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Fall 9-2-2020

SB15-20/21: Resolution Amending Article V, Section 4, Paragraphs E & F of the ASUM Bylaws

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1 **The Associated Students of the University of Montana**
2 **Resolution Amending Article V, Section 4, Paragraphs E and F of the ASUM Bylaws**
3 **July 30th, 2020**

4 **SB 15 - 20/21**

5 **Authored by: Ethan Hanley, ASUM Business Manager; Jack Rinck, ASUM Senator;**
6 **Sponsored by: Maggie Bornstein, ASUM Senator; Noah Durnell, ASUM Senator;**
7 **Jonathan Karlen, ASUM Senator; Christian Pfeifer, ASUM Senator; Vincent C. Tarallo**
8 **Jr., ASUM Senator;**

9
10 Whereas, The Associated Students of the University of Montana (ASUM) is bound by its fiscal
11 policy;

12
13 Whereas, ASUM Fiscal Policy delineates all fiscal matters of the ASUM office and student
14 groups;

15
16 Whereas, During the summer of 2020, a working group met to completely revise the ASUM
17 Fiscal Policy;

18
19 Whereas, The Fiscal Policy Working Group also reviewed pertinent bylaws regarding the Board
20 on Budget & Finance and the Board on Member Organizations;

21
22 Whereas, Article V, Section 4 of the ASUM Bylaws outline the composition, responsibilities,
23 duties, and procedures relating to the Board on Member Organizations;

24
25 Whereas, Paragraphs E and F of Section 4 gives direction for the appropriate process in the
26 instance a member organization is not in compliance with the stated criteria for ASUM
27 recognition;

28
29 Whereas, The current revocation process is unnecessarily lengthy and convoluted which hampers
30 speedy due process for member organizations;

31
32 Whereas, The current revocation process does not specifically allot time for the member
33 organization to appeal their case to the Senate;

34
35 Whereas, The Business Manager serves as chair of the Board on Member Organizations, hence
36 issues relating to the business of this Board should fall under the Business Manager's report
37 during Senate meetings;

38
39 Therefore, Let It Be Resolved, That Article V, Section 4, Paragraph E be amended to read:

40 *E. If the Board has evidence that a **member organization** ~~group~~ has failed to comply with*
41 *the stated criteria necessary for ASUM recognition or has failed to meet all the*
42 *responsibilities stipulated by ASUM, the Board has the option of sending a warning*
43 *notice to the **member organization** ~~group~~ specifying reasons for the warning and*
44 *the corrective steps that must be taken within a period of no more than one month. The*
45 *group shall have the opportunity within one week to **schedule** ~~have an~~ informal hearing*
46 *with the Board on Member Organizations. **If the group acts, this hearing must take***

47 *place within two weeks of the member organization's receipt of the notice. If the group*
48 *fails to act, then they forfeit the right to participate in this procedure. If the group fails*
49 *to act, or the Board feels that the matter has not been resolved, the Board on Member*
50 *Organizations shall have the option of issuing a second and final warning letter or*
51 *recommending to the Senate that the group's recognition be revoked. The Board may*
52 *choose to move directly to recommending to the Senate that the group's recognition be*
53 *revoked without a warning letter if an infraction or negligence is viewed as substantial.;*
54

55 Therefore, Let It Be Further Resolved, That Article V, Section 4, Paragraph F be amended to
56 read:

57 *F. For any member organization whose registration is suspended, or any group that the*
58 *Board has determined should have its recognition revoked, there shall be an appeals*
59 *process. The process shall be as follows:*
60

- 61 *1. The group shall be given a hearing by the Board within one week of the notice*
62 *of impending loss of ASUM recognition as stipulated in the prior section.*
- 63 *2. After the hearing, if the Board votes to derecognize the member*
64 *organization does not rescind its decision, the case shall be forwarded group*
65 *may present its case to the Senate during the Business Manager's Vice*
66 *President's report and the member organization shall be given time to present its*
67 *case during the Senate meeting.*
- 68 *3. The Senate, by a two-thirds (2/3) majority vote, shall have the opportunity to*
69 *overturn a Board's recommendation to remove group recognition.;*
70

71 Therefore, Let It Be Further Resolved, That this resolution be sent to: Gwen Coon, ASUM
72 Office Manager; Marlene Hendrickson, ASUM Accountant; Bailey Durnell, Student Group
73 Coordinator.
74

75
76 Passed by Committee: _____, 2020
77

78 Passed by ASUM Senate: September 2, 2020
79
80

81 _____
82 Noah Durnell, Patrick James Flanagan,
83 Chair of the Relations and Affairs Committee Chair of the Senate
84

85
86 _____
87 Ethan Hanley,
88 Chair of the Board on Member Organizations