

Internal Complaints

1995

Case #2405

Background

On March 23, 1995 Plaintiffs Judd Motchan and Arne Jamtgaard filed a complaint asserting that Referendum 1 on the 1995 ASCSU Ballot required removal due to violations in the process of gathering signatures to place said referendum on the ballot. Plaintiffs claimed that individuals gathering signatures for the Defendants misrepresented Referendum 1 while gathering signatures, and as a result did not receive the required number to appear on the ballot.

Defendant Jon Garthwaite responded that proper avenues for signature collecting were followed. He noted that no rules existed which demand collectors explain petitions, correctly or otherwise. He denied any alleged misrepresentation ever took place, and asked that the case be dismissed.

Decision

The Supreme Court reached their decision April 6, 1995. They decided that sufficient evidence had been presented which verified that the appropriate number of signatures had been gathered, as per the ASCSU Constitution, executive bylaws and election bylaws.

The Court further reported that the case was dismissed because the referendum in question had failed 2187 to 601, rendering the case moot.

Case #2404

Background

Continuation of previous Case #2405. Plaintiff Tom Wyatt of ASCSU requested confirmation of the validity of signatures gathered to place Referendum 1 on 1995 ASCSU ballot. Plaintiff provided to the Court a Signature Validity Check performed by the Campus Activities Center which held that sufficient signatures were collected.

Defendant Jon Garthwaite responded that it is the final authority and responsibility of the Supreme Court to decide the validity of the signatures. He argued that cases concerning petitions were prima facie in favor of those petitioning.

Decision

The Supreme Court concluded the case without a formal hearing. They decided that all bylaws had been appropriately followed and the evidence suggested enough signatures were gathered to place a referendum on the ballot.

Case #2403

Background

On March 8, 1995 Plaintiffs Garthwaite and Veatch filed a complaint with the ASCSU Supreme Court consisting of two issues. First, a witness claimed that she had placed 35 petition signatures in Garthwaite's mailbox at 11 am, but at 12 pm they had disappeared. They requested redress for these lost signatures. Second, the plaintiffs were told March 6, 1995 that they could not collect signatures inside the Lory Student Center, and they stopped. However, the next day they were informed that the previous decision was incorrect, but they had lost 27 hours of collection time.

Witnesses Timo Haslam and Chris Bell agree that the prohibition against petitioning inside the LSC was in error, but they claim that time lost was less than 27 hours.

Decision

Concerning the 35 lost signatures, the Supreme Court ruled that they had no authority to pursue specific redress for these signatures; therefore, the Plaintiffs request to lower the required signatures by 35 was not granted. The Court issued a statement regarding privacy in the mailroom.

Regarding the time lost for gathering signatures inside the LSC, the Court ruled that the plaintiff's right to petition had been violated. Because there had not been agreement about the exact time lost, the Court granted Garthwaite and Veatch an additional 23 hours to collect signatures inside the LSC and turn them into the Director of Internal Affairs and Elections. The decision allowed the Collegian deadline of publishing the referendum two weeks prior to elections, and was binding to all parties.

Case #2402

Background

On February 13, 1995 Plaintiffs Veatch and Garthwaite filed a complaint against the President of ASCSU and the Speaker of the Senate for failure to enact compliance of the respective bodies they oversee. The complaint was regarding the failure of the Finance Committee to hold public meetings. Plaintiffs claimed that this violated Colorado State law, specifically the Sunshine Law, which requires meetings of state public bodies to be open. The Plaintiffs requested that the court grant a temporary injunction disallowing any votes to take place on Finance Committee bills.

The Defendant asked that the case be dismissed, on the grounds that and Bill or Resolution may come to the floor by a simple majority vote of Senate members.

Decision

The ASCSU Supreme Court found that closure of the ASCSU Finance Committee meetings violated Colorado State law. The Court also found that none of the exemptions to this law applied to the Finance committee; therefore the words “except Finance Committee” were removed from Article 1 section 109 of the Constitution.

Case #2401

Background

Plaintiffs Jon Garthwaite and Damien Veatch filed a suit with the ASCSU Supreme Court February 13, 1995 which claimed election rules for ASCSU differed substantially from the ruling on free speech rendered by the U.S. Supreme Court. They cited the Federal Election Campaign Act of 1971 and the related case of Buckley v. Valeo. The Plaintiffs asked for declaratory and injunctive relief from ASCSU rules on campaign expenditures.

The Defendants, Tom Wyatt, Timo Haslam and Ari Zelmanow, filed a Motion to Dismiss with the ASCSU Supreme Court. They claimed that continuing the case would constitute discrimination; the Preamble to the ASCSU Constitution encourages participation by all students, regardless of class. They also claimed that the U.S. Supreme Court’s decision in Buckley v. Valeo was beyond the scope of the ASCSU Supreme Court because they were charged with upholding the ASCSU Constitution, not the Constitution of the United States of America.

Decision

The Supreme Court chose to hear the case instead of dismiss it. They found that the case Buckley v. Valeo was not relevant to a case pertaining to ASCSU because it was directed at federal elections and was therefore not applicable to elections at the university level. However, the Court did find that the ASCSU Constitution Preamble’s desire to “[encourage] all of its members, regardless of race, gender, national origin, sexual orientation, religion, differing ability, age and class, to participate fully” and ASCSU’s commitment “to working toward the removal of all barriers which prevent members from pursuing their affiliation herein” allowed for the use of limits of campaign expenditures. The majority decision stated that a decision prohibiting these limits could create barriers to ASCSU’s mission of representing a diverse student body.

Case #99-1

Background

The Twenty-eighth Senate of the Associated Students of Colorado State University attempted to pass Resolution #2808, which stated that “ASCSU finds that student input is occasionally lacking in some Administration decisions...That ASCSU believes that decisions

have already been made without student input that have had a detrimental effect on the student body... That ASCSU recognizes that Administration should not bear sole responsibility for maintaining student-Administration relations.” The ASCSU Constitution never specifically mentions resolutions; rather, the bylaws established by each new Senate become that Senate’s first resolution. The Twenty-eighth Senate’s bylaws read, “A resolution shall deal with the internal operations of the senate and opinions of the Twenty-eighth Senate,” while a bill “shall deal with appropriations, constitutional amendments or other legislation which, when enacted, shall have a binding effect.”

Decision

Because Resolution #2808 required that copies of it be sent to the University President and all members of the University Cabinet, it would have had a binding effect. The Court ruled 6 to 0 that this Resolution was unconstitutional. The bylaws of the Twenty-eighth Senate allowed for resolutions to state the opinions of the Senate, but not all of ASCSU. In addition, their bylaws did not allow for resolutions to have a binding effect; requiring Resolution #2808 to be transmitted to the University President and Cabinet violated the Senate’s own bylaws.

Case #2001-02

Background

In 2001, the Student Funding Board created its own bylaws, which the Senate attempted to approve via Resolution. The SFB’s fiscal rules—including within their bylaws—must have binding effect on the Senate and all of ASCSU. However, any required binding effect on ASCSU was negated by the Senate when they attempted to approve through Resolution.

Decision

The Court decided three separate issues in this case. First, they voted 5-0 that the adoption of SFB’s fiscal rules must come in the form of a bill in order to have binding effect, as required by the Constitution. Second, they voted 0-5 that the Constitution does not explicitly require SFB’s bylaws to be approved by the Senate; only the fiscal rules must be approved. Any changes to this policy must be attempted through Senate legislation. Third, the Court voted 0-5 that the Constitution does not require Senate to approve Executive Branch Policies Regarding Elections; further action on this issue should also take Senate legislative form. For this case, the Court cited precedent in Case # 99-1.

Case #2002-02

Background

In the summer of 2001, the Student Funding Board Task Force convened to address SFB’s allocation of funds to certain student organizations. The concluding report was adopted by

the Division of Student Affairs and would be brought before the Executive Budget Committee and the State Board of Agriculture; however, the Task Force wanted ASCSU's endorsement as well, so Bill 3107 was written and passed by the ASCSU Senate after review. Plaintiff Andrew Stewart believed Bill 3107 was unconstitutional and filed a complaint with the Supreme Court.

Decision

The Court ruled that Bill 3107 was constitutional. They found no violations within the Bill of Rights, bill process, Article II Sections 200-202, Article VIII Sections 810-817 or preamble. The Court found that the Senate acted within the outline of the Constitution by endorsing and adopting Student Funding Board bylaws. Furthermore, the Bill passed the Senate by a 21-1 mandate, was motioned to be rescinded, the motion failed and the Bill was signed.

Case #2003-01

Background

During a session of the 32nd Senate of the Associated Students of Colorado State University, a bill was passed raising the required GPA for students running for ASCSU President and Vice President from 2.00 to 2.25. The Internal Affairs committee had previously reviewed Executive Branch Policies Concerning Referenda, Petitions and Elections; this committee proposed raising the GPA requirement in order to "bring the ASCSU GPA requirements more in line with the policies of the CSU Student Organizations office." Applications for upcoming elections had already begun when this proposed Bill #3211 proposed an amendment to the ASCSU Constitution concerning these requirements.

Decision

The Supreme Court held that the proposed changes violated the current ASCSU Constitution. Because election processes had already begun, amendments concerning that process could not be considered. Furthermore, the Constitution held supremacy over Elections Bylaws and the Executive Branch Policies, rendering the GPA change unconstitutional.

Case #2004-01

Background

On March 25, 2004 a complaint was filed against the CSU Hockey Team regarding an incident at the Fairfield Inn-Capital Beltway during which team members and their families became disorderly and required police involvement. The Sales Director of the hotel wrote to Associate Director of the Sports Program informing them of the incident and requested that CSU not return to the hotel in the future. The hotel requested reimbursement totaling \$250.00 for damage to two rooms rented by the team. An investigation was conducted, during which the hotel declined to press charges.

Decision

No decision on this case was rendered because the investigating committee declined to schedule a hearing. A letter of probation was placed in the permanent file of the CSU Hockey Team, and the responsible team members paid the damage fees to the hotel.

Bill #3511

Background

In March of 2006, legislation was introduced that would alter the role and responsibilities of the ASCSU Supreme Court. These changes included ratification by the outgoing ASCSU President, instead of the newly appointed; recusal of Justices on appeals for which they served original jurisdiction; requirement of open records for every internal Supreme Court session; rewording of the impeachment process; and various renumbering measures of the Constitutional Articles dealing with the Supreme Court. These proposed changes were supported by the Greek Judicial Board and Conflict Resolution and Student Conduct Services.

Decision

The changes to the Constitution were adopted by the Thirty-Fifth Senate. They are part of the current Constitution.

Formation of Ad Hoc Committee

Background

Several complaints were filed regarding the working of the 2005-2006 Senate. These problems included issues concerning efficiency, commitment and moral. Senators from all colleges were interviewed, and the Supreme Court created the framework for a Senate Oversight Committee, in hopes of fixing the aforementioned concerns.

Decision

The Supreme Court unanimously voted to authorize the formation of this committee, under the direction of the ASCSU Judicial Branch. The committee was to include as members: one chair, one ASCSU Associate Justice, one Student Advocate from the Supreme Court, one Executive Cabinet Director and Speaker Pro Tem of the ASCSU Senate.

Case #9-08-09

Background

Resolution 3902 was handled by the Internal Affairs committee, but Senator Anderson tabled the bill indefinitely. After Director of Legislative Affairs, Matt Worthington, convinced Sen. Anderson that this violated the committee bylaws, Sen. Anderson instead postponed the bill

indefinitely in committee. Dir. Worthington argued that committees have the responsibility to resubmit referred legislation and do not have the power to postpone them indefinitely. The committee's decision to postpone indefinitely found no objection when announced to the Senate, which they took to mean approval. The committee offered a week's advance notice of their intention to postpone the bill, which gave enough time to the Senate to object and vote on the issue.

Decision

The Supreme Court did not schedule a hearing on this issue. After the complaint was filed, Resolution 3902 was brought back to the floor for consideration, rendering any Court action moot.

Case #10-14-09

Background

During a meeting of the Student Funding Board (SFB), the Executive representative was not present, which meant that quorum was not met. The President, in consultation with the chair and vice chair of SFB decided to remove the original appointee from her position on SFB and appoint a new representative, in order to fill quorum. The Chief Justice, present at the time, administered the oath of office, and the new appointee voted on two budgets that night. Two board members objected to this action, but they were overruled; they shortly thereafter filed an internal complaint.

An injunction was filed by the Supreme Court to stop the budget decision made during the SFB meeting in question (part of the budget has already moved and was not recoverable, but the rest was paused). The Petitioners in the case argued that the President did not have the authority to fire an appointee and immediately appoint a new one, without Senate approval; the Defendant argued that the Executive post on SFB was under the power of the Executive.

Decision

The Supreme Court found in favor of the Defendant, ruling that the appointment of a new Executive representative was constitutional. The Constitution does require Presidential appointees to be ratified by Senate, initially. However, Constitution also provides that vacancies in the Executive Branch be filled from a pool of Cabinet members; because all Cabinet members must be approved, the Supreme Court interpreted this to mean that every Cabinet member has implicit approval to fill future vacancies.

Internal Complaints

2006

Schrader v. Conrad

Background

October 11, 2006. Resolution #3604 concerning resolving accountability concerns through the implementation of a timesheet came to the floor for a vote. At the time, 16 of the 22 sworn-in senators were present and 13 of them voted yes on the bill. This constituted a 2/3 majority of those present, however Vice President Conrad interpreted this as a failure since the 13 votes does not represent 2/3 of ALL voting members, not just those present, using Article VII, item A of the Bylaws of the 36th Senate. When the bill was passed again on October 18, 2006, out of the 20 senators present (23 total senators at this time), fifteen voted yes, which satisfied the 2/3 majority of those present. Vice President Conrad again ruled that 2/3 of all senators must vote yes on the bill in order for the bylaws to be amended.

Senator Ben Schrader challenged Vice President Conrad's ruling, claiming that the bylaws do not state that 2/3 of the entire senate must vote yes for bylaw changing legislation to pass.

He also complained that Vice President Conrad deviated from Robert's Rules of Order, chapter XIII, which states that the requirements of a 2/3 vote should not be affected by blanks or abstentions.

Decision and Reasoning

The Court voted 5-1 in favor of Vice President Conrad.

At the time, Article VII, Item A of the Bylaws of the 36th Senate required that 2/3 of the entire currently elected body of senators vote in the affirmative in order to change the bylaws of the ASCSU Senate. The term "senate" refers exclusively to the entire elected body of the ASCSU Senate, not the portion of senators at a given meeting. This is clear when looking at the ASCSU Constitution, although Article VII of the bylaws can be ambiguous.

The Court found that under Article VI of the Bylaws of the 36th Senate, the Senate would follow Robert's Rules of Order as long as they are not in conflict with the Constitution of ASCSU or the Senate's bylaws. Since Robert's Rules, chapter XIII were in conflict with the ASCSU Constitution due to its definition of "the senate," they are not applicable in this case.

Finally the Court acknowledged that although it may be practically difficult for the ASCSU Senate to make changes to its bylaws since it may be impossible for all senators to attend all Senate meetings, it is not the duty of the ASCSU Supreme Court to make things pragmatically easier for any body.

Elections Appeals

2003

Melissa Snow v. Elections Committee

Background

On February 20, 2003, Melissa Snow filed an appeal of the Elections Committee violation decision from its meeting of February 19th. It had found her guilty of campaigning at a non-election ASCSU sponsored event when she announced her candidacy to the Rammie Aides. This was a violation of Article II, Section F of the Elections Code, although was seen as a minor violation so she was only fined \$25. Snow appealed this decision on the grounds that she was not a member of a ticket in the ASCSU 2003 Presidential Elections, that as Director of Leadership Development it was part of her job to keep the Rammie Aides informed of all activities and encourage their participation in the election, and finally that quorum was not met during the Elections Committee hearing since only 5 members were present while 6 (out of 10) was necessary to maintain quorum.

Elections Committee Response to the Appeal

2005

Appeal of the Decision of the ASCSU Election Committee Hearing

On March 24, 2005 Erik Healey filed an appeal of the outcome of the Election Committee Hearing for the Chris and Nicholette (CN) campaign on the grounds of Due Process, Inappropriate Sanctions and New Information. In total, eight filings had been made against this campaign although only five made it on to the hearing's agenda. Healey's arguments are as follows:

Due Process: Article I states that the policies set forth in the ASCSU Referenda and Elections Code apply to *all* elections, referenda, petitions and campaigns as authorized by the ASCSU Constitution and apply to any member of ASCSU participating in such activities. Article XI, Section A states that failure to follow *any* rule contained in the Elections Code will result in penalties.

Healey maintained that violations arose from three of the eight violations not being addressed in the March 22 hearing without any sort of explanation. Additionally he states something about some of the Elections members knowing the condition Ram Ride callers who were greeted with "Vote for Pedro" although this is not thoroughly explained. His final claim of the violation of due process is that during the March 21 meeting of the Elections Committee, it established that issues that may violate the elections code but do not positively or negatively impact a campaign in its ability to generate votes do not merit a violation penalty. It also established that only those violations that the general student body could recognize would merit a penalty.

Inappropriate Sanctions: The Elections Committee levied a sanction of a total of \$5 for the seven sanctions they deemed had occurred.

Healy claims that the due process violations mentioned above, specifically the Election Committee's attitude surrounding the violations, affected its decision and therefore resulted in inappropriate sanctions. He continues by stating that each violation should have been evaluated separately rather than as one unit.

New Information: References to Article I and Article XI, Section A were not presented at the Elections Committee meeting. It was also unknown that there would be three violations that would not be addressed at the meeting. Furthermore, additional information regarding the University Graphic Standards and Licensing requirements for use of the University logo would be needed to make decisions.

Facts according to Healey

Violation 2005-01

On March 4, 2005, Mitch Wolfe, who was working on the CN campaign, worked dispatch for RamRide. During this time he was reported seven times for answering the phone with "Vote for Pedro" CN's campaign speech. This was during the campaigning period, was performed during a non-election event, and was performed by someone listed as working for the campaign (all illegal according to the Elections Code Article X, Section A). Although the Elections Manager and the Elections Committee recommended that the CN campaign be penalized for the violation, the seven were combined into one incident and were penalized for \$5, the minimal penalty.

Violation 2005-04

The CN campaign used the CSU logo without prior approval by the manager of the University's licensing program. Furthermore the logo was embellished with stick figures, which is also a violation of appropriate use of the logo according to the Elections Code Article X, Section D.

Decisions of the Elections Committee (March 21, 2005)

2005-01: For answering the RamRide operator phones with "Vote For Pedro" the CN campaign was found in violation of Article X, Section A of the Elections code and were fined a total of \$5.

2005-02: For wearing RamRide t-shirts (especially the red t-shirt that read "director in charge") on their website, the CN campaign was found in violation of Article X, Section D of the Elections code.

2005-03: For using the University logo on their website the CN campaign was not found in violation of Article X, Section C of the Elections code.

Motion to Dismiss Healey's Appeal (SC Case 2005-01)

Brian Hardouin, the ASCSU Elections Manager submitted a motion to dismiss this case on the grounds that the appeal was objecting to the lack of a penalty on the CN campaign when Article XI, Section H of the Elections code only allows for the appeal of a penalty that was levied. Second, the Supreme Court does not have the authority to modify in any way a fine or penalty assessed by the Elections Committee under Article XI of the Elections code, though this

was the goal of the appeal. Finally, the Court is supposed to rule on individual appeals while this appeal asked them to rule on an Elections Committee meeting in its entirety, which dealt with several complaints.

No documentation on the Court's decision was included.

2008

ASCSU General Election (April 15)

On April 15, 2008, Edward Modec filed an appeal stating that the Elections Committee had violated the ASCSU Constitution as well as the Referenda and Elections code by creating an additional rule of interpretation to guide the definition of fair market value as it pertains to plaza concerts without first seeking Supreme Court approval. He claimed that due to the creation of this rule, the outcome of the election should be declared null and void.

Background

On April 1, 2008, the Smoot and Girrens campaign informed the Elections Committee that they were going to hold a donated concert on the plaza. Since The Elections Code, Article IX (E), states that all donated or discounted goods and services shall be recorded at their fair market value, Elections Manager Laue suggested that the concert be priced at \$200 (later \$500). However realizing that this would put the Smoot and Girrens campaign over the \$2000 expenditure limit and would thus expel them from the General Election, the Elections Committee held a meeting on April 3, 2008 to determine how to price the plaza concerts. Smoot and Girrens were given the opportunity to correctly alter the expense of their plaza concert based on the band's previous concert history. They eventually came up with a price tag of \$82.50. In Article IX (E) of the Elections Code, it also stipulates that the Elections Committee shall make determinations to the value of a good or service. Thus Modec argued that their creation of a new rule to have the candidates assess the market value of the concert was a violation of this clause.

Decision and Reasoning

The appeal submitted is not in accordance with the ASCSU Constitution, Article I, Section 102 which states that "every student of Colorado State shall be a member of ASCSU and considered a fulltime student for each semester that the student is enrolled with a minimum of six (6) credit hours and payment of full activity fees have been paid."

The Court voted 3/2 that Modec was not both a fulltime student and had paid full activity fees. Thus, the appeal was not applicable and the Court took no further action.

Additional Issues

On April 16, 2008 J. David McSwane, the Editor-in-Chief of the Rocky Mountain Collegian, sent out a letter to Cari Stepstay, the Chief Justice, to request access to that day's closed-door hearing for the Modec case. He claimed that under the ASCSU Referenda and Elections Code, Article IV, B, and under the Colorado Sunshine Law all hearings must be open to the public. He also requested all relevant documents for this case. No decision from the Court

is included; however it does explicitly state in the Elections Code that these appeals hearings must be open to the public.

ASCSU General Election (April 17)

On April 17, 2008, Estevan Lee Jaimes filed an appeal on the same grounds as the Modec appeal (see above). Literally, the same document was used only with Jaimes' signature instead of Modec's at the end.

As it was determined that this appeal constituted a hearing, President and Vice President Elect, Taylor Smoot and Quinn Girrens, filed a response with the ASCSU Supreme Court. They refuted most of the provisions in Jaimes' appeal, most importantly how the market value of the plaza concert was determined. They posited that the Elections Committee was acting perfectly within their power by ruling that the market value must be determined by averaging the value of the band's last ten shows. Furthermore, Smoot and Girrens stated that if measures such as these constituted new rules, the elections process would be unnecessarily hampered by the need to gain approval of all actions by the ASCSU Supreme Court.

No decision was included in the case file.

Incident Statements Against Smoot and Girrens Campaign

On March 28, 2008, the ASCSU Elections Committee proposed an additional rule for the Election, stating that "under no circumstances will any member or representative of a campaign engage in slanderous activities including an ad hominem attack, or personal harassment against any other representative or member of a campaign." This was submitted to the ASCSU Supreme Court and was unanimously supported by the Court and was signed into effect by the ASCSU President on April 8, 2008.

Four different Incident Witness Statements were filed against Smoot and Girrens.

March 25, 2008

Jared Quintana, another candidate in the ASCSU General Election filed the first appeal stating that in his POLS 232 class a student made an announcement during which he encouraged the students to vote for Taylor and Quinn (Smoot and Girrens). He began by claiming that Smoot and Girrens are "cool people and will take this university where it needs to go." He finished, however, by stating that the students "shouldn't vote for Jared Quintana because he is bad for this university."

This appeal concerns Article X: Section A of the ASCSU Referenda and Elections Code which states "The ASCSU office, the ASAP office, all ASCSU property, and all non-election ASCSU and ASAP sponsored events shall be off limits for campaigning and campaign planning

of any kind at all times. Official ASCSU sponsored events may be exempted from this rule by the Elections Committee.”

Once again, no decision was included in the documentation.

April 2, 2008

This statement concerns the fair market value of the plaza concert. (See appeal brief above).

April 3, 2008

On April 1, 2008 one of the Employees at the Braiden Dining center noticed Taylor and Quinn cards sticking up on some of the tables. When the dining center manager was asked about these cards, she said that she had never seen them before and had never approved of their placement in the dining center. Therefore Smoot and Girrens had not gone through the proper procedures to have the cards placed in the table caddies.

This statement concerns Article X: Sections H and I of the ASCSU Referenda and Elections Code. H states that “the appropriate parties must approve the placement of campaign material inside any campus building...” and I states that “approval to campaign or to place campaign materials within the Residence Halls must be obtained from the Office of Housing and Residence Life....”

No decision was included.

April 3, 2008

Estevan Jaimes filed a witness statement claiming that he received a phone call from Taylor Smoot in regards to being kicked out of the election. He claimed that Smoot stated his intention to see Jaimes lose the election.

This statement concerns Supplemental Rule 2008-A which prohibits slanderous activities against any representative or member of a campaign.

No decision was included.

Additional Incident Witness Statements

March 31, 2008

A statement was filed claiming that pamphlets containing the information of candidates Zane Guilfoyle and Seth Walter were slid under the dorm room doors of various rooms on the 3rd floor East of Academic Village.

No decision was included.

Another statement was filed claiming that three-fold brochures were distributed to Academic Village residents in room B345. These materials were from the Guilfoyle and Walter ticket.

No decision was included.

April 9, 2008

Seth Walter filed a statement claiming that while at the ASCSU polling station in the Lory Student Center he overheard a policy station volunteer (Andy Nicewicz) telling a voter to vote for Taylor Quinn while he was sitting at a computer with the ballot open.

No decision was included.

2010

Dave Ambrose and April Ragland Campaign vs. ASCSU Elections Committee

April 3 (No. 1)

Background

On April 3, 2010, Benjamin Weiner, a member of the Dave and April campaign staff, filed an appeal on the grounds that due process had been violated during an Elections Committee meeting regarding determining the fair market value of mailers that the DA campaign had used. In particular, Weiner cited members “ignoring the facts of the case at hand, and instead referring to emotional or ethical issues,” specifically Emily Malin. Thus he claimed that the discussion of the case was not fair or germane since he believed that the meeting had the effect of “persecuting a legitimate campaign.”

Decision and Reasoning

The Court denied this appeal because the Elections Committee acted appropriately in determining the dollar amount of the mailings. By taking the number of mailers (4,500) and multiplying it by standard post rate (\$0.28) it accurately arrived at a dollar amount of \$1260. This in no way points to a biased or unjust determination of fair market value. The only “punishment” or fine was the \$50 fine imposed at the March 30th meeting of the Elections Committee for breaking the rules pertaining to mailing. The Court never received an appeal for the original \$50 fine or for the determination that the campaign would be charged fair market value for postage within the 24 hour time limit after the March 30th meeting.

April 3 (No. 3)

Background

On April 3, 2010, Justin Safady filed an appeal on the grounds that inappropriate sanctions had been imposed on the Dave and April campaign concerning the fair market value of their mailers. The Elections Committee assessed \$1260 to the D&E of the Dave and April campaign for these mailings. Safady claimed that if their mailings had not been correctly mailed then it was the responsibility of mail distribution to return such items to the sender. Furthermore he stated that the campaign should have been notified by the Registrar's Office, Residence Life or University Mail Operations that their mailings were inappropriate since Dave had checked with numerous people to see if his actions were sanctioned.

Decision and Reasoning

The Court denied this appeal because it maintained that the ultimate responsibility of complying with the Elections Code lies with the campaign. Since there is no evidence that the campaign was misled by the Registrar's Office, Residence Life or University Mail Operations, the Court did not place blame on anyone but the campaign.

April 3 (No. 4)

Background

On April 3, 2010, Paul Wade filed an appeal on the grounds that inappropriate sanctions had been imposed on the Dave and April campaign in regards to the fair market value of their mailings. According to him, the Beta Theta Pi Fraternity acted as a Registered Student Organization (RSO) on their behalf which allowed the campaign free on-campus mailing. This tactic had been used in campaigns past, most recently the previous election. Once again, Emily Malin was identified as being biased in the meeting and being the only member of the Elections Committee who pushed for higher fees (in this case for postage). Wade argued that Malin held undue influence in the Committee meetings, and was thereby able to coerce her colleagues into agreement for "excessive fining." The end result was the Elections Committee levying a fine of \$1260 on the campaign whereas they had not done so for any previous campaigns that used RSOs for free postage.

Decision and Reasoning

The Court denied this appeal because the \$1260 sum levied against the Dave and April campaign was not a fine or penalty but rather the Elections Committee's assessment of the fair market value for postage costs; therefore it is not a sanction. Furthermore in regards to the precedent argument, seeing as the Elections Committee is not a judicial body and it experiences heavy turnover from year to year it is not required to follow past precedent. It is also required as a body under Article VIII, Section F of the Elections Code to "make determinations as to the fair market value of a good or service if it has been established that it was donated or discounted below fair market value." Finally, there is no evidence that Emily Malin acted inappropriately during the meeting so as to coerce her colleagues to follow her point of view.

April 3 (No. 5)

Background

On April 3, 2010, Benjamin Weiner filed an appeal on the grounds that due process had been violated since the Elections Committee did not submit documentation of the \$1260 fine levied against the Dave and April campaign to the ASCSU Supreme Court and President within 24 hours of the decision. This is a violation of Article XI, Section B of the Elections Code.

Decision and Reasoning

The Court found this appeal irrelevant for several reasons. The first is that the \$1260 is not a penalty but is instead the assessment of the fair market value of postage. Thus there was no need to have it included on the ASCSU Elections Penalty Assessment Notification Statement. Second, the deadline to notify the proper parties of the Election Committee's decision was in fact met. Therefore there was no violation of the Elections Code.

April 6 (No. 1)

Background

On March 31, 2010, Benjamin Weiner, a member of the Dave and April campaign staff, filed an appeal on the grounds that due process had been violated during the Elections Committee hearing on March 30th. The committee had overrun their scheduled amount of time in the LSC room it had reserved and subsequently moved the meeting to the ASCSU office. Since the change was not announced to the public, Weiner claimed that the meeting became closed to the public, an illegal act under Article V, Section C of the Elections Code: "all meeting of the Elections Committee shall be open to the public at all times."

Decision

The Court denied this appeal because it did not meet the standards to grant an appeal for due process violations. These standards are "was the hearing conducted fairly and in light of the complaint and information presented, and in conformity with the prescribed procedures giving both the complainant and accused parties the opportunity to prepare and present relevant information to be considered in the determination of the appropriate outcome? Minor deviations from the designated procedures will not be a basis for sustaining an appeal unless there is an adverse effect on the outcome of the hearing." Considering that nobody was excluded from the meeting, the campaign accepted the Committee's decision to move the meeting, and a closed room does not affect the Committee's ability to determine guilt or innocence, the appeal did not stand.

April 6 (No. 2)

Background

On March 31, 2010, Benjamin Weiner filed an appeal on the grounds of inappropriate sanctions that were levied against the Dave and April campaign during the Elections Committee hearing on March 30th. The campaign was found guilty of libel and fined \$25 for a comment posted in their Facebook group which read “We just want everyone to know that Cooper and Jenny have been telling people we are raising fees but we are NOT!” No solid evidence was presented by the accuser that the Dave and April campaign committed libel.

Decision

The Court overturned the Election Committee’s decision and fine, claiming that the Dave and April campaign did not actually commit libel. Seeing as libel is defined as “The act of harming the reputation of another by making a false statement to a third person” by Black’s law dictionary, it was decided that the comment was merely the campaign attempting to make a policy distinction. Furthermore the Court discussed the fact that the accuser did not adequately provide proof of the statement being libelous, therefore the standards by which the Elections Committee was supposed to determine guilt were not met.

April 6 (No. 3)

Background

After the April 3 meeting of the Elections Committee to determine the fair market value of mailings sent out by the Dave and April campaign, the amount of \$1260 was appealed on the grounds of New Information (among numerous others). The Dave and April campaign argued that historically student organizations had been allowed to use free postage, as well that they had found a lower value for postage on a website than what the Elections Committee had found (\$0.23 v. \$0.28). Finally they argued that non-profits receive large discounts when sending out bulk mailers. It is important to remember that the burden of finding alternative values is placed on the campaign and not the election committee.

Decision and Reasoning

The Court decided to uphold the Election Committee’s decision. This is due to the fact that for New Information to stand, the information must be unavailable at the first hearing. Seeing as the new value of postage put forth by the Dave and April campaign was not “especially difficult to obtain,” the campaign did not succeed in providing a solid basis for its appeal. To address the non-profit argument, the Court maintained that the campaign was not, in fact, a non-profit organization and their argument was erroneous.

AUHB Hearings

Lacrosse (October)

Background

On October 26, 2004, the Men's Lacrosse Team was found to have alcohol in a CSU Motorpool van it was using while traveling to a game. The van was stopped after it blew through multiple stop signs on campus, and when the officer searched the van he found several bottles of hard alcohol and cases of beer.

Sanctions

1. The team will not use student-allocated funds to purchase transportation for the next 3 consecutive trips for the spring season 2005
2. Except for CSU Bus services, all motorpool privileges have been suspended until October 26, 2006. When traveling by bus, coaches must travel with the team.
3. Recommendations for individual sanctions made by the Lacrosse Team leadership will be instituted
 - a. The dismissal of Matt Disney without possibility of reinstatement
 - b. The suspension of Jack Genadek for one game
 - c. Until the other players take responsibility for the unclaimed alcohol in the van, all members who were in the van will be suspended for 4 games
 - i. If the player(s) step forward, his suspension will be reduced to 2 games and all other players will be released from suspension
 - ii. If another player who was in the van steps forward, the player(s) responsible for the alcohol will be suspended for a minimum of four games with a reinstatement meeting with the team before he is able to rejoin. The meeting will require a 75% team vote for reinstatement. All other players will have their suspensions removed.
 - d. The team will not take the 2 fall trips. The team will not be allowed to travel out of state during fall semester of 2005
 - e. All traveling players must sign a travel contract that will be filed with the club sports office which will contain the team rules while traveling and the punishment by the team if those rules are broken.
 - f. Only 40 rostered players will travel until October 26, 2006
 - g. All members of the team will participate in CSUnity or a service activity of at least 3 hours through the campus SLICE office. This must be done by April 25, 2005 at 5 p.m. All players who have not completed this program will be suspended for the remainder of the season.

Lacrosse (March)

Background

On March 16, 2004, the Office of Club Sports received a letter from Quality Inn and Suites in Eugene, Oregon, which stated that during their stay in the hotel, the Men's Lacrosse Team had destroyed property. This amounted to \$114.95 in damages, and the letter also stated that the team had been drunk, disorderly, on the roof of the hotel, and the manager was unable to contact a responsible party for the team.

Sanctions

1. All financial damages must be paid in full to the hotel by 4/30/04
2. A letter of apology will be sent to the hotel to be signed by the team
3. The team will amend their constitution to further stress the importance of behavior while traveling and representing their university
4. A permanent letter will be placed in their file regarding the complaint
5. The team will be on probation until 4/23/05

Pi Kappa Phi

Background

No incident report was included, nor was a copy of the hearing transcript.

Decision/Sanctions

After their hearing on September 21, 2004, PKP was found in violation of the following charges:

- Violation of Fall 2004 IFC Recruitment Policies regarding Alcohol: Alcohol will not be tolerated whatsoever. Serving alcohol during any open or formal recruitment events is strictly prohibited

The following sanctions were passed:

- PKP President and Recruitment Chair must give a presentation to the chapter regarding recruitment policies. This is to happen before Recruitment in the Spring 2005 semester, proof of this is due to the Judicial VPs by January 25, 2005
- PKP President must put together a plan of communication with the chapter to ensure the information he receives is passed onto the chapter when needed. Due November 1, 2004

Sigma Phi Epsilon

Background

On January 24, 2004, 2 men were given MIPs when walking out of the SPE house for alcohol they had just gotten out of the back of their cars. Apparently the police officer was there already because he had just pulled a member over for speeding in front of the house.

Decision and Sanctions

The fraternity was found responsible for the following violations

- Substance Free Housing including individual rooms, as stated in a letter from the Greek Judicial Board to Sigma Phi Epsilon Fraternity
- Student's Rights and Responsibilities #11: Violation of any federal or state law or local ordinance including but not limited to those covering alcoholic beverages (specifically cited for providing alcohol to minors)

Consequently, the fraternity was given the following sanctions

- Only one wet function for the remainder of the spring semester, not including formal
- Provide proof to the Judicial Board of informing your chapter members of the requirements of a substance free house. The minutes from your chapter meeting must be signed off by your chapter advisor or alumni board member, and these minutes are due to the Greek Life Office by May 1, 2004
- The chapter must complete a Party Partners workshop by May 1, 2004 with 90% chapter attendance. A roster of members present at the workshop is due to the Greek Life Office by May 1, 2004
- The Judicial Board recommends that the Sigma Phi Epsilon President has regular meetings with Mark Koepsell to discuss the chapter

2005

Ice Hockey

Background

During a team trip to Jackson Hole, Wyoming on October 13, 2005, the Men's Ice Hockey Team reportedly damaged two rooms at the Snow King hotel. The damage was so bad that the hotel was unable to rent out the rooms for at least two days following and it therefore sought compensation for the damage done to the room.

Decision and Sanctions

On its own initiative, the Hockey Team sent a letter of apology to the hotel as well as revised its team policy on traveling and appropriate behavior. Additionally, the Court recommended that...

1. A copy of the travel contract be sent to the Club Sports Office to remain on file before May 1, 2005
2. In the case that an event does occur a report of the incident and the corresponding team actions taken against any member(s) must be reported to the club sports officer

Alpine Ski Team

Background

During a ski trip to McCall, Idaho, the ski team received a notice from the management of their hotel that excessive cleaning would be required in their rooms upon checkout as well as that they had received numerous noise complaints for the rooms in which the team was staying. Due to the team's actions, the hotel charged them an additional \$588.57 for a total of 6 hours of cleaning and for shampooing the carpets.

Decision and Sanctions

Other than paying the additional fine for cleaning, the ski team had to write an apology to Brundage Inn, a copy of which would also be sent to Club Sports and the ASCSU Supreme Court to keep on file. Additionally the team was required to develop a travel contract to be signed by each member of the team at the beginning of their athletic season.

Pi Kappa Phi

Background

On September 20, 2005, PKP had a hearing for an event on April 5, 2005. There was no incident report included in the case file.

Charges

The fraternity was charged with the following violations

- Greek Risk Management Policy; Chapter Facilities: All chapter housing is to be substance-free.
- Greek Risk Management Policy; Social Functions #1: The choice to allow alcohol at any chapter sponsored event shall be left to the discretion of the fraternity/sorority planning

the event. This means that the chapter members and their guests are to drink legally and responsibly, and the chapter will be held accountable for their behavior

- Greek Risk Management Policy; Social Functions #4: All social events involving alcohol must be at third party vendors
- Greek Risk Management Policy; Social Functions #7: It is the responsibility of the fraternity/sorority to provide sober transportation at all chapter events for any member, guest, or alum that may be drinking at any time during or after the chapter's events
- Greek Risk Management Policy #10: Open social functions where alcohol will be consumed are prohibited
- Violation of Greek Risk Management Policy #11: Invitational events such as formals where invitations are personally extended are where a third part vendor will be monitoring capacity and alcohol distribution are allowable but must be registered with the Greek Life Office and must follow all rules set forth in this policy, including submitting an accurate typed guest list
- Greek Risk Management Policy; Social Functions #12: Events that are held at a chapter house or annex house must be alcohol-free
- Greek Risk Management Policy; Social Functions #14: Accurate typed guest lists...must be provided to the Greek Life Office with the party registration form
- CSU's Student's Rights and Responsibilities; Student Responsibilities #4: Abusive conduct which threatens or endangers the physical or psychological health, safety, or welfare of an individual or group of individuals; harassment of any member of the University community including harassment on the basis of race, sexual orientation, age, gender, religion, physical disability
- CSU's Student's Rights and Responsibilities; Student Responsibilities #11: Violation of any federal or state law or local ordinance including but not limited to those covering alcoholic beverages, narcotics and illegal drugs, gambling, arson, sex offenses, assaults, harassment, violation of civil rights, disorderly conduct, or lewd, indecent, or obscene conduct or expression
- CSU's Student's Rights and Responsibilities; Student Responsibilities #12: Aiding, abetting, conspiring or inciting others to commit any act of misconduct set forth in 1 through 11 above

Decision/Sanctions

No record of sanctions imposed or charges for which the fraternity was found responsible was included

Sigma Phi Epsilon

Background

On September 1, 2005, during an event known as “Rise and Ralph,” several sorority members went to the SPE house where they had reportedly brought alcohol. The fraternity itself was not serving alcohol however this was going on in individuals’ rooms. The men did engage in the party although they had not premeditated the event and at one point their live-in advisor asked several of the sorority members to leave the house.

Decision/Sanctions

Sigma Phi Epsilon was put on social probation for the duration of the 2005-2006 academic year. Furthermore in order to apply for the termination of social probation they were required to:

- Develop an action plan related to implementing values based goals and prevention strategies
- Summary of internal actions taken related to involvement of individual members including disciplinary action or membership review
- Summary of internal actions related to chapter leadership
- Track record of positive behaviors and commitment to returning to full status in compliance with all university and IFC expectations

2006

Sigma Alpha Epsilon

Background

On Thursday, September 21, 2006, a female freshman was transported to the emergency room after attending a SAE party during recruitment week for fraternities and sororities. She reportedly had become so intoxicated she was unresponsive and likely would have died had she not been taken to the hospital. Additionally, on Friday, September 22, University staff received a complaint from a parent that her son had been injured at the SAE house following a bid to become a new member. After hearing of these and other complaints about the fraternity engaging in recruitment activities including alcohol (dirty rushing), the University issued an interim suspension on SAE until the investigation and hearing were complete.

Charges

Sigma Alpha Epsilon was charged with violating the following articles of the Student Conduct Code:

- #16: Use, possession, manufacturing, or distribution of alcoholic beverages except as expressly prohibited by law or University policy

- #20: Assisting, conspiring, or inciting others to commit any act of misconduct set forth in 1 through 19 above
- Rules and Regulations specific to Student Organizations #1: Violations of any rules, contracts, or agreements governing... Greek organizations
- Rules and Regulations specific to Student Organizations #2: Hazing, which includes any act that endangers the mental or physical health or safety of a student
- Greek Risk Management Policy, Chapter Facilities: All chapter housing are to be substance free
- Greek Risk Management Policy #4: All social events involving alcohol must be at Third Party vendors
- Greek Risk Management Policy, Social Functions #10: Open social functions where alcohol will be consumed are prohibited
- Greek Risk Management Policy, Social Functions #12: Events that are held at a chapter house or annex house must be alcohol-free
- Greek Risk Management Policy, Recruitment: Alcohol is prohibited at all Formal or Informal recruitment functions
- IFC Recruitment Policy IV, a-c: Any use of alcohol of any kind or reference to it will be considered inappropriate and in violation of recruitment rules

The team accepted all charges except for Conduct Code #6. Furthermore the board evaluated the Greek Board of Standards and Values Alignment's recommendation that the University revoke SAE's University recognition and the possibility that the Greek Board would sanction SAE.

Decision/Sanctions

The board found Sigma Alpha Epsilon responsible for all charges listed above except for Conduct Code #6. It also passed the Greek Board's recommendation to revoke SAE's University recognition.

Kappa Kappa Gamma (March)

Background

No incident report was included in the file for the March hearing, however it was on the subject of drinking at a social event.

Charges

- CSU's Student's Rights and Responsibilities #11: Violation of any federal or state law or local ordinance including but not limited to those covering alcoholic beverages, narcotics

and illegal drugs, gambling, arson sex offenses, assaults, harassment, violation of civil rights, disorderly conduct, or lewd, indecent, or obscene conduct or expression

- CSU's Student's Rights and Responsibilities #12: Aiding, abetting, conspiring or inciting others to commit any act of misconduct set forth in 1 through 11 above
- Greek Risk Management Policy #4: All social events involving alcohol must be at third party vendors
- Greek Risk Management Policy; Social Functions #6: At a third party vendor...if someone under age is caught consuming alcohol during the event, the sponsoring chapter or chapters are responsible for seeing that the alcohol is confiscated and the individual escorted from the event
- Greek Risk Management Policy; Social Functions #10: Open social functions where alcohol will be consumed are prohibited

KKG took responsibility for all charges listed above and were found responsible for all five.

Decision/Sanctions

- Completion of an alcohol awareness class with 90% of chapter members present. All 11 members that were removed from the event must be present. To be completed before the Spring 2006 formal
- Must host a sober event at KKG 1 hour before all events involving alcohol. An attendance list must be used and submitted after each event showing the members that were present. Members that are not present or are not sober at the pre-function event will not be permitted to attend the event. Members must be present at KKG for the full hour prior to the event.
- Host one alcohol-free function by the end of the Spring 2006 semester
- Must submit a plan of action 24 hours prior to any social event involving alcohol for the remainder of the Spring 2006 semester
- Provide documentation/evidence detailing the different sanctions for each individual member that was removed from the function

Kappa Kappa Gamma (September)

Background

On April 20, 2006, there was a "Kangaroo Kourt" incident, which remains undefined as there was no incident report included in the file. However there was alcohol at the event as well as hazing. The hearing did not take place until September 26, 2006.

Charges

- Student Conduct Code #5: Abusive conduct, including physical abuse, verbal abuse, threats, intimidation, coercion, and/or conduct which threatened or endangers the

physical or psychological health, safety, or welfare of one's self, another individual or a group of individuals

- Student Conduct Code #15: Use, possession or distribution of alcoholic beverages except as expressly permitted by law or University policy. Alcoholic beverages may not be used by, possessed by or distributed to any person under 21 years of age
- Student Conduct Code # 19: Assisting, conspiring, or inciting others to commit any act of misconduct set forth in 1 through 18 above
- CSU's rules and regulations specific to student organizations
- Greek Risk Management Policy; Chapter Facilities: All Chapter housing is to be substance-free
- Greek Risk Management Policy #4: All social events involving alcohol must be at third party vendors
- Greek Risk Management Policy; Social Functions #10: Open social functions where alcohol will be consumed are prohibited
- Greek Risk Management Policy; Social Functions #12: Events that are held at a chapter house or annex house must be alcohol-free
- Greek Risk Management Policy; Hazing: No Chapter, Colony, Student, or Alumnus shall conduct nor condone hazing activities (specifically cited for use of alcohol in this definition)

Decision/Sanctions

Kappa Kappa Gamma took responsibility and was found responsible for all charges listed above.

- Monthly progress reports of all KKG National sanctions and CSU sanctions, until all sanctions are completed
- Address all Greeks about separating the link between alcohol and hazing/tradition prior to the ESP on October 8th for up to ten minutes
- Promote Greek life in a positive way through promotion of alcohol awareness through passing out DAY4 cards while wearing All-Greek shirts for a period of 2 hours for each day of alcohol awareness week, with each member completing one hour
- Explanation of events and apology to all presidents at a roundtable with the intent of opening communication lines between presidents

Lacrosse

Background

On Sunday, September 17, 2006, a female freshman returned to the dorms intoxicated and was subsequently transported to the hospital because she was semi-responsive and was throwing up continuously in the Women's restroom. During the investigation she revealed that

she had been at a Lacrosse martini party that evening at which both women and men lacrosse players were in attendance.

Charges

The Men's Lacrosse Team was charged with violating Article III, Section A, 6 and 16 as well as Article III, Section B, 1 of the Student Conduct Code.

Article III, Section A, 6—Abusive conduct

Article III, Section A, 16—Use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by law or University policy

Article III, Section B, 1—Violations of any rules, contracts, or agreements governing...sports clubs

Articles are summarized; see Student Conduct Code for full articles

The Lacrosse Team disputed all three violations of the Conduct Code on the grounds that the female freshman submitted a statement that no member of the lacrosse team coerced her into drinking or performing acts that would be harmful to her health. She also did not appear to be in physical danger from the consumption of alcohol that night. Next, the freshman brought her own alcohol as the party was a BYOB event. Finally, they claimed that the event was not a Lacrosse Party since most of the people there were not on the team although there were team members in attendance.

Furthermore, the team provided what it thought were appropriate sanctions: requiring every member of the team to volunteer for RamRide during the spring semester and having the Team President volunteer to make a speech about how to avoid similar situations at the next Sport Club Association Officer Meeting.

Decision and Sanctions

The Court found the Men's Lacrosse team responsible for all three violations listed above. Their sanctions are as follows:

1. Continuation of probation for a 2 year period beginning November 30, 2006 and ending November 30, 2008.
2. Each member of the Men's Lacrosse Team is to complete 3 nights volunteering with RamRide, to be completed by the end of Spring Semester 2007.

Men's Baseball

Background

On May 21, 2006 the Student Conduct Office received a report regarding the behavior of the men's baseball team while at a tournament in Niles, Ohio. Team members allegedly became intoxicated while celebrating their victory at a bar and then damaged a golf course that was next to their hotel.

Decision and Sanctions

After a thorough investigation the Board was unable to determine if there had been a team violation of the Student Conduct Code. Therefore no disciplinary action was taken.

Pi Kappa Phi

Background

On April 18, 2006, PKP had a hearing for an event the fraternity was involved in on February 22, 2006. No incident report was included in the file.

Charges

2008

Men's Ultimate Frisbee

2007

Background

During a tournament in Minnesota on October 27 and 28, 2007, the Men's Ultimate Frisbee Team was charged with a complaint by the manager of their hotel for excessively messy/damaged rooms as well as for the presence of alcohol containers. The team was thus charged with the following violations of the Student Conduct Code:

Article III; Section A. #11: Attempted or actual theft of, damage to, use of, or possession of other persons' or University property or identity or unauthorized use of such; unauthorized entry, use, or occupation of University facilities, property, or vehicles; or unauthorized possession or use of University keys or access devices

Article III; Section A. #16: Use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by law or University policy. Alcoholic beverages may not be used by, possessed by, or distributed to any person under twenty one (21) years of age. Public intoxication is not permitted on University property.

Article III; Section A. #20: Assisting, conspiring, or inciting others to commit any act of misconduct set forth in 1 through 19 above.

Article III; Section B. #1: Violations of any rules, contracts, or agreements governing: recognized student organizations; Sports Clubs...

Decision and Sanctions

After the hearing, the team was found guilty of violating Article III; Section A. #11 and Section B. #1. They were given a written warning and each member of the team was required to complete one night of volunteering with Ram Ride by the end of the spring 2008 semester. Finally, the team was to send a written letter of apology to the Days Inn in Minnesota.

2008

The Men's Ultimate Frisbee Team failed to comply with their disciplinary sanctions so they were charged with and found guilty of another round of sanctions. They are as follows...

Article III; Section A. #19: Abuse of the Student Conduct System including...failure to comply with disciplinary sanctions or requirements.

Decision and Sanctions

Each member was required to complete 2 nights of volunteering at Ram Ride by November 1, 2008.