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SB23-18/19: Resolution Regarding the ASUM and SBA Memorandum of Understanding and Board of Regents Policy

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The Associated Students of the University of Montana

Resolution Regarding ASUM and SBA Memorandum of Understanding and Board of Regents
Policy
February 4th, 2019
SB23-18/19

Authored by: Alex Butler, ASUM President;

Whereas, The Associated Students of the University of Montana (ASUM) is the Board of Regents recognized student government for all students at the University of Montana;

Whereas, The Student Bar Association (SBA) is a semi-autonomous student organization at the Alexander Blewett III School of Law at the University of Montana;

Whereas, Current Board of Regents Policy 940.3 Section 4 reads:

“A. The budgets and funds in the possession of the associated student government associations of the Montana University System, including student activity fees, shall be allocated by only the officials of the respective student government. These allocation processes will be pursuant to the Associated Students Constitution of the campuses, as approved by the campus’s chief executive officer. No impairment of existing contractual obligations shall occur in the allocation of such funds.

B. Students enrolled in the Law School are exempted from paying the regular student activity fee. Such students shall, however, pay the Law School activity fee as provided by Item 210-108, April 14, 1969.”;

Whereas, Current students enrolled in the Alexander Blewett III School of Law pay a portion of the Student Activity Fee, but currently receive the same services that a full fee paying student receives;

Whereas, The Parties, ASUM and SBA, seek to resolve issues related to the payment of Student Activity Fees by enrolled Students at the Alexander Blewett III School of Law, and to memorialize the terms of the resolution of those issues;

Whereas, ASUM Executives and SBA Executive Board members have written a Memorandum of Understanding (MOU) and Board of Regents (BOR) policy change to bring to the ASUM Senate for ratification;

Therefore, Let It Be Resolved, That ASUM recommends the current changes to Board of Regents Policy 940.3 Section 4:

“A. The budgets and funds in the possession of the associated student government associations of the Montana University System, including student activity fees, shall be allocated by only the officials of the respective student government. These allocation processes will be pursuant to the Associated Students Constitution of the campuses, as approved by the campus’s chief executive officer. No impairment of existing contractual obligations shall occur in the allocation of such funds.

B. In recognition of the history of the Student Bar Association as a semi-autonomous student organization of the Alexander Blewett III School of Law at the University of Montana, students enrolled in the Alexander Blewett III School of Law shall pay the regular student activity fee, with 30% of that fee allocated to the SBA and 70% allocated to the Associated Students of the University of Montana”;
Therefore, Let It Be Further Resolved, That ASUM President, Alex Butler, will sign an MOU upon the passage of the above Board of Regents policy reading:

“Memorandum of Understanding between

Associated Students of the University of Montana

And

Student Bar Association

Recitals:

Whereas, the Associated Students of the University of Montana (“ASUM”) is the recognized student government organization on the University of Montana campus;

Whereas, the Student Bar Association (“SBA”) is a semi-autonomous student government organization of the Alexander Blewett III School of Law at the University of Montana;

Whereas, the parties, ASUM and SBA, seek to resolve issues related to the payment of Student Activity Fees by enrolled students at the Alexander Blewett III School of Law, and to memorialize the terms of the resolution of those issues;

Now therefore, the parties enter into this Memorandum of Understanding (“MOU”):

I. All enrolled students at the Alexander Blewett III School of Law will be assessed the full Student Activity Fee.

A. 30% of the full Student Activity Fee paid by an enrolled student at the Alexander Blewett III School of Law will be allocated to SBA. This allocation will replace the Law School Activity Fee as adopted by the BOR in 1969 (see BOR Policy 940.3(4)).

B. 70% of the full Student Activity Fee paid by an enrolled student at the Alexander Blewett III School of Law will be allocated to ASUM.

C. This policy is intended to apply to any future increase or decrease of Student Activity Fees approved by the BOR.

II. In recognition of the Student Activity Fee allocation, SBA independent student organizations may not be recognized as student member organizations with ASUM.

III. All enrolled students at the Alexander Blewett III School of Law will have access to all services and rights within ASUM as a full activity fee paying student except as referred to in part II.

IV. Should either ASUM or SBA wish to alter the terms of this agreement, the initiating party agrees to provide the other party with 90 days’ written notice, and agrees to engage in no less than three mediation sessions with an agreed-upon mediator in the 90-day period which follows the initiating party’s written notice.
V. ASUM and SBA will maintain and make available a copy of this MOU.

**Effective Date:**

This MOU is effective when executed by each of the following signatories.

- Alex Butler, President, ASUM
- Summer Carmack, President, SBA
- Paul Kergis, Dean, Alexander Blewett III School of Law
- Ona Renner-Fahey, Faculty Advisor, ASUM
- Paul Lassiter, Vice President, Operations and Finance
- Jon Harbor, Executive Vice President and Provost

Therefore, Let It Be Further Resolved, That this resolution be sent to the following: Summer Carmack, President, SBA; Paul Kergis, Dean, Alexander Blewett III School of Law; Ona Renner-Fahey, Faculty Advisor, ASUM; Paul Lassiter, Vice President, Operations and Finance; and Jon Harbor, Executive Vice President and Provost.

Passed by ASUM Senate: ______________________, 2019

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Mariah Welch,
Chair of the Senate