



73rd Student Senate
Rules of Procedure Ad Hoc Committee Agenda
July 17th, 2021 | Zoom Meeting ID: 909 196 4098

Call to Order: 7:01

Members Present: Chair Linsky, Vice-Chair Tackett, Parliamentarian Rowan, Senators: Randall,

Members Tardy: None

Members Absent: Nemeth, Lessard

Guests: None

Approval of the Minutes:

- Randall: **So moved**
- Tackett: **So seconded**

Announcements:

- None

Student Comments:

- None

Committee Business:

- First Read of Rule 13 and Rule 14

Old Business:

- None

New Business:

- **Rule 13**
- Linsky: Lets read over Rule 13 until we see a problem. In rule 13.4, I do not think we need the “tardy” language. They would be counted half-absent regardless if they miss one Roll Call attendance.
- Rowan: I agree.
- Randall: I do not like the word “allow” in 13.4.C. We need more strict language to enforce that the 3-minute recess happens.
- Rowan: I agree. Concerning Rule 13.5, I think we need to take it out.
- Linsky: We can get rid of 13.5.B, since we already are getting rid of signing the minutes.



- Rowan: I think we don't need a punishment in the Rules for the Vice-chair's failure to submit minutes. They already are punished.
- Randall: I think we still need this to be here, the problem is if this rule is in the right place.
- Linsky: I think it will be better in the discipline section.
- Randall: I agree let's move it there. In 13.6, it is required for a senator to notify the presiding officer of an absence so we should get rid of the "when possible" language.
- Linsky: That "when possible" language is used in university policy. Just something to think about.
- Rowan: I think 6 school days to report an absence is too much.
- Linsky: I do not really care, lets make a note of it for Rules to look at and see if they like it.
- Rowan: I think the reasons for excused absences are missing things. I think we need to add more such as religious holidays.
- Linsky: What does the university policy say.
- Randall: The Faculty handbook has a plethora of reasons. Do we just say consult the handbook or should we enumerate them?
- Linsky: I think we should enumerate the reasons one can get an excused absence so that chairs can refer to this rule. It will make it easier for them to determine whether the absence is excused.
- Randall: We should say "in addition to the excuses listed in university policy"
- Linsky: I agree. I want to cut the "at that time" language in 13.6.D.
- Randall: I agree.
- Linsky: I think I want to change the 24-hour rule in 13.6.D. I do not think it is enough time. I want to do 6 school days to match the other absence reporting rule.
- Rowan: What if we do "Before the next senate meeting"
- Randall: I disagree.
- Linsky: I do not like to enforce absences in an Adhoc committee. We need to fix how reporting is done and enforced for attendance
- Rowan: What if we had absences publicly announced to the presiding officer.
- Randall: We can add a rule subsection to say "When the roll is called at any meeting and a Senator is absent, the presiding officer must publicly state if the absence is excused or unexcused." But where does this belong?
- Rowan: I think it belongs in attendance, that will apply it to the entire senate without having to write it everywhere else. It should be a new rule and be at the top as the new 13.2.
- Randall: We also need to deal with tardies and half absences. Do excused tardies exist?
- Tackett: I do not think they exist in these rules but they should.
- Rowan: We need to enumerate that somewhere as well. Looking at where to put this, we first need to make 13.5.C its own rule. It should not be buried in a subsection
- Linsky: I agree.
- Randall: I think we need to define tardy.
- Linsky: In the case of the senate, it is when a senator misses the first role call.



- Tackett: What if a senator shows up 5 minutes before the last roll call? Will that just be a loophole that can be abused?
- Linsky: I guess so. If a senator does that it will be obvious and can be used during the punishment stage for a stricter punishment.
- Randall: I will add "Senators who are not present in the initial roll call are tardy" in 13.5.A. This rule can be inclusive of committees if we cut out the word "chamber" and just leave the word "meetings".
- Linsky: I agree. I think once we cut 13.7 and make the "Quorum Call" subsection its own rule I think we can leave this alone.
- Randall: Let's re-read all of this since we changed so much and reformatted. We need to fix the tardiness issue since we are including it now.
- Rowan: Let's add "or tardiness" to 13.9 and anywhere else needed.
- Linsky: I agree, that should fix that issue.
- Randall: When looking at the Quorum rule, it is not defined. The only place it is defined is in Rule 5.8. Also, is quorum assumed unless a quorum call is called?
- Rowan: Roberts Rules says that it is assumed.
- Linsky: The definition of quorum should be included as its own rule in the attendance section.
- Rowan: We will make it the new 13.6
- Linsky: I agree. In the title of 13.10, we need to add "Penalties for Absences and Tardies".
- Rowan: I agree
- Linsky: We have an issue with the attendance rules are not being enforced. I have not been enforcing it.
- Randall: Most chairs do not. We need to enforce it more. People are not being represented if you do not show up.
- Linsky: I agree, this is important and we need to enforce it more.
- Randall: In 13.9.D., I think we need a penalty for a failure to report an absence.
- Linsky: I agree, I just don't know what the penalty should be or where it should go.
- Randall: Let's take a 5-minute break and get back to this.
- Linsky: I agree.
- Randall: What do we do about punishing absences in Adhocs?
- Linsky: There is some language in 13.10 that says a senator will be expelled and reassigned in a standing committee, but there is no need for that in an Adhoc.
- Rowan: We should specify that these rules for punishment apply to standing committees.
- Tackett: I think we need regulations about absences over funding distribution committees. With Central Reserves, we have had several members not show up for any presentation. We should have a rule that says that if a senator does not show up for let's say 50% of the presentations, they should not be a part of deliberations.
- Rowan: 50% is too high I think, but can absences be enforced since they did not get a Rules and Procedure adopted.
- Randall: Is there anything in statutes that talks about this?



- Rowan: Nothing specifically. Also, Tyler Roy is working on fixing the issues with funding boards. I think we should leave this and work on these issues through statute changes.
- Randall: I think we need to address this in Rules of Procedure especially seeing that we govern RTAC and PAC boards.
- Tackett: What if we say something like “If a senator misses more than half of the funding board presentations for which they have been appointed, then they are subjected to missing the final deliberation meeting at the discretion of the Chair”
- Randall: I think something like that is necessary to implement.
- Rowan: There might be something like that written in IA statutes. I can not find it but we need to figure that language out.
- Tackett: I think that should be added as its own rule in the penalty section.
- Randall: I agree. We should make it say, A&S funding Boards. There is actually something about this in Statute 807.4(B)(3). So therefore this amendment would not be needed.
- Tackett: That makes sense. I do not think we need this amendment then since it is already covered.
- Rowan: I think we should make a separate and new rule that will govern the temporary funding boards that handle A&S fees. I also talked to Tyler Roy and he said that if a senator missed something like 25% of the hearing presentations, that they should accumulate an absence if it is unexcused. He thinks they should still be a part of final deliberations since the vice-chair takes good minutes and the Chair should give a summary.
- Tackett: The chair does not have to give a summary though. They should. We can add that to be its own rule.
- Randall: So in summary for when we revisit this issue, this rule will govern absences in temporary A&S fee funding boards.
 1. If you miss 25% of the hearings, you will receive one full absence. If you miss deliberations, that will be one full absence
 2. The minutes for the hearings must be summarized by the presiding officer prior to their allocation.
- Rowan: There also needs to be a conversation prior to now and fall on whether we need to include this as a separate rule in these procedures.
- Randall: We will revisit this separate rule once we finish our first read-through at a different time.
- Linsky: let's get back to the Rules at hand.
- Randall: I think with 13.10, if someone has an extended period leave of absence, they are not serving the student body. So I think we need a limit on it.
- Rowan: I do not think we need to penalize excused absences and also statutes say that a leave of absence should be no longer than a week.
- Randall: We need a penalty for excused absences or else people can keep accumulating them.
- Rowan: let's leave this rule for the Rules and Calendar committee to figure out.
- Linsky: I agree, it should be at their discretion.
- Tackett: I agree



- Linsky: With 13.10.B, we need to make it so “excused and unexcused” isn’t interpreted to mean 14 total absences. We should say “any combination of” so that it is only interpreted as 7 absences.
- Randall: I agree. I think we should reformat the subsection of 13.10.B to be their own separate standing rules.
- Linsky: I do not think so, it is appropriate to be under subsection B.
- Randall: let’s separate it so it can continue to be subsections under B still but smaller points since these paragraphs are so long.
- Linsky: That works.
- Rowan: In 13.11, we have been violating statutes by giving senators a leave of absence longer than one week. We need to fix this rule.
- Linsky: I agree, we have been violating these statutes.
- Randall: Then we need to just strike this rule and change it in statutes if need be.
- Rowan: Attendance is a way that we hold senators accountable. The most basic thing that senators need to do is just to show up.
- Linsky: If we want to change the length of the leave of absence we need to do a statute change.
- Randall: Lets read statutes to make sure that we are not violating a summer leave of absence statute with 13.11.B now.
- Rowan: The statute says that we have to define what a summer leave of absence is in the Rules of Procedure.
- Linsky: Perfect, we will leave it there then. Let’s do a read-through of Rule 13.
- Randall: I think that 13.11, is a little too wordy. We should split it up.
- Linsky: I agree lets split it up. Lets move on to Rule 14.

- **Rule 14**

- Linsky: Let’s start with a read-through until we see an issue.
- Randall: I think we can cut 14.1
- Linsky: I agree that is not a rule.
- Rowan: 14.2 is 14.1 with teeth.
- Randall: I would like to reformat 14.3 so that it reads better
- Rowan: I agree.
- Linsky: I will copy the language from the U.S. Senate about a formal resolution to censure to paste in this 14.3 subsection which defines it.
- Randall: That works. I do think that this entire complaint process is not necessary.
- Linsky: If it is not an ethics code violation then it should not be an issue. I like having the motion to do a censure but I do not think we need a formal resolution to censure.
- Randall: Also, having 4 complaints to actually make a difference is too much for a formal censure.
- Rowan: Well, the formal complaint of censure is supposed to be a big deal. It should lead to an impeachment proceeding.
- Linsky: This whole formal resolution to censure is an impeachment. A censure is supposed to express condemnation without teeth. If you want to impeach, then file for impeachment.



- Rowan: We could take the impeachment language out, but if we do we still need for Rules and Calendar to be involved. If we left this as it is, if someone were to file a motion of censure then it would not go through the right avenues.
- Tackett: What is stopping us from just saying “refer to Roberts Rules for a Motion to censure” and that whole process? This is too complicated to try and rewrite in the rules
- Linsky: I agree
- Randall: I think it is important enough to repeat so that it is easier to find for senators.
- Linsky: We should at least just copy and paste it from Roberts Rules.
- Rowan: let’s refer to Parleментарian Alvarez’s report on the changes needed in Rule 14.
- Linsky: After reading this, we can either enumerate the process for two separate censures as we discussed. This would strip out certain processes to make it faster. Or, we can cut this all out and say refer to Roberts Rules of Order.
- Rowan: I think that the first option is the better change.
- Randall: Wouldnt that be a huge diversion from the U.S. Senate.
- Rowan: It would be yes.
- Linsky: This whole process seems redundant with four separate votes.
- Randall: It is the Rules Committee to deal with ethics violations. What if they first dealt with complaints and then it went to the Senate floor.
- Rowan: Either the Rules committee gets the final say or they get the first say and gatekeep it.
- Linsky: I think the Rules Committee should be an intermediate stop. At some point, the impeachment proceedings need to be written.
- Randall: I think giving the Rules Committee the power to initially forward the motion to censure is very powerful.
- Rowan: They are the leaders of all the committees so it should be fine.
- Linsky: I think this whole process is theater and does not need to be enumerated.
- Randall: Nate what do you think?
- Tackett: I still do not think we need to enumerate this in here. We should just refer to Roberts Rules. If we did need to enumerate it, we need to go to Rule’s and Calander first, and then send it to the Senate floor for a vote to appeal that is debatable.
- Linsky: I agree with Nate. This process is earlier similar to the impeachment process and censure should not be punishable anyways.
- Rowan: My issue is that an impeachment only applies to statutes. There is no punishment for a violation of Rules.
- Linsky: I disagree, in 503.B it says Rules of Procedure are included in impeachment.
- Tackett: Okay, then let’s cut all of this Censure nonsense then.
- Linsky: I agree, I do not see a need.
- Rowan: Then what is the point of the Rules Committee
- Linsky: So the heads of the committees stay in touch and deal with their enumerated powers.
- Rowan: The day-to-day procedures of the Rules Committee are to only hear changes to the Rules and Procedure and hear condemnations. Why does this committee need to be made up of the committee leaders then?



- Randall: The leaders in the committee are the most knowledgeable of their committee and their powers enumerated in there are necessary for these leaders.
- Rowan: I will take my point back, the way we seem to be doing it makes sense. I know I opened a can of worms with this but I think it needs to be addressed. The idea of the Rules committee needing reform came into my mind in the past 30 minutes
- Randall: I think that they should be the Rules and Ethics committee. They are set up to do that.
- Rowan: We need to figure out who deals with ethics in the senate.
- Linsky: The senate does.
- Rowan: That is not efficient.
- Linsky: We do not need this long convoluted process for essentially impeachment without teeth.
- Rowan: Roberts Rules is long and convoluted and we need to make it simpler in these rules.
- Linsky: This process is too complicated as is.
- Rowan: The U.S. Senate has an ethics committee.
- Linsky: I do not like where this conversation is going. We are getting into subpoena territory. I am not passionate about the process of the censure but rather the censure itself and how much of a waste of time it is.
- Randall: A motion of censure is a condemnation so therefore it should go through Rules.
- Tackett: I think we need to move on, we have gotten nowhere. We need other people to look at this, we are stuck in an echo chamber. We need more than just us four people to look at this Rule.
- Linsky: I agree. Let's just red out this Rule.
- Randall: I agree.
- Rowan: We won't tell the other members about this issue when they come back. Let's write out our solutions for this issue and present them to the other members in the fall.
- Linsky: I agree. On Thursday we will talk about the 5th committee and the merging of Budget and Finance.
- Randall: I agree
- Linsky: I will entertain a **motion to adjourn**
- Rowan: **So Moved**
- Randall: **So Seconded**

Unfinished Business:

- None

Final Announcements:

- None

Date and Time of Next Meeting: Thursday, July 22nd, 2021 at 6pm

Adjourned: 11:21pm



Meeting Recording:

https://drive.google.com/file/d/1q4NVtyeq55HEJN8FeCT_0TypZZr-0bf/view?usp=sharing

Matthew E. Linsky