21 **SECTION 1.** The following students, appointed by the Student Body President and the Speaker of the
22 Student Senate, be approved as members of the Long-Term Tuition Strategies
23 Committee:

- 24
25 Vincent Adams
26 Taylor Concannon
27 Debbie Dolechek
28 Morgan Gauby
29 Brian Koester
30 Heather Kuhn
31 Jessica Schultz
32 Casey Walker

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4 **BY:** Allocations Committee

5
6 **WHEREAS,** The Allocations Committee received and reviewed the allocations request of Gamma Rho
7 Lambda;

8
9 **WHEREAS,** Gamma Rho Lambda is hosting the Out and Greek conference on the K-State Campus;

10
11 **WHEREAS,** The Out and Greek conference will provide attendees with workshops dealing with
12 leadership and GLBT issues; and

13
14 **WHEREAS,** The funds requested by this group and the funding recommendation made are as follows:

15
16 Project 1 – Lecture, Speaker, Entertainer (LSE) fee for Gamma Rho Lambda to bring
17 several speakers to campus while they host the Out and Greek Conference on November
18 19-22, 2009.

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

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24 **BE IT ENACTED THAT:**

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26 **SECTION 1.** Gamma Rho Lambda shall be allocated \$1,500.00 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 NISACWO114 of Gamma Rho Lambda.

5 **BY:** Allocations Committee

6
7 **WHEREAS,** The Allocations Committee received and reviewed the allocations request of Collegiate
8 Entrepreneurs Organization;

9
10 **WHEREAS,** Collegiate Entrepreneurs Organization (C.E.O.) is traveling the National C.E.O.
11 Conference in Chicago, IL;

12
13 **WHEREAS,** The funds requested by this group and the funding recommendation made are as follows:

14
15 Project 1 – Travel for Collegiate Entrepreneurs Organization to send 10 members to the
16 National C.E.O. Conference in Chicago, IL on October 22-24, 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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22 **BE IT ENACTED THAT:**

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24 **SECTION 1.** Collegiate Entrepreneurs Organization shall be allocated \$1,000.00 for the activity
25 described.

26
27 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, these
28 funds shall be transferred from the Reserve for Contingencies Account NISACONRSV to
29 the account NISACWO124 of Collegiate Entrepreneurs Organization.

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4 **BY:** Allocation Committee

5
6 **WHEREAS,** The Allocations Committee received and reviewed the allocations request of Student
7 Mobilization;

8
9 **WHEREAS,** Student Mobilization is in need of a location for their meetings on the dates of October 22
10 and October 29;

11
12 **WHEREAS,** Student Mobilization has lined up speakers to present on these dates;

13
14 **WHEREAS,** Student Mobilization is an organization that covers topics of leadership, character, and
15 spiritual devolpment; and

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

18
19 Project 1 – Rent of Space for Student Mobilization to host meetings on October 22, 2009
20 and October 29, 2009.

	<u>Request</u>	<u>Recommendation</u>
Rent of Space	\$450.00	\$450.00
Rent of Space	\$450.00	\$450.00
TOTAL	\$900.00	\$900.00

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27 **BE IT ENACTED THAT:**

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29 **SECTION 1.** Student Mobilization shall be allocated \$900.00 for the activity described.

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31 **SECTION 2.** Upon passage by the Student Senate and signature of the Student Body President, these
32 funds shall be transferred from the Reserve for Contingencies Account NISACONRSV to
33 the account NISACW125 of Student Mobilization.
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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

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 ~~fin~~es 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).

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

45 50-0117 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 50-015534 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 50-015536 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 4.** Current Chapter 50 Section 0147 of the Kansas State University Student Governing
73 Association Statutes be struck from the Chapter.

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

100 50-014852 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

110 evidence must be included in the complaint. Personal observations by the Elections
111 Commissioner without any evidence are not grounds enough to file a complaint.

112 d. At any time prior to the hearing, the party filing the complaint may withdraw their
113 complaint by notifying the commissioner in writing.

114 be. Notification and Investigation Review. Upon the receipt of a complaint by the Elections
115 Commissioner, he or she shall notify the The Elections Commissioner shall have 48
116 hours to notify the individual(s) suspected of the violation, and the individual(s) filing the
117 complaint, make public the suspected violation, and conduct a review as outlined in 50-
118 0153. ~~The Elections Commissioner shall conduct an investigation of the suspected~~
119 ~~violation.~~ Notification shall include the suspected violation, the name of the person filing
120 the complaint, and the date, time, and location of the scheduled hearing.

121 e. ~~Determination of Major/Minor Offense. After receiving a complaint, the Elections~~
122 ~~Commissioner shall determine whether the violation is a major or a minor offense, as~~
123 ~~defined by the Elections Regulations Code.~~

124 d. ~~Minor Offense. If the Elections Commissioner finds evidence to support a minor offense~~
125 ~~as defined under 50-0151(b), he/she shall issue an order for resolution. The individual(s)~~
126 ~~receiving the orders shall then be required to answer the order within 72 hours after the~~
127 ~~order is issued.~~

128 e. ~~Major Offense. If the Elections Commissioner finds evidence to support a major offense~~
129 ~~he/she shall immediately refer the complaint to the Elections Review Committee.~~

130 f. ~~The Elections Review Committee shall conduct hearings concerning all major violations~~
131 ~~defined by the Elections Regulations Code.~~

132 g. ~~Determination of Violation. Within 72 hours of hearing a complaint, the Elections~~
133 ~~Review Committee shall determine whether or not a violation of the Code was committed~~
134 ~~and, in the event that a violation did occur, shall determine a reasonable penalty for the~~
135 ~~violation under those restrictions as set forth in 50-0150.~~

136 50-0149 ~~Major Offenses. As defined under Code, are those following:~~

137 a. ~~Tampering with ballots or the electronic election system.~~

138 b. ~~Casting more than one ballot.~~

139 c. ~~Allowing a person to cast a ballot in a name other than his/her own.~~

140 d. ~~Deliberate submission of false or misleading information or deliberate omission of~~
141 ~~information.~~

142 e. ~~Failing to file required reports except as provided in 50-0119(f).~~

143 f. ~~Harassment, intimidation, bribery, or fraud with the intent of affecting the outcome of an~~
144 ~~election.~~

145 g. ~~Libelous or slanderous statements or conduct.~~

146 h. ~~Intentional actions to mislead or obstruct the Elections Commissioner or the Elections~~
147 ~~Review Committee in the completion of their duties.~~

148 i. ~~Three or more minor offenses~~

149 j. ~~Encouraging the commission of a major offense under this Code.~~

150 k. ~~Incurring campaign expenses that exceed the limit by more than five percent.~~

151 l. ~~Failing to comply with rulings or pay fines.~~

152 m. ~~Campaign materials or activities that are disorderly, lewd, or indecent; breach the peace;~~
153 ~~or aid, abet, or procure another person to breach the peace on university premises or at~~
154 ~~university sponsored activities.~~

155 n. ~~Failure to comply with the mass distribution regulation under 50-0134(i).~~

156 50-0150 ~~Minor Offenses. Minor offenses, as defined under the Code, are any other violations of this Code~~
157 ~~other than those in 50-0149.~~

158 50-0153 Review of Suspected Violations

159 a. All actions of the review of suspected violations shall be documented.

160 b. Review Process

161 1. The Elections Commissioner shall conduct an investigation of the suspected
162 violation prior to the scheduled hearing.

163 2. The respondent shall have the opportunity to submit a written response to the

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

169 3. The Hearing

170 a. The hearing will be held at the scheduled time listed in the notification.
171 Upon request of the parties involved, the Elections Commissioner may
172 reschedule the hearing for another time within the time allowed for
173 notification and review.

174 b. The Coordinator of Student Activities or his/her designee shall attend
175 all hearings as counsel to the Elections Commissioner.

176 c. Failure to attend the hearing by either party shall not constitute an
177 admission of violating the elections regulations. If neither party is
178 present for the scheduled hearing the Elections Commissioner shall
179 make a ruling based on the investigation and submitted evidence.

180 d. The hearing shall be open to the public.

181 e. An audio recording will be made of the full hearing.

182 f. The respondent shall have the opportunity to support their case by
183 making any statements, calling relevant witnesses, and submitting any
184 evidence.

185 g. The party filing the complaint shall have the opportunity to support
186 their case by making any statements and calling relevant witnesses. In
187 the event that the Elections Commissioner filed the complaint the
188 Elections Commissioner shall not make a statement as the complaining
189 party but may call witnesses as the Elections Commissioner to support
190 his/her investigation.

191 h. The Elections Commissioner shall question witnesses provided by all
192 parties involved in the review.

193 i. The Elections Commissioner shall present the results of their
194 investigation and the respondent and party that filed the complaint shall
195 have the opportunity to respond and ask questions of the Elections
196 Commissioner.

197 j. Public participants attending the hearing shall not have speaking rights
198 during the hearing and may be removed from the hearing by discretion
199 of the Elections Commissioner.

200 k. After the completion of the hearing, the Elections Commissioner may
201 no longer investigate the suspected violation.

202 50-0154 Determination of Violation

203 a. Within three hours of the completion of the hearing, the Elections Commissioner shall,
204 with the counsel of the Coordinator of Student Activities or his/her designee, make a
205 determination of whether or not a violation of the code was committed and, in the event
206 that a violation did occur, shall determine a reasonable penalty for the violation under
207 those restrictions as set forth in this section.

208 b. The Elections Commissioner shall notify the respondent, the party who filed the
209 complaint, and make public the determination.

210 ~~50-0154~~ c. Penalties. In determining penalties the Elections Commissioner shall consider repeat
211 violations and the number of violations incurred by a campaign.

212 a1. Major Offenses. ~~1-~~ Upon the determination of the commission by the Elections
213 Commissioner of a major offense by a candidate, the Elections Review
214 Committee Commissioner may cause the disqualification of such candidate(s)
215 from the Primary Election or General Election or impose such other penalties as
216 deemed appropriate.

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50-0152a. Disqualifications.

- a1. Any candidate who fails to file any required report for a position shall be disqualified from that position by the Elections Commissioner except as provided in 50-014922(f).
- b2. Any non-advancing Primary Election candidate who fails to remove their primary election campaign materials by the deadline in 50-01349(d). may be disqualified by the Elections Review Committee Commissioner from any other office governed by these regulations in the current year.
- e3. Individuals who have been disqualified by the Elections Review Committee or the Elections Commissioner or Student Tribunal from the Primary or General Election shall not be elected as a write-in candidate for the position from which they were disqualified.

~~2. Upon the determination of the commission of a major offense by a person who is affiliated with a candidate or campaign, the Elections Review Committee may cause the disqualification of such candidate(s) from the Primary Election or General Election or impose such other penalties as deemed appropriate.~~

- b2. Minor Offenses. Upon the determination by the Elections Commissioner of a minor offense, the Elections Commissioner may impose such penalties as deemed appropriate.
- e3. No fines shall be levied as punishment for any violations committed under this code. This does not include such payments of restitution as may be deemed appropriate in the case of destruction or damage of property.
- d4. In cases of destruction or damage to campaign materials or election equipment by a candidate or campaign, the Elections Commissioner may order restitution for damaged items to those parties whose materials were so damaged.
- e5. Upon determination of an offense committed by a student who is not a candidate, including destruction of or damage to campaign materials or election equipment, the Elections Commissioner may refer the case to the Attorney General for resolution within the judicial system.
- f6. In assessing penalties, the Elections Commissioner and/or Elections Review Committee shall consider the severity of the violation or any mitigating factors that may be involved in the situation as well as any cooperation provided by any person so involved.

~~50-0152 Disqualifications.~~

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

~~50-0153 Appeals~~

50-01545 Appeals of Violations

- a. Appeals concerning determination of violations made by the Elections Commissioner shall be made to the Elections Review Committee Student Tribunal. Appeals of Elections Commissioner's decisions must be filed with the Student Tribunal Chancellor within 15 hours of the completion of the hearing.
- ~~b. Appeals concerning determination of violations made by the Elections Review Committee shall be made to the Student Tribunal.~~
- ~~1. Appeals of Elections Review Committee decisions must be filed within 24 hours of notification of violation.~~
- eb. Once an appeal of a violation is filed, all individuals listed on the ballot as candidates for that position and the Elections Commissioner shall be notified by the Elections

- 273 ~~Commissioner. Student Tribunal Chancellor.~~
- 274 c. **Grounds for Appeal**
- 275 1. The determination of violation failed to follow written procedures and rules as
- 276 outlined in the Elections Regulations Code.
- 277 2. There was not sufficient evidence to support the determination of violation.
- 278 3. The determination of violation was reached in an unjust manner including but
- 279 not limited to the presence of bias; unreasonable, arbitrary, or capricious action;
- 280 or discrimination on the basis of race, religion, color, sex, physical ability,
- 281 national origin, sexual orientation, or ancestry.
- 282 4. The determination of violation denied a student their constitutional rights as
- 283 identified in the SGA Constitution.
- 284 5. The penalty is too harsh.
- 285 6. There is new evidence that was not known nor could not have been discovered
- 286 at the time of the review.
- 287 d. Appeals shall be of the record only and any new evidence allowed by Student Tribunal.
- 288 e. Appeals to Student Tribunal shall follow the procedures outlined in the SGA By-Laws
- 289 except for specific exceptions provided for in the Elections Regulations Code.
- 290 f. Student Tribunal shall hear the appeal within 24 hours of the appeal being filed with the
- 291 Student Tribunal Chancellor.
- 292 g. The "appellant" shall be defined as the person appealing to Student Tribunal the decision
- 293 of the Elections Commissioner.
- 294 h. At the completion of the hearing, Student Tribunal shall notify the original complainant
- 295 and respondent, Elections Commissioner, and make public the decision of the appeal.

296 50-0155 ~~Appeals of Contested Election~~

- 297 a. ~~Appeals concerning contested election decisions made by the Elections Commissioner~~
- 298 ~~shall be made to the Student Tribunal.~~
- 299 b. ~~Upon official notification of a decision by the Elections Commissioner, contesting parties~~
- 300 ~~may file an appeal within 24 hours.~~
- 301 e. ~~Once an appeal of a contested election is filed, all individuals listed on the ballot as~~
- 302 ~~candidate for that position shall be notified by the Elections Commissioner.~~

303 50-0156 Special Elections

304 50-0157 Emergency Elections. An emergency election shall be held in accordance with the provisions of

305 the Elections Regulations Code.

306 50-0158 Post Election Review

307 50-0159 The Elections Commissioner shall, within three weeks of the end of the election, submit in writing

308 to the Student Senate Operations Standing Committee on the third Student Senate meeting after

309 the certification of the election results by the Student Senate a complete analysis of the election

310 held and any recommendations on how to improve future elections and appear before the

311 committee. ~~The Elections Review Committee shall continue in existence until the end of the~~

312 ~~spring semester.~~

313 50-0160 ~~Elections Commissioner Records~~

- 314 a. The following elections records shall be kept for a period of five years.
- 315 1. Documentation and recordings of the suspected violations; notification and
- 316 reviews; determinations of violations; and appeals.
- 317 b. The following elections records shall be kept for a period of one year.
- 318 1. Expense reports

319 50-0161 ~~The Elections Commissioner must be appointed at least four weeks prior to the Primary Election.~~

321 **SECTION 6.** Any inaccurate citations of renumbered sections referenced within Chapter 50 shall be

322 amended to be accurate.

324 **SECTION 7.** Upon passage by the Student Senate and signature of the Student Body President, this bill

325 shall take effect upon passage and ratification of Bill 09/10/05.

326