

## Minutes of the 12 March 1998 Meeting of Senate

### Regular Meeting

Baker Center Corner Room

Mr. Chad Tanner, Presiding Officer

Mr. Greg Mergen, Recording Secretary

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### Call to Order

The meeting was called to order at 7:20 PM by Mr. Tanner.

### Roll Call

Mr. Tanner ordered the roll call.

### Executives present

Mr. Chad Tanner, President of Senate

Mr. Erik Roush, Treasurer of Senate

Ms. Ann Charles Watts, Vice President of Senate

### Senators present

Ms. Natalie Barnes, Senator for Black Affairs

Mr. Jason Barron, Senator for Residence Life

Ms. Jennifer Boyden, Senator for the West Green

Ms. Anna Kay Brokaw, Senator for the College of Business

Mr. Ryan Cary, Senator for the College of Arts & Sciences

Mr. Matt Ciske, Senator for City and County Issues

Mr. Jay Cohen, Senator for Student Activities

Mr. Jim Davey, Senator at Large

Ms. Lauren Dikis, Senator for the East Green

Mr. Sako Eaton, Senator for International Affairs

Mr. Dale Edwards, Senator for Lesbian-Gay-Bi -Transgendered Awareness

Ms. Gigi, Jameel, Senator at Large

Mr. Kyle LaClair, Senator for the College of Engineering

Mr. Mike LeHoty, Senator for South Green,

Mr. Mike Michetti, Senator at Large [personal proxy]

Mr. Zac Redman, Senator for Off Campus Housing

Ms. Karen Sager, Senator for the South Green

Ms. Heidi Schoener, Senator for Off-Campus Housing

Mr. Matt Sonneman, Senator for the College of Communication

Ms. Laura Stubbs, Senator for State & Federal Issues

Ms. Fern Weaner, Senator for Environmental Awareness

Ms. Melissa Wervey, Senator for University Life

Ms. Amanda Wiebold, Senator for Academic Affairs

Senators not present

Ms. Camille Colemon, Senator for Minority Affairs

Mr. Tony Eufinger, Senator for Off Campus Housing

Mr. Josh Kopp, Senator for the East Green

Ms. Molly McCabe, Senator for Greek Off Campus Housing

Mr. Jim Maczko, Senator for the Honors Tutorial College

Mr. Keith Milless, Senator for the College of Education

Mr. Ron Minto, Senator for Off-Campus Housing

Mr. Joseph Nusairat, Senator for Off Campus Housing

Ms. Kish Rutledge, Senator for the West Green

Mr. Grant Swemba, Senator for the College of Health and Human Services

Ms. Eleni Zulia, Senator for Women's Affairs

Staff present

Mr. Tony Eufinger, University Committees Coordinator

Mr. Ben Groban, Special Assignments

Mr. Joel Koch, Media Relations Director

Mr. Greg Mergen, Graduate Student Senate Liaison & Parliamentarian [acting]

Mr. Joseph Nusairat, System Administrator

Ms. Karen Sager, Internship Director

Ms. Kara Schroyer, Chief of Staff

Staff not present

Ms. Annemarie Grassi, The Residents' Action Council Liaison

Ms. Laura Zollars, Faculty and Administrative Senate Liaison

Additions to the Agenda

The agenda was agreed to: I. Call to order; II. . Additions to the Agenda; III. Roll Call; IV. Student Speakout; V. One Minutes; VI. Presentations: A. Vote of Confidence-Kara Schroyer, B. COSGA; VII. Adoption of the Minutes; VIII. Officer's Reports: A President-Chad Tanner, B. Vice President-Ann Charles Watts, C. Treasurer-Erik Roush; IX Executive Cabinet Reports; X. Advisor's Report-Mike Sostarich; XI. Senator's Reports: A. Academic Affairs-Amanda Wiebold, B. Black Affairs-Natalie Barnes, C. Environmental Awareness-Fern Weaner, D. International Affairs-Sako Eaton, E. Legislative: City and County-Matthew Ciske, F. Legislative: State and Federal-Laura Stubbs, G. Lesbian/Gay/Bi/Trangendered Awareness-Dale Edwards, H. Minority Affairs-Mia Colemon, I. Off Campus Housing-Ron Minto, J. Residence Life-Jason Barron, K. Student Activities-Jay Cohen, L. University Life-Melissa Wervey, M. Women's Affairs-Eleni Zulia; XII. Committee Reports; XIII. Old Business; XIV. New Business: A. Senate Resolution 9798-36 "Luke, it is your destiny A RESOLUTION TO FILL A VACANCY, B. Senate Resolution 9798-37 "Elmer's Grandson" A RESOLUTION TO ADOPT THE REPORT OF THE SPECIAL COMMITTEE ON RULES &

PROCEDURES IN CONSIDERATION OF AMENDMENTS TO THE RULES & PROCEDURES OF SENATE; XV. Roundtable & Announcements; XVI. Roll Call; XVII. Adjournment.

#### Student Speakout

There were no students who wished to address Senate.

#### One Minutes

Mr. Tanner recognized Mr. Michetti for the purpose of addressing Senate with a One Minute speech.

MR. MICHETTI, SENATOR AT LARGE-I just wanted to bring an issue to Senate's attention, and, being a new Senator, I wasn't sure on exactly how to go about it or whom to talk to, so I chose to address the issue through this report. In the February 26th issue of the Athens NEWS, there was an article buried on page 7 that dealt with the Mayor's solution to the Uptown "riots" that occurred around the same time period as the article. Apparently, Mayor Abel feels that a good solution to this problem would be to pass a city ordinance that would require all keg parties to be registered with the city. I feel that this is an issue that has been deftly hidden from the students, and is also one that we, as representatives of the students, should act upon. It will affect primarily students and I am not sure that they are even aware of it. I feel that if an ordinance of this type were passed, it would not only add to the large number of people who congregate Uptown, especially on the weekends, but also ignore the root of the problem. To me, the issue is holding people responsible for their actions as citizens of a community. By requiring the registration of keg parties, the people who attend them and then go Uptown and cause a disturbance will still not be held responsible

for their actions, which does nothing to solve the problem. If anyone wants to challenge this issue, I would be glad to assist in the effort. I will be submitting a copy of the article and ordinance for the minutes. Thank you.

Thursday, Feb. 26, 1998

Athens NEWS

Mayor wants talks on how to discourage uptown disturbances

By Andrea Gibson

In the wake of a Sunday morning disturbance, in which 500 late-night partiers took over a section of North Court Street, resulting in six arrests, Athens Mayor Ric Abel is calling for a dialogue amongst the city, Ohio University, students, landlords and others concerned about such incidents. One idea Abel wants considered is requiring keg parties to be registered with the city.

Abel said he and Joel Rudy, vice president of student affairs/dean of students at OU, are organizing a meeting that will include the city police and administration, university officials, landlords, and students to review such incidents and decide how they can be handled. Downtown merchants and beer distributors also can be involved in the discussion, he said.

Talks with students and landlords led the mayor to realize that private parties featuring more than two kegs, which provide at least 450 servings of alcohol, can cater to large numbers of people. Registering such parties would give the city the chance to inform hosts about liquor laws, which they sometimes aren't aware of. "I do think we have to have an educational component," Abel said.

Abel argued that a keg ordinance wouldn't seek to stop parties, but instead make people aware of the consequences,

and allow the city to give some advice about how to control them. Other cities have ordinances that Athens will review, including an Akron law that spells out the conditions and criteria for a street closing, Abel said. (Akron has long had a problem with street parties getting out of control during certain times of the year in a student neighborhood near Akron University.)

The mayor also would like to know if and how the city should report incidents involving OU students to the university. "I want to know what the university's expectations are of their students," he said.

This is the second time in a year that rowdy crowds have taken over Court Street, Abel said, and it's totally unacceptable. His big concern was when people in the crowd began throwing objects.

Earlier this week, Athens Police Chief Rick Mayer noted that alcohol and personal responsibility are underlying issues of the Court Street disturbances. Mayer said he believes the drinking age is a big factor in alcohol-related incidents such as this. With underage people largely turning to private, off-campus parties to drink, there's no supervision or control over their alcohol consumption.

The only thing this past weekend's disturbance had in common with the April 1997 incident was alcohol, "and you might even say stupidity on the part of the participants" Mayer said. "The activity made no sense."

Personal responsibility for one's drinking is a big factor in such incidents, he said. "Unfortunately, there's a percentage of students and local people who feel they can just go up and have a rip-roaring time and do whatever they want to," Mayer said. "Those are the problems. And they create more problems for other people who are trying to make

this community something we all enjoy."

Like Abel, Mayer said that contacts have been made, and discussions are ongoing between the city, the university and local merchants to handle the issue. For example, a large balcony above Subway on North Court Street seems to have been a focal point-both at Halloween (when women flashed the crowd from above) and this past weekend (when at least one male was flashing the crowd), Mayer said.

Eric Coon of Cornwell Rentals, which manages the apartments that have access to the balcony, said he's trying to get information from tenants about what happened on the balcony last weekend. He was called in to deal with the situation at about 3 a.m. Sunday, and tenants told him that the disturbance stemmed from a fight at The Junction, not from anything happening on the balcony.

The balcony is accessed through two apartments, which currently rent to a total of five tenants. Their rental contract has a clause stating that only a limited number of people are allowed on the balcony at once, Coon said. He warned tenants at the start of their lease that the balcony could be shut off if any problems arise. Coon added that he has been called in before to handle an overload of people on the balcony.

Mayer said police have to handle crowd incidents on a case-by-case basis, factoring in the crowd's mood, how much time is available, and the number of officers on hand. There's no cookie-cutter approach to handle a crowd, whether it be 100 or 500 people, he said.

ORDINANCE NO. 98-xx adding to the Code of Ordinances of the City of Athens, Ohio by the creation of a new section 9.14 "Large Parties, Special Events and Temporary Street Closures."

WHEREAS underage drinking presents a problem for the Athens community, in general, and the area adjoining Ohio University, in particular, and

WHEREAS, the residential area around Ohio University area has become concentrated with rental housing; and

WHEREAS, large private parties and special events within this area and throughout the city often constitute a public nuisance to the citizens of the City of Athens and disrupt emergency services to the entire City; and

WHEREAS, the health, safety and welfare of the residents of the City of Athens are of vital interest to the Athens community; and

WHEREAS, it is in the best interests of the citizens of the City of Athens to require a permit in order to have a large private party or special event.

BE IT ENACTED by the Council of the City of Athens.

Section 1. That the Code or Ordinances of the City of Athens, Ohio are hereby amended and/or supplemented by the creation of a new Section to be read as follows:

9.14 Large Parties, Special Events, and Temporary Street Closings

9.14.01. Application

A. This section shall apply to all block parties, large parties, special events, or temporary street closings within the City of Athens.

B. Any temporary street closure authorized in whole or in part by the City for municipal purposes, including, but not limited to, conveyance of traffic, travel, or facilitating of an event of a general civic or public nature, is exempt

from this section.

#### 9.14.2. Definitions

A. "Block Party/Event" - a party or event conducted within an area involving two or more properties, (2/3) of which area is residentially zoned which is sponsored solely by such owners, residents or tenants, and is not for commercial or advertising purposes or profit.

B. "Large Party/Event" a party or event at which twenty five (25) or more people are expected to attend. The description of the event in a flyer, brochure, notice or advertisement shall be prima facie evidence that a large party is planned or took place.

#### 9.14.3. Permit Required

A. It shall be unlawful for any person to participate in, advertise for or in any way promote, organize, control, manage, solicit, or induce participation in a block party, large party, special event, or temporary street closure unless a permit has first been obtained from the Service-Safety Director.

B. No person shall violate any of the terms of a permit issued for a block party, large party, special event, or temporary street closure of this section, nor join or participate in any permitted activity under this section over the objection of the permittee, nor in any manner interfere with the progress or orderly conduct of a temporary street closure.

#### C. Application for Permit

1. An application for a permit for a block party, large party, special event, or temporary street closure shall be made upon a form provided by the Service-Safety Director and shall contain all of the following information:

a. The name, resident and business address, and phone number of each person and organization sponsoring a block party,

large party, special event, or temporary street closure. In an organization, the application shall contain the names, residence and business addresses, and phone numbers of the president and chairman thereof;

b. The date, or dates, and beginning and ending hours of such block party, large party, special event, or temporary street closure;

c. The Block, address(es) or intersection(s) in which such event will occur;

d. The estimated number of persons who will participate;

e. The purpose of the block party, large party, special event, or temporary street closure;

f. Whether parking is requested to be restricted or prohibited during such event;

g. Whether any sound amplification equipment is proposed to be used, and if so, information describing such sound amplification equipment;

h. Where or not charity, gratuity, or offerings will be solicited or accepted, or sales of food, beverages or other merchandise will occur;

i. When alcoholic beverages exceeding a total of 20 gallons will be sold; served or furnished at any location of a Block Party/Event or a large party/event a permit is required. Permanent holders of Ohio Liquor Permits are exempt.

j. Whether alcoholic beverages will be sold or served, and if so what procedures will be employed to prevent underage drinking;

k. Such other information as the Service-Safety Director deems reasonable necessary in order to carry out his duties under this

l. In the case of block parties, the written consent of each of the owners, residents and tenants of properties fronting

the temporary street closure or at which the event will occur shall accompany each permit application; and

m. A copy of any permit to disperse alcohol or application for such permit pursuant to R.C. Chapter 4301 shall accompany each permit application if appropriate.

n. Permit must be presented at time of purchase and then posted at the location where the alcohol is to be consumed.

#### D. Fees

A refundable fee of thirty dollars (\$30.00) to cover the administrative costs of processing the permit shall be paid to the City of Athens by the person applying for the permit at the time of filing the application.

#### E. Bond

Applicants shall file with the Service-Safety Director a bond for security in the amount of five hundred dollars (\$500.00) where two hundred (200) or more persons are expected to attend the event.

#### F. Time of Filing

The application shall be filed with the Service-Safety Director no fewer than ten (10) days prior to the scheduled date of such event. Failure to file within such period is sufficient grounds for denial of a permit.

#### G. Police Protection

The Service-Safety Director along with the Chief of Police shall determine whether and to what extent police protection is reasonably necessary for the event for purposes of traffic control and public safety, This decision shall be based on the size, location, duration, time and dates of the event, the expected sales or service of alcoholic beverages, the number of streets and intersections, if any, to be blocked and the need to detour or preempt ordinary citizen travel and use of the streets and sidewalks. The Service-Safety Director shall inform the applicant of the amount of

police protection deemed necessary. The applicant then shall have the duty to secure the police protection at the sole expense of the applicant then shall have the duty to secure the police protection at the sole expense of the applicant who shall prepay the expenses of such protection.

#### 9.14.4. Issuance of Permit

##### A. Conditions of Issuance

Any permit granted under this section may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and the public health, safety, tranquillity, morals or welfare, including, but not limited to, changes in time, duration, number of participants, or sound.

##### B. Standards of Issuance

A permit shall be issued by the Service-Safety Director, when, from a consideration of the application and from such other information as may otherwise be obtained, he or she finds that all of the following circumstances exist;

- a. The applicant has not knowingly and with intent to deceive made and false, misleading or fraudulent statements of material fact in the application for a permit or in any other documents required pursuant to this section;
- b. The applicant has met the standards in this section, and paid in advance any fee required and agrees to such conditions as are imposed in the permit;
- c. The time, duration and size of the event will not substantially disrupt the orderly and safe movement of other traffic;
- d. The event is of a size or nature that it will not require the diversion of so great a number of police officers of the City to properly police the areas contiguous thereto, so as to prevent normal police protection to the City;

- e. The concentration of persons will not unduly interfere with proper fire and police protection of; or ambulance service to, areas contiguous to such event;
- f. The event will not interfere with the movement of fire-fighting equipment en route to a fire;
- g. The event will not unduly interfere with the orderly operation of parks, hospitals, churches, or other public and quasi-public institutions in the City;
- h. The applicant has provided reasonable means for informing all persons listed in the applications and all persons participating in the event of the terms and conditions of such permit and the applicable laws thereto; and
- i. The event will not conflict or interfere with another event for which a permit has been granted.

#### C. Notice of Issuance or Denial

Written notice of the issuance or denial of a permit shall be provided to the applicant within five (5) days or receipt of an application or as soon as practicable if received less than ten (10) days in advance of the proposed date of the event. If a permit is denied, said written notice shall state the reason for denial.

#### 9.14.5. Litter Collection

Applicants shall provide for the collection and removal of all trash, garbage and litter caused by or arising out of such event.

#### 9.14.6. Hold Harmless

Applicants shall agree to assume the defense of and indemnify and save harmless the City, its councilmen, boards, commissions, officers, employees and agents, from all suits, actions, damages or claims to which the City may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such event and the activities permitted in connection therewith.

#### 9.14.7. Personnel Costs

Applicants shall pay the cost of City personnel who are required by the City to work overtime hours or other than regular shift or perform duties during of a result of such event.

#### 9.14.08. Revocation of Permit

Any permit for an event issued pursuant to this section may be revoked by the Service-Safety Director at any time when by reason of emergency, disaster, calamity, disorder, riot, traffic conditions, violation of this section or of any permit conditions, or undue burden on the public services, he or she determines that the health, safety, tranquillity, morals or welfare of the public or property requires such revocation. Notice of revocation of a permit by personal service or by certified mail, or if the event has commenced, orally, or in writing, by telephone. Continuance of an event after such notice has been delivered is unlawful.

#### 9.14.9. Penalty

whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree.

#### Summary of the OU Student Senate Halloween Surveys from the March 5, 1998 Meeting

Approximately 30 Senate members completed the survey. About 90 percent said they attended the 1997 Halloween festivities on Court St. Less than half had an average of two to three guests from out of town. Ten percent said their guests used the fairground shuttle parking. Less than half of those who went up-town wore costumes, and nearly all of them attended at least one or two private parties Overall, senators showed some interest in volunteering to clean-up Court St. and the

neighborhoods. [This is an issue that I believe we could press further. Some of those who indicated interest also told me they thought Senate should help organize a clean-up.]

About half of the senators surveyed said they would attend a concert at the fairgrounds as an alternative to the uptown festivities, but several said they would head up-town earlier, or after the band finished. As for a group, Dave Matthews Band received multiple votes, with other names receiving only one vote each. They indicated they would be willing to pay an average of about \$10 to \$25.

Their favorite things about Halloween included Court St, costumes, parties and the crowd. They also said the worst things about Halloween included rude people in the crowd, the decline in costumes over the years, Liquor Control agents violating individual rights and liberties, the APD's use of horses to clear the streets at the end of the festivities (they also complained about the use of horses to clear public sidewalks), and the lack of an alternative to drinking. A few senators filled-out the brainstorming section, but those comments elaborated on reasons why they were for or against the big name band idea. Several surveys indicated that the band would have to be more than just a local or second-tier name. They also suggested having the big-name band perform Uptown town, or providing both the band at the fairgrounds and the festivities on Court St.

#### Presentations

Mr. Tanner recognized Ms. Schroyer.

Ms. Schroyer explained the vote of confidence process.

Mr. Tanner asked those who believe the Mr. Tanner, Ms.

Watts, and Mr. Roush, individually, should continue to serve shall vote yea, those who feel they, individually, should be

removed from office to vote nay. Mr. Tanner ordered the roll call. The following Senators and Executive Officers answered and received a ballot.

Mr. Tanner

Mr. Roush

Ms. Watts

Ms. Barnes

Mr. Barron

Ms. Boyden

Ms. Brokaw

Mr. Cary

Mr. Ciske

Mr. Cohen

Mr. Davey

Ms. Dikis

Mr. Eaton

Mr. Edwards

Ms. Jameel

Mr. LaClair

Mr. LeHoty

Mr. Michetti

Mr. Redman

Ms. Sager

Ms. Schoener

Mr. Sonneman

Ms. Stubbs

Ms. Weaner

Ms. Wervey

Ms. Wiebold

Mr. Tanner announced the results. For Mr. Mr. Tanner, there were 21 yeas and 2 nays; for Ms. Watts, there were 21 yeas and 1 nay; for Mr. Roush, there were 21 yeas, and 3 nays.

Mr. Tanner recognized Mr. Cohen.

Mr. Cohen distributed a handout which summarized the COSGA presentation. He noted that there was a look of discussion regarding programming. He said he believes Senate should do a formal inauguration of the Executive Officers as other schools do.

Ms. Wiebold said that there is a video tape of the COSGA presentation in the office.

#### COSGA Report

#### Workshops

##### Student Senate Public Relations

- University of Michigan-Dearborn
- Mostly programming
- Formal Inauguration
- oath of office
- invite campus leaders
- Town Panels

##### State wide Student Associations

- University of Arkansas and Arkansas State University
- Through process of creating statewide student association
- Rotated meetings from campus to campus
  - creates ownership of process
  - meetings chaired by host schools and administrators

##### Communication

- DePaul University
- What form of communication between members in which situation
- Pointless and awful
  - of course you don't fire a member over e-mail.
  - reinforces what a really good senate we have

##### Roundtables

## Student funding

- Everyone has a different system
  - Most schools have a activity fee
  - More importantly almost all schools have significant representation of students on the chief money allocating body.
  - half or at least 40% representation
  - We need to fight for better representation on L'PAC
- Everyone has a parking problem
- none as bad as ours
  - little success with campus busing system

## Conclusions

COSGA was a success on several levels. we are all now better friends and several lines of communication have been opened up. COSGA was crucial just on that point alone. It was also helpful to interact with several other student senates and learn how far we have come and how far we need to go. In the future I would suggest COSGA delegates should be selected at an earlier date to save money. Alternates can be selected to provide for any unforeseen emergencies. Presenting was also very helpful It is our duty as one of the top student senates in the country to share ideas that have worked for us. It was an absolute blast and I would recommend the experience to anyone. It is worth it on so many different levels.

## Adoption of the Minutes

There were no minutes for consideration.

## Executive Reports

Mr. Tanner said the executives' meeting with the Provost on Friday was uneventful, meaning that it does not appear the

Provost is especially sympathetic to our concerns. UPAC met again today and as the media are reporting, the university is going with a small enrollment increase. Also, the executives will participate in a meeting of community members to discuss alcohol, the Uptown scene, and the recent disturbances. The following articles are included in the record.

6 March 1998

OU may boost 98-99 enrollment

By: Chris Vance

Athens NEWS Campus Editor

The University Programming Advisory Council of Ohio University has proposed an increased enrollment of approximately 120 students for 1998, which has raised some concerns in certain university departments and the community.

OU Provost Sharon Brehm announced the increase, which would boost the student population from 19,189 to 19,309 students. Brehm stated that OU feels well-equipped to handle an increase in the student population.

OU President Robert Glidden agreed that OU has ample accommodations for more residents, pointing out that the campus had 150 extra beds in 1996 and 200 extra beds at the beginning of last fall quarter.

The university also plans to hire new faculty to accommodate the increase, Brehm confirmed. One new faculty member would be hired for every 20 new students, she said.

"Does it have implications on teaching and everything else? Sure it does," said Bill Reeves, a professor of Industrial Technology, in response to the announced enrollment boost. He said that while faculty probably won't be overwhelmed by

the increase, with the new students distributed over many classes and majors, adding 120 students could negatively impact campus housing.

Reeves also criticized the state's method of funding higher education. Until recent years, Ohio's public universities received funding based on physical capacity. When the funding system began to look at enrollment instead, some schools such as OU put more emphasis on increasing their student bodies.

ACCORDING TO BREHM, OU has several reasons for wanting to increase enrollment besides the financial payoff. Student life will be enhanced with more faculty and funds for activities, and the local economy will benefit, too, she said.

Faculty Chair Louis Wright shared Reeves' criticism of the state's funding system, though he said he doesn't see a problem with OU's enrollment increase.

"There are some people who think the university is pretty crowded," said Wright, "but most think enrollment is not a problem." He said that student services should get its proposed budget increase, and that, if this happens, the enrollment increase makes sense.

While Wright said that recently built student-oriented apartment complexes in Athens should meet the needs of new students, Athens City Councilmember Ed Baum disagreed.

"While it is true that there has been a rapid increase in outside housing this has been insufficient to provide housing, and thus we have seen a continued mobilization of single-family residential dwellings to student rentals in areas close to the campus," Baum wrote in a recent letter to President Glidden.

"I have no problem with continued growth," Baum added. "I do

have a problem with attempting to plan for it (number of new students) when we don't know what it will be."

BAUM SAID THAT IF OU notified the city of its enrollment plans, that would provide adequate time for encouraging builders, increasing parking and preparing city workers.

"For a long time the university said they were going to cap their freshman enrollment at 3,000," said Baum, himself a professor of political science at OU.

Though OU has been increasing gradually, he added, the long-term increase has been substantial. He said that if OU plans to reach its self-imposed cap of 20,000 students, then the city would like to know about it.

"We are still aiming for slow, gradual growth toward the 20,000 enrollment figure," said Glidden in his response to Baum. He added that according to OU studies, there is enough off-campus housing to meet student needs.

STUDENT SERVICES AT OU HAVE already expressed concern over the increase, for while new students are spread across the range of academic departments, student services such as Hudson Health Center and the already inadequate facilities at Baker Center must accommodate the entire student population. Though an estimated \$60,000 has been proposed to assist student services, Brehm did not say where the money will be spent, but that UPAC will consider the issue.

"We are all aware that Baker Center cannot provide the kind of student center facilities and activities we'd like to have for our students, but a total increase of 120 students out of a student body of over 19,000 should not have a major impact," she said.

OU students offered a range of reactions to the possible increase. "I think it's pretty ridiculous," said Ashley Rieger, a senior international studies and German major. "I had a friend last year who had to live in one of the utility

rooms." Rieger was apparently referring to a 1995 room shortage, in which the university took in more students than expected in dorms and some students were temporarily housed in spare utility rooms.

"I don't know how they're going to handle more if they don't know how to handle it now," she added.

Other students said they felt the increases will be marginal or acceptable as long as academic standards don't drop.

"One hundred and twenty people is kind of a drop in the bucket really," said Terry Davis, a junior majoring in secondary education.

UPAC, after submitting its proposal to the deans and vice president, and with approval from President Glidden, will make its final recommendation at the June meeting of the OU Board of Trustees.

Monday, March 9, 1998

Officials anticipate possible disturbances

by Michelle Olney and Sarah Wigdalski

THE POST

As Winter Quarter winds down and the possibility of spring festivals draws near, university and city officials are working on a pro-active plan to address rowdy student conduct.

About 30 city administrators, law enforcement officials, landlords, student leaders and university administrators will join forces in a private meeting this week aimed at helping prevent disorderly student gatherings and parties, said Joel Rudy, dean of students and vice president for student affairs.

"We need an open, honest conversation about the problems and

more effective solutions," he said.

Two weeks ago, about 500 people, most of them students leaving Uptown bars, blocked Court Street for 90 minutes around 2 a.m. in the block between Washington and State streets. Athens Police Department officers arrested six OU students on various charges ranging from "misconduct at an emergency" to "persistent disorderly conduct," according to a press release.

The disturbance was similar to last spring's Uptown fracas, when 49 students were arrested as 1,000 people took over the same location.

Incidents such as the Court Street disturbances alter the public's view of OU students, Rudy said.

"When you look at the behavior of 200 or 250 students, it's not a fair representation," he said. "But how do you address it? Instead of waiting for it to happen, is it possible to prevent it?"

Athens Mayor Ric Abel said cooperation is needed between the city and the university.

"I think it is a good idea for the city and OU to talk about what their expectations are in regards to student conduct," Abel said. "How can we educate students that vandalism and taking over the streets are dangerous situations?"

Though the recent Court Street disturbance coupled with last year's fracas sparked the meeting, participants also will discuss concerns off Court Street, Rudy said.

"The goal is to bring a group of interested and concerned people together to discuss what is becoming an unacceptable type of behavior Uptown," Rudy said. "How do we more successfully address what is unacceptable behavior that causes harm? How do we get pro-active instead of reactive, and what is our mutual responsibility in doing that?"

Athens Police Chief Richard Mayer said pro-active approaches

are generally better than reactive actions, and he maintains regular contact with university and city officials about disturbances.

"One of the things we have to review is both the judicial response to people arrested and OU's response to students who act disorderly," Mayer said.

In the past, university and city officials have joined efforts to plan for Palmerfest and Oakfest.

But the recent discussions are different from the spring festival situation because last spring there were targeted groups of students, mainly those planning the parties or living on Palmer and Oak streets, Abel said.

This year, however, there is "no organization or group of people to go to and try to have that type of dialogue," he said. The few Athens residents involved and lack of a targeted group makes it more difficult to outline expectations, he said.

Student Senate President Chad Tanner and Treasurer Erik Roush were unavailable for comment.

Ms. Watts apologized for not being in the office lately and if anyone needs her, she is at Perk's. She said she appreciated the Provost's willingness to meet with them, though the Provost was an hour late. She said Dean Rudy was very supportive of finding additional programming money. Regarding the city & university forum, Ms. Watts said she feels that Mr. Minto had an excellent point regarding additional foot patrols, but the idea was completely dismissed by the Athens Police Department. She said Circus of Service is going well and the registration form is due tomorrow. The Senate service project will be with Good Works with dinner to follow.

MR. ROUSH, TREASURER OF SENATE—Since my last report, there were no expenditures or revenues, leaving the balance at \$13,449.39 This report is true and accurate to the best of my knowledge.

#### Executive Cabinet Reports

Ms. Schroyer [Chief of Staff] said cabinet reports are due by 11:59 PM on Saturday.

Mr. Groban said he has been working on an alumni letter and Senate now has a gift account with the Foundation, meaning that alumni can give money directly to Senate as a charitable contribution.

Ms. Sager [Internship Director] said she is in the process of assigning interns to commissions, so anyone who has a preference on interns or commissions should talk to her.

Mr. Eufinger [University Committees Coordinator] said he has copies of the result of his survey and the keg ordinance.

#### Advisor's Report

Mike Sostarich was not present to give a report.

#### Senator Reports

Ms. Wiebold [Academic Affairs] said 7 April 1998 from 7 PM to 9 PM is the Deans Roundtable which will not be open to the public, but all Senate people can attend. She stressed that this is not a debating forum, but an informal discussion of academic issues. The following article is included in the record.

Tuesday, March 10, 1998

Booking deals through web sites

by Amanda Wolfe

THE POST

Students tired of throwing money into the depths of bookstore money pits now can save a little cash and maybe make some through several online book exchange programs and companies.

Student Senate's Buyback Old Books program has been on the web ([www.ohiou.edu/~senate](http://www.ohiou.edu/~senate)) since mid-Fall Quarter. Because the senate's Academic Affairs Commission was not able to fully advertise the program, only a few students took advantage of it, commissioner Amanda Wiebold said.

At the site, students can buy books for lower prices and sell books for higher prices than at the bookstores through the senate's program. Student Senate does not regulate the prices students ask for posted books.

Freshman Alicia Dietz posted an English book and a math book and ended up selling one through the program. Dietz said she got either the same amount or a little more than the bookstore would have paid her for the book.

Still, Dietz said, the senate's program is a better way to sell back books, and she plans to use it again Spring Quarter.

"You're not getting as ripped off as you would be if you took the book back to a bookstore," she said.

Students have to check with their professors or at one of the bookstores to see what books are required for each course. But in the future, Wiebold said the commission will obtain a complete listing of all books professors intend to use.

Senate already has a list of books for some majors, including business, education, interpersonal communications, linguistics, philosophy, math and social work, Wiebold said. "We're encouraging people to hold off buying books until the

first day of the quarter," Wiebold said. "Then they can check things out. It's worth it."

Although few people have bought and sold books through the site, Wiebold has hope for more success in the future.

"Once we start advertising more and get the support of teachers, the program will grow," she said.

Similar to the senate's Buyback Old Books Web site is Student Market, a national online service for students to buy and sell books.

Founded by Oren Milgram, a San Jose State University student, Student Market is a free service that allows students to browse for books either by searching under a specific university or college name or searching for general titles.

Each university or college has its own page, if students from the university or college have accessed the site. At press time, the web site indicated no one from OU had posted a book.

Independent companies also are taking a chance with online book services.

Students looking to make a profit, as well as save money on books, can check out A1Books.com. The company purchases books from publishers and warehouses and sells them at a discount profit, founder Kavita Gupta said.

While students can purchase books from the online company, they also can become partners with the company, earning a 10 to 12 percent commission each time a referred customer purchases books, said Shinu Gupta, director of technology at A1Books.com.

Students may not find this national service as accessible as a local service, because A1Books.com does not have a list of what books are required at each university, Kavita Gupta said.

Ms. Barnes [Black Affairs] said there will be a meeting on Tuesday to discuss ways to help NAACP.

Ms. Weaner [Environmental Awareness] said she is still focused on Earth Day.

Mr. Eaton [International Affairs] said he met with the International Curriculum Council on Tuesday. He said there are several positions for which the terms have or soon will expire.

Mr. Ciske [City & County Legislative Affairs] said the city sector program is in trouble because not enough people, especially students, attend. He said he will work with Ron to figure out how to increase turnout.

Ms. Stubbs [State & Federal Legislative Affairs] said she attend the Ohio Student Association meeting and feels it was the most productive meeting this year. She said that the meeting was so wonderful she might be in favor of paying dues.

Mr. Edwards [Lesbian-Gay-Bi-Transgendered Awareness] said that Pride week is coming along just fine.

Ms. Coleman [Minority Affairs] was not present.

Mr. Minto [Off Campus Housing] said Wednesday is the last meeting and training session with David Baer.

Mr. Barron [Residence Life] said he and Mr. Josh Woolley met with the MicroFridge people on Friday. The company representative explained that TRAC will get thousands of dollars out of the MicroFridge deal because TRAC is a member of an organization that Interior, the manufacturer of MicroFridge, sponsors. Mr. Barron said he gave the company representative a packet detailing Senate's years of involvement and work on this issue in hope that the company will decide to honor its verbal commitment to give Senate a

percentage of sales. The following article is included in the record.

Friday, March 6, 1998

The POST

Student Senate suggests microfridge expansion

Student Senate unanimously passed a resolution last night strongly encouraging OU to expand its microfridge program while keeping the quality of the microwave/refrigerator units high and costs to students at a minimum.

The one-year pilot program began Fall Quarter in several rooms in Biddle, Lincoln, Sargent, Mackinnon and Martzolff halls. Surveys, created by OU Housing Director Dale Tampke, will be distributed to students in the five pilot program residence halls this week. The surveys will help university officials determine the program's future.

Members of the senate's residence life commission have distributed petitions in several residence halls. The number of signatures demonstrates student support for the program, said Karen Sager, South Green senate representative.

The program has been a project the senate has backed for years, residence life commissioner Jason Barron said.

Ms. Cohen [Student Activities] said SAC will now give \$36,000 to quarterly funded student organizations, a record amount in a quarter. He noted that SAC was featured prominently in this week's Post Index which is included in the record.

Tuesday, March 10, 1998

The Post Index

by Darin Painter

THE POST

100 Spring Quarter funding, in dollars, requested from Student Senate's Student Activities Commission by Phi Beta Sigma Fraternity Inc. for "casino equipment" (SAC)

\$6,314 Spring Quarter funding, in dollars, requested by OU College Republicans (SAC)

\$627.30 Spring Quarter funding, in dollars, requested by OU College Democrats (SAC)

11 Rank of Mid-American Conference at-large representative Western Michigan in the 16-team Midwest region of the NCAA Division I men's basketball tournament. Western Michigan did not win its regular-season division or a MAC tournament game this year. (NCAA, Post research)

0 Games Ball State will play in the NCAA tournament - despite its MAC regular-season championship and 21-7 record (NCAA)

7 Aquatic Center pool records set in 13 events Saturday night at the 1998 MAC Swimming and Diving Championships (Ohio athletics department)

16,500 Approximate daily number of OAK login sessions that took place in November 1996 (Computer Services Center)

2 to 7 a.m. The only time span when there are more average OAK users on weekends than on weekdays (Computer Services Center)

MS. WERVEY, SENATOR FOR UNIVERSITY LIFE-The University Life Commission is working on contacting people for GRASP. I have received an e-mail from Provost Brehm, and e-mailed her back. There was an article in the paper today, I encourage everyone to read it if they have any questions concerning GRASP.

Starting Spring Quarter, the University Life Commission will begin holding forums on all of the greens regarding student concerns. This is of course subject to a small amount of funding from the Budget Committee for flyers, CATVision ads, and possible Post ads. This will enable us to provide outreach to students to address their concerns. We will be contacting resident directors on each green to get the resident assistants to do a bulletin board about the forums. I have emailed a large section of student organization presidents to get complaints and concerns from the organizations. I will be continuing to e-mail more presidents during exam week, I have received comments back, and will be addressing them as they come in. The University Life Commission will compile all complaints into a report to enable each commission to address problems as they see fit. I need to meet briefly with Senators at-Large after the meeting. And I'd like to thank each of them for their hard work this quarter!

The following article regarding GRASP is included in the record.

Thursday, March 12, 1998

Senate group tackles space concerns

by Amanda Wolfe

THE POST

When a student organization wants to have a meeting or set up events including speakers or concerts, concerns such as food and preparation costs and available programming space inevitably arise.

Gaining Reasonable Administrative Support for Programming, an ad-hoc committee of Student Senate, examines funding and space concerns that influence campus programming. The

committee will identify programming problems, such as lack of appropriate space or fees associated with using that space, and research the solutions.

After completing the research, the committee will recommend action to university administrators and possibly at the April Board of Trustees meeting.

According to the committee's 1992 recommendations, the committee formed in the spring of 1991 when students became frustrated with the amount of money allocated to student programming and the lack of programming space on campus. The university has implemented many of the group's recommendations, said Mike Sostarich, the senate's adviser and associate dean of students.

Previously, organizations had to pay a rental fee to use campus facilities such as Baker Center Ballroom, Templeton-Blackburn Alumni Memorial Auditorium, the Convocation Center and Grover Center. But because of GRASP's initiative, student groups no longer pay that rental fee, he said. Student organizations still pay rental costs such as a \$2 fee for every table and \$.50 for every chair. Labor costs for facilities management to set up an event is \$15.75 per worker each hour.

Total costs depend on the size of the event, the number of workers needed and the distance workers have to deliver the materials, said Gary Dicken, director of facilities management moving services and surplus management.

"The costs are reasonable, but student organizations don't have the money to pay for it," said Melissa Wervey, the senate's university life commissioner and committee chairwoman.

Student groups could avoid the labor costs if they set up for events themselves, Dicken said.

Facilities management should only charge for lost or broken items, not for renting chairs and tables, Wervey said.

Besides examining the costs associated with using programming space, the committee is examining catered-food costs and available meeting space, Wervey said.

If a group wants to have food at a meeting, it technically cannot bring in outside food and must use Baker Center Food Service. But an event catered by Baker Center is expensive, Wervey said.

A meeting for 50 people with cookies and punch might cost a group as much as \$88. Catering services generally estimates three cookies per person, at \$4.65 a dozen, said Julie McCune, Baker Center Banquet and Catering secretary. Each gallon of punch is \$12 and has 20 servings.

"If a group is having a small, organizational meeting, it should be allowed to bring food in," Wervey said.

Baker Center Catering also offers cookies and punch like those served in the dining halls for a lower cost. For \$44, a group could serve about 50 people. In this case, punch costs \$5.25 a gallon and cookies are \$2.45 a dozen.

Student organizations sometimes find a shortage of meeting space in Baker Center. Rooms used for dining during the day could become meeting spaces at night, Wervey said.

"We need to utilize all the space we can," she said.

Ms. Zulia [Women's Affairs] asked everyone to be prepared to help with Take Back the Night activities and planning.

#### Committee Reports

MS. WERVEY, SENATOR FOR UNIVERSITY LIFE AND HEALTH SERVICES COMMITTEE CHAIR-I have contacted the appropriate people regarding a graduate student stipend, and will be meeting with the head of the psychology department during exam week to determine if they can fund the counselor for the free

anonymous HIV testing. Dr. Williams said there might be a few stipends open for next year.

I will e-mail everyone about the Health meeting when we get back from break. Hopefully, by then we will have an affirmative response from the psychology department regarding the stipend. Dr. Cunningham has promised to have the lab procedure set up for us as soon as we get money for the counselor. Everyone on this body should be proud because I think everyone has contributed to getting this goal accomplished.

MR. MERGEN, CHAIRMAN OF THE SPECIAL COMMITTEE ON RULES & PROCEDURES-I would like to thank my committee for their hard work and dedication. I think the process has gone very well and I appreciate the input of many on this body.

I would also like to recognize two people who have impressed me greatly. First, Megan Kelley, who is our Recording Secretary. I think we all know she has worked hard as an intern and I know that she has done a great job on the Committee.

Mr. Michetti, in the short time he has been a member of this body, has likewise distinguished himself. He brought a significant issue to our attention with the first real One Minute all year and he has been working hard for University Life. I invited him to attend one of the Committee's meetings and he immediately jumped in and asked questions. Most impressive.

I am naming Ms. Kelley and Mr. Michetti to my committee in recognition of their dedication and impressive work. Thank you both. This is the highest compliment I can give. Everything else I might report is in the Committee Report or will be discussed during consideration of the resolution.

Old Business

There was no Old Business.

New Business

Senate Resolution 9798-36 was read into the record.

Luke, it is your destiny

A RESOLUTION TO FILL A VACANCY.

whereas, there is no Senator for University College, and,  
whereas, Luke Ellwood has applied for the position, and,  
whereas, his association with Mr. Nusairat cannot be held  
against him, therefore,  
resolved, Luke Ellwood is Senator for University College.

Sponsors: Ms. Ann Charles Watts, Vice President of Senate;  
Ms. Melissa Wervey, Senator for University Life.

Mr. Tanner recognized Ms. Watts for the purpose of speaking  
as a sponsor.

Ms. Watts said that Mr. Ellwood is a proven good egg.

Mr. Tanner recognized Ms. Wervey for the purpose of speaking  
as a sponsor.

Ms. Wervey said she has seen Mr. Ellwood dance in his little  
bikini briefs.

Without objection, the resolution was agreed to.

Senate Resolution 9798-37 was read into the record.

Elmer's Grandson

A RESOLUTION TO ADOPT THE REPORT OF THE SPECIAL COMMITTEE ON  
RULES & PROCEDURES IN CONSIDERATION OF AMENDMENTS TO THE  
RULES & PROCEDURES OF SENATE.

whereas, the Special Committee on Rules & Procedures has met  
in consideration of various amendments to the Rules &  
Procedures, therefore,  
resolved, that the Report of the Special Committee on Rules  
& Procedures in Consideration of Amendments to the Rules &  
Procedures of Senate be agreed to.

Sponsors: Mr. Erik Roush, Treasurer of Senate; Mr. Jason  
Barron, Senator for Residence Life.

Report of the  
Special Committee on Rules & Procedures

In Consideration of Amendments to the Rules & Procedures of  
Senate Regarding Elections

Mr. Greg Mergen, Chairman  
Senator Emeritus  
Graduate Student Senate Liaison  
Mr. Josh Woolley, Vice Chairman  
Senator Emeritus  
Ms. Megan Kelley, Secretary  
Intern  
Mr. Jason Barron  
Senator for Residence Life  
Mr. Jay Cohen  
Senator for Student Activities  
Mr. Mike Michetti  
Senator at Large  
Mr. Erik Roush  
Treasurer of Senate  
Mr. Chad Tanner

President of Senate

Ms. Ann Charles Watts

Vice President of Senate

The Committee having met several times, has considered the following changes to the Rules & Procedures of Senate regarding Elections. This Report contains minutes of the Committee's deliberations and copies of email correspondence.

Monday, February 25, 1998

Meeting began at 5:32 PM. Members present were Greg Mergen (Chairman), Josh Woolley, Eric Roush, Chad Tanner, Ann Charles Watts, Jay Cohen, Jason Baron, and Megan Kelley (Recording Secretary). Mergen outlined the agenda for the evening which included fixing a spending and/or contribution limit for the spring Student Senate elections, increasing the number of at large Senators and the number of SAC at large Senators, and fixing the date of spring elections. Mergen opened discussion on election spending with a brief history of spending limits. Cohen asked if the elections have grown out of control in terms of spending. Watts stated that a relatively high spending limits should be imposed, in the are of \$3,000. Woolley asked if there would be any realistic way to enforce that limit. Watts proposed that clause 6.3 be taken out of the Constitution dealing with the Board of Elections. Mergen stated that that could be amended but doesn't need to be removed. Roush stated that there should be an individual contribution limit rather than a spending limit. The Committee agreed that there should be a personal contribution limit of \$150. for everyone, counting all contributions made in fundraiser form minus the expense of the fundraiser raiser. Woolley added that any contribution greater than \$10.00 must be reported. Mergen

brought to attention line 651 which allows the independent candidate unlimited expenditures. Woolley stated that independent candidates should not be allowed to collect unlimited amounts from other people. Tanner stated that independents are already handicapped enough without the support of a party, therefore it would be unfair to limit their maximum collection amount. The committee settled at \$150.00 and agreed to strike line 653. Mergen then opened discussion on the increase of Senator at-large positions and proposed that the number increase to represent the general University. Watts stated that extra voting seats do not need to be added to increase participation in the commissions. Baron stated that more seats will give the commissions more capabilities, able to address more issues. Roush commented that the previous goal of the Commission was to down size, has that objective changed? Mergen explained that superfluous positions were to be eliminated and need positions added. Watts stated that at voting seat is not needed for a position that could be filled by an intern or a willing student. Baron stated that at present the University Life and Residence Life commissions are not working to their maximum capacity and that these seats will encourage participation. Watts reiterated that two more voting seats would be unnecessary. Woolley stated that the seats will make people more accountable to Senate as a whole rather than just their commission. Baron agreed that people are more dependable when held accountable for their actions. Watts stated that the proposed change was a structural change that wasn't needed. Mergen resolved debate and the Committee reached a consensus on adding At-Large Senators. Mergen then opened discussion on adding SAC at-large representatives. Mergen explained that there has been

problems with the representatives of organizations are doing little of the SAC work and all of the work is falling on Senate members. He stated that increasing the elected body would increase responsibility and dependability. Woolley stated that we should tie funding for not executing the duties of organization representatives. Baron stated that that would hurt the campus more than the organization. Cohen stated that enforcement was unlikely and it would be difficult to reprimand the representatives without backlash from the campus organizations. The Committee reached a consensus to add at-large positions to SAC. Mergen then raised the question of fixing the election date. Watts raised concern over giving enough time for the executives to make appointments. Mergen stated that it cannot conflict with primaries. Woolley suggested the Thursday of the second full week in May. The Committee agreed. The meeting was adjourned at 7:35 PM.

Monday, March 2, 1998

Meeting was opened at 5:15 PM. Members present included Greg Mergen (Chairman), Josh Woolley, Eric Roush, Jason Baron, Chad Tanner, and Megan Kelley Recording Secretary). Mergen mentioned the points to be discussed, including the number of SAC at large positions to be added and minor changes to be made in the constitution. Mergen opened by stating that the at-large representatives need to be a part of Senate culture, and they should be appointed to represent the interests of quarterly groups, rather than that of the lump sum groups. Baron stated that being appointed rather than elected might lead to laziness. Woolley stated that that would not happen because the positions would be carefully selected by the executives, and that appointment would give the quarterly groups representation. Woolley stated that there should be 4 appointed positions, and 5 elected

positions. Roush stated that there should be 3 appointed positions. Tanner stated that there should be 4 appointed positions to represent the 4 quarterly organizations. Mergen then opened conversation on minor constitutional changes. Woolley suggested amending lines 591-592 to make an exception for hanging a banner in Baker Center during Senate campaigning and voting. Baron stated that the banner should have to remain 50 ft. away from the polling site. Tanner stated that it wasn't fair to the other candidates to be able to campaign so closely to the polling location. Mergen stated that it would not be direct campaigning, as long it was a pro-vote banner sponsored by the BEST party. Tanner suggested moving the polling location. Roush stated that he felt that the banner should not be allowed in that location. Woolley states that it is not active campaigning and is well within all guidelines. A vote was then taken and the amendment failed with 2 no's and 1 yes, however, it was decided that the issue would be revisited with the full committee present. Woolley stated that line 595-97 requiring the immediate recycling of all campaign materials should be struck. Mergen stated that the line was already going to be removed. Woolley stated that the 25 days of active campaigning should be creased to a rounded number. The committee agreed that the campaigning term should be increased to 30 days. Woolley stated that line 604 should be amended to strike the words "board of elections" to allow the board to give out more in return for voting. Mergen stated that there should be a limit to compensation for voting. Baron states that it would not help or hurt either party, would simply encourage voting.

wednesday, March 4, 1998

The meeting opened at 5:23 PM. Members present were Greg

Mergen (Chairman), Josh Woolley, Chad Tanner, Eric Roush, Ann Charles Watts, Jason Baron, Jay Cohen, and Megan Kelley (Recording Secretary). Mergen opened discussion on the registration of a party as a student organization which trademarks the party name. Mergen stated that parties must submit paperwork by the deadline and will be approved within 5 days. Cohen stated that a beginning date should be set as to when a party can begin to organize so as to not undermine the work of Senate. Watts stated that you shouldn't have to set such a regulation unless the work of Senate is suffering noticeably. Cohen stated that it is an issue that will be addressed in the future. Watts stated that line 556 allowing students to place an issue on the ballot with the signatures of 10% of the student body should be struck because of the unrealistic number of signatures required. Roush stated that it could be done. Watts stated that the filing deadline for party registration should be a month in advance of the elections. Baron asked if it is possible to replace spots after registration. Mergen stated that people can be added under certain conditions. Baron stated that candidates should not be able to jump parties. Mergen stated that there can be no addition of non-registered candidates. Woolley stated that candidates should not be permitted to jump ships. It was agreed that there will be no switching parties replacements have to be filled. Baron stated that requiring replacements to be filed would exclude commissioners from contention for the spot. Mergen stated that the spot would remain empty if a suitable replacement is not found. Only under certain circumstances can someone be replaced, such as a health-related withdrawal from the University. Mergen proposed to strike section 1.4 which allows the Board of Elections to draft election rules. Mergen moved to strike lines 524-25 and lines 691-92. It was agreed that debates

can be no later than one week before the election and a candidate is invalid if the GPA and signature requirements are not met. Mergen raised Watt's question dealing with expense forms. Mergen stated Watt's feelings that the declaration of the winner of the elections is too political. Baron asked whether the issue of the President holding another job should be addressed. The committee did not see it necessary. The meeting was adjourned at 6:40 PM.

Saturday, March 7, 1998

Meeting opened at 12:00 PM. Members present were Greg Mergen (Chairman), Josh Woolley, Jason Baron, Eric Roush, Chad Tanner, and Megan Kelley (Recording Secretary). Mergen raised the question as to how long before the election the ballot should be able to be changed. Baron stated that one week would be sufficient to replace someone. Roush stated that that would be too much time, they should only have until one week after the filing deadline. The committee passed the provision allowing a change in the ballot seven days before the election. Woolley raised the question of whether or not to hire poll workers through financial aid. Mergen stated that it would be best to word the document so to state that one may go through financial aid, but to leave room for change in the future. Mergen raised the question as to how to pay the Chair of the Board of Elections, should they be paid on election day or just a lump sum of money. Mergen stated that the time sheet could be open for abuse. Baron asked how much work are they to be expected to be paid for. Mergen stated that hourly payment is getting too expensive, and raised the question as to whether the work would get done if the chair were to only be paid for election day. Woolley stated that everyone should be paid for election day and other time is volunteered. Tanner

stated that the workers should be paid by salary. Baron asked what the workers get paid now. Roush stated that they get paid minimum wage with a maximum of twenty hours a week. Mergen suggested that the members of the election board be paid a flat sum of \$200. plus hourly wages on election day. Tanner stated that the number of workers and the number of hours they can work should be set. Roush stated that line 716 specified that there are to be six people plus one chairperson on the board of elections. The Committee agreed to set the lump sum to be paid at \$150., then pay hourly on election day. Mergen opened discussion on absentee balloting. Roush stated that ballots should be sent. Tanner stated that one would have to put in a request for an absentee ballot. Mergen suggested that the ballot be put on the website. Baron stated that that would be neither secret nor anonymous. Roush stated as well that the web site would lose anonymity. Woolley stated that it was not enough votes to worry too much about. Tanner stated that a person should have to petition the Board of Elections for a special ballot and take it upon themselves to make arrangements to vote. Baron stated that the only possible way is to send ballots through the mail. The Board came to a consensus that one must petition the Board of Elections five days before elections for an absentee ballot. Woolley raised the issue of designating polling locations- all dining halls, college gate, Bentley, Baker, and Ping. Mergen questioned as to whether it is necessary to designate the locations. Tanner stated that there is no need to specify. Mergen stated that there should be a minimum specified with room for additions. The Committee agreed. Mergen raised the question as to how to enforce sanctions and fines for violations. Woolley stated that candidates should have to pay Senate up front when using the Senate ad rate. The Committee agreed that all

candidates should be required to pay at the time of ad placement. Mergen raised the question as to how to penalize election violations. Woolley stated that candidates should be fined \$50. Baron stated that they should be fined \$20. Mergen stated that individuals should be fined \$20. and parties should be fined \$50. A verbal warning will be issued first, then a fine installed. Mergen stated that there should be room for a range of severity of violations. woolley stated that the board should be able to add onto the minimum fine for more severe violations. Baron stated that certain offenses warrant more than a financial penalty. woolley stated that there should be a maximum fine of \$200 for a party and \$100 for an individual, and the board should decide if the person is to be expelled. Tanner stated that a party is too big to control the actions of all its members. Baron stated that \$200 is too high. The Committee set the maximum penalty limit at \$200 to parties and \$100 to individuals. Mergen raised the question of requiring a security deposit of candidates in case of penalties. woolley stated that at that point the rules would be getting too complicated. Tanner stated that the election process is getting too complicated as well. It was agreed not to require deposits in advance. The meeting was adjourned at 5:00 PM.

Monday, March 9, 1998

The meeting was opened at 5:30 PM. Members present were Greg Mergen, Josh Woolley, Chad Tanner, Eric Roush, Ann Charles watts, and Megan Kelley. Mergen handed out revised copies of Chapter 100 dealing with elections and guidelines for penalties. Mergen raised the question as to whether there should be a distinction for individuals who violate a rule but are a member of a party. watts stated that there should

be a fine to the party and disqualification for the individual. Mergen stated that the board will decide if the violation is by the individual, by the party, or both. Watts stated that all violations should be penalized with fines. Mergen stated that the severity of punishment must be at the discretion of the board. Woolley asked whether there would be a verbal warning first. The board agreed that a written warning will be furnished first, then the violator is subject to fines. Mergen stated that there is a need to specify that the money made from fines goes to the Senate general fund and not to a charity. Roush stated that the board of elections and the chairperson must be paid hourly this year.

Messages received by the Committee

Date: Wed, 25 Feb 1998

From: Kara Beth Schroyer <ks134594@oak.cats.ohiou.edu>

To: Greg Mergen <gm846488@oak.cats.ohiou.edu>

Subject: Re: Rules

Greg/rude person/meanie:

I am formally suggesting that I would like to see some kind of campaign finance clause in the rules. At least if it is not agreed upon, I would at least be content if the subject was discussed. I am concerned that our senate elections may parallel those of local, state, and federal campaigns in that the amount of money used is a large factor in the outcome of an election. I'd rather there be an arbitrary cap of a reasonable sum placed on elections, so candidates must be more creative with their campaigning, and candidates may feel that the process is perhaps a little more fair.

Although this may not be the case in the "real world," we are here to learn, and that should be the emphasis. Just food for thought. Thanks.

-Kara

Date: Wed, 25 Feb 1998

From: Greg Mergen <gm846488@oak.cats.ohiou.edu>

To: Kara Beth Schroyer <ks134594@oak.cats.ohiou.edu>

Subject: Re: Rules

Thank you for your thoughts. They will be considered during the meeting.

gbm

Date: Wed, 25 Feb 1998

From: Kara Beth Schroyer <ks134594@oak.cats.ohiou.edu>

To: Greg Mergen <gm846488@oak.cats.ohiou.edu>

Subject: Re: Rules

greg:

i would also like for the rules committee to consider adding a clause for UC reps once they declare a major. right now we are almost penalizing them for making that choice, which should not be the case. thank you very much.

-kara

Date: Mon, 9 Mar 1998

From: Kara Beth Schroyer <ks134594@oak.cats.ohiou.edu>

To: Greg Mergen <gm846488@oak.cats.ohiou.edu>

Subject: Re: last chance

greg:

please tell the members of the committee that I am very

impressed with all the work that has been done and very much like the changes I have read in the minutes.

-kara

#### Amendments

Amend the Rules & Procedures as necessary to allow for the following:

There shall be five Senators at Large. All eligible students may vote for up to five candidates.

100.06 and 100.04(a) shall become effective at the end of Spring Quarter 1998.

100.08 is suspended and the date of election for the 1997-98 academic year is Wednesday, 13 May 1998.

The section in the Rules & Procedures regarding elections is stricken and replaced by the following:

#### Chapter 100

##### Elections

100.01 Definitions

100.02 Board of Elections, Generally

100.03 Board of Elections, Chairman

100.04 Board of Elections, Members

100.05 Board of Elections, Removal

100.06 Board of Elections, Compensation

100.07 Board of Elections, Annual Election Report

100.08 Date of Election

100.09 Candidates, Generally

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#### 100.01 Definitions

- (a) "Board" shall mean the Board of Elections of Student Senate.
- (b) "Campaigning" shall be considered the solicitation of votes by a candidate, representatives of a candidate or a political party.
- (c) "Candidate" shall be anyone who satisfies one or more of sections 9, 10, and 28 of this chapter and may refer to candidates running as a member of a party or independently.

(d) "Election cycle" shall be the period beginning with a postelection finance report filing deadline and ending with the postelection finance report filing deadline of the following election, excluding any special election filing deadline for a postelection report.

(e) "Executive Officer" shall be the Executive Officers of Senate as defined by the Constitution.

(f) "Independent candidate" shall be the candidate and his or her staff and volunteer workers.

(g) "Party" shall include all candidates running as a member of a party as defined in section 14 of this chapter and shall include staff and volunteer workers of the party.

(h) "University", regardless of capitalization, shall mean Ohio University.

#### 100.02 Board of Elections, Generally

(a) The Board of Elections shall conduct all Senate elections required by the Constitution of Senate, make available petitions for candidacy, determine eligibility for candidacy, enforce all Rules & Procedures relevant to Senate elections, determine sanctions for violations of the Rules & Procedures, conduct hearings for violations and refer violators when appropriate to Judiciaries, report to Senate after each election, publicize and conduct debates, provide various forms, and do whatever is necessary and proper under the Rules & Procedures and Constitution to ensure fair elections.

(b) Quorum shall be four members of the Board.

#### 100.03 Board of Elections, Chairman

(a) The Chairman of the Board must be an Ohio University student in good standing. The Chairman shall not be a current member of Student Senate, or a candidate for a Senate office or actively supporting a candidate for Senate office. The Chairman must be nonpartisan, possess a general

understanding of Senate, and understand the Rules & Procedures.

(b) The Chairman of the Board shall be interviewed and appointed by the Executive Officers. The Chairman cannot have served as an Executive Officer or Senator within the past three quarters, excluding summer sessions.

#### 100.04 Board of Elections, Members

(a) There shall be six members, excluding the Chairman, appointed by the Executive Officers before the eighth week of a quarter immediately preceding a quarter in which an election is held.

(b) All members of the Board must be Ohio University students in good standing. No member of the Board shall be a current member of Senate, or a candidate for a Senate office or actively supporting a candidate for Senate office. All members of the Board must be nonpartisan, possess a general understanding of Senate, and understand the Rules & Procedures.

#### 100.05 Board of Elections, Removal

Members and the Chairman may be removed by the Executive Officers for malfeasance, dereliction of duty, violations of the Student Code of Conduct that materially affect the credibility of Senate elections, or for other good cause.

#### 100.06 Board of Elections, Compensation

Members of the Board and the Chairman may be compensated no more than \$150.00 for work associated with an election.

#### 100.07 Board of Elections, Annual Election Report

(a) The Chairman shall be responsible for a Report of all elections held during his or her tenure. This report must be submitted to the Executive Officers no later than 14 calendar days after the preceding election.

(b) The Report shall contain the following: all expenditures

made by the Board and appropriations made to the Board since the last report; all finance reports submitted; a list of all candidates and the position for which the candidate filed; official results for each candidate, including write-in candidates; samples of campaign material of all candidates available to the Board, such as fliers; all newspaper articles regarding the election; a summary of the conduct of the election, highlighting successful aspects, problems and potential problems, and suggestions for improvement; the signatures of the Chairman and Members certifying that the report is complete and accurate to their knowledge and that the Board has followed all applicable Rules & Procedures; and other information necessary for a thorough accounting of the activities of the Board and the election.

#### 100.08 Date of Election

The election for all Executive Officers, Senators, and Student Activities Commission Representatives at Large shall be the Thursday of the second full week of May.

#### 100.09 Candidates, Generally

(a) A candidate must be a student with a 2.0 accumulative grade-point average or higher at Ohio University, Athens Campus.

(b) A candidate must be in good standing with the Office of Judiciaries. A student shall not be a candidate for more than one voting Senate position in an election. It is permissible to be a candidate for Student Activities Commission Representative at Large and either Executive Officer or Senator.

(c) All candidates, parties, staff, and volunteers are bound by all provisions of the Rules & Procedures and the Constitution.

#### 100.10 Candidates, Application for Candidacy

(a) Applications for office shall be made available by the Board to the student body by 5:00 PM Friday after the first Monday which school is in session of the quarter in which an election is held.

(b) Applications must be filed by 5:00 PM thirty days before the date of the election.

(c) A completed and valid application must include the signature of the candidate in ink. The candidate's signature shall be interpreted as the candidate's understanding and acceptance of all applicable Rules & Procedures and consent to allow the Board and Advisor of Senate to review the person's judicial and academic record as necessary to certify candidacy. If an application is determined invalid by the Board, the candidate's name shall not appear on the ballot. A candidate shall bear the burden of proof for all claims made on the petition for candidacy.

(d) An application shall include a section on background information, a petition for signatures, a list of campaign rules and procedures, information regarding important dates, and financial report forms.

(e) An applicant for Executive Officer shall submit an application petition bearing seventy-five signatures of Ohio University, Athens Campus, students.

(f) An applicant for Senator or Student Activities Commission Representatives at Large shall submit a petition bearing twenty-five signatures of Ohio University, Athens Campus, students.

(g) The Board may request documentation including, but not limited to, registration status, address, grade point average, judicial record, and other information pertaining to qualification for candidacy. An applicant for candidacy shall have five business days in which to comply with a

request for documentation.

(h) An applicant shall not submit information that is untruthful or misleading.

#### 100.11 Candidates, Extension of Filing Deadline

The Board may grant extensions to deadlines of sections 10(b) and 10(g) of this chapter for reasons including, but not limited to, emergency hospitalization or a death in the applicant's immediate family. The Board shall not grant extensions for reasons including, but not limited to disorganization, insufficient number of valid signatures, class or work schedule conflicts, or ignorance of the Rules & Procedures and the various deadlines established by the Rules & Procedures and the Board. Any extension shall be requested in writing. The requests shall contain the reason for the extension request and shall be signed by the candidate in ink. The Board shall decide whether to grant the extension within one calendar day of receipt of the request. The Board shall notify the President of Senate in writing of the receipt of a request and the Board's decision.

#### 100.12 Candidates, Replacement

In the case that a candidate, is running as a member of a party, must withdraw from candidacy due to withdrawal from the university during the period between the date the candidate is certified and seven calendar days prior to the date of an election, the party may replace him or her with a candidate who satisfies the requirements of section 9 of this section.

#### 100.13 Campaigning, Generally

(a) Posters, flyers, television or radio commercials, or other non-personal methods of campaigning, which involve the expenditure of campaign funds and which names one or more candidate for office, shall be prohibited prior to thirty

days from an election. This section shall not be interpreted as a prohibition against fundraising for a party, media announcements or coverage, or forms of political activity which do not involve the expenditure of funds.

(b) Parties, candidates, and independent candidates may post flyers, posters, air television or radio commercials, and use other methods of communication at any time as long as such advertisements do not solicit votes for that party or candidate.

(c) Parties, candidates, and independent candidates are prohibited from engaging in the solicitation of a vote in return for which compensation, financial or otherwise, is promised in exchange for voting. The Board of Elections may provide an item with a value of \$1.00 or less to a student who votes.

(d) Negative campaigning is prohibited. The general parameters of what shall constitute negative campaigning shall include statements which are false or defamatory, or malicious actions directed against another candidate or party. At no time shall the Board infringe upon a candidate's rights under the First Amendment of the United States Constitution or the Student Code of Conduct.

#### 100.14 Campaigning, Political Parties

(a) A Declaration of Party form must be completed and submitted to the Board by the filing deadline in order for candidates to campaign as members of that party and for that party name to appear on the ballot.

(b) A party must be a registered student organization as determined by the Student Activities Office by the filing deadline, or present evidence that the party has registered as a student organization with the Office of Student Activities by the filing deadline. A party whose petition

for registered student organization status is denied or returned for defects in the application after the filing deadline shall be prohibited from campaigning as a party and all candidates listed as members of the party shall be independent candidates.

(c) No candidate shall campaign as a member of a party prior to the party having submitted an application for student organization status and submitting to the Board a Declaration of Party form. No party name shall be listed on the ballot if the Board does not receive a Declaration of Party form on or before the filing deadline.

(d) The Declaration of Party form shall include: the name of the party as it is to appear on the ballot; the name, address, and telephone number of the President or Party Chair, Treasurer, and other officials of the party; names and signatures of all candidates wishing to campaign as members of the party; a summary of the party's purpose; and the signature of one of the party officials whose name appears as an officer of the party, certifying the party has filed with the Student Activities Office as a student organization and will abide by all rules applying to registered student organizations and the Rules & Procedures.

(e) Party names shall appear next to individual names on the ballot so long as they are not profane or degrading to any person or group as determined by the Board.

(f) Two or more candidates may not present themselves as a party unless they are declared as a party. Two or more candidates whose names appear on flyers, clothing, buttons, and other campaign material shall be interpreted as running as a party.

#### 100.15 Campaigning, Debates

(a) The Board shall conduct at least one debate and shall allow all Executive Officer candidate the opportunity to

debate. The Board, in consultation with all Executive Officer candidates, shall have final authority to determine the format. The Board may agree to more than one debate, allowing only candidates for a given office to participate. No debate shall be held within seven calendar days of an election.

(b) In addition to any debate organized by the Board, candidates may agree to a debate sponsored by an organization other than the Board.

#### 100.16 Campaigning, Use of Senate Resources

(a) An independent candidate or party may use a Senate account for items or services including, but not limited to, newspaper and radio advertising, if any such account exists and if the rate is less than that which otherwise would be available.

(b) Payment for an item or service under this section shall be made at the time the item or service is ordered. If payment is not made at the time the item or service is ordered, the party or independent candidate shall pay Senate directly within twenty four hours.

(c) A check returned for insufficient funds shall be considered theft of Senate resources.

(d) This section shall not be construed to allow an independent candidate or party to use resources available to Senate when it is merely more convenient, including, but not limited to charging duplication expenses to Senate or reserving rooms or facilities under Senate's name.

(e) A party or independent candidate shall provide the Board with a check in the amount of \$100.00 before use of any Senate resources allowed by section 16(d) of this chapter as a guarantee of payment for items or services placed under an account of Senate. The Board shall submit to the Treasurer

of Senate any check received for this purpose. The Treasurer of Senate shall not deposit the check unless directed to do so by the Board. The check may be deposited in partial or complete fulfillment of any financial obligations to Senate five business days following an election.

#### 100.17 Campaign Finance, Generally

(a) Parties or independent candidates with funds from previous activity must declare its balance to the Board within five business days of the filing deadline.

(b) If a party or independent candidate discovers any unauthorized expenditures of funds that is intended to affect the outcome of an election, the party or independent candidate must notify immediately the Board.

(c) Students, parties, and student organizations shall not use university provided funds such as funding from the Student Activities Commission to support or oppose a candidate, ballot question, or constitutional amendment. Nothing in this section shall be construed to prohibit Student Senate from engaging in political activity, including expenditure of funds from the General or Student Activities accounts regarding constitutional amendments or ballot questions or for activities intended to increase voter turnout.

(d) All parties and independent candidates must submit an expense form by 5:00 PM five business days after an election. Finance reports shall be provided with the petition for candidacy.

(e) No party, candidate, or independent candidate shall report false, untruthful, misleading, or inaccurate information required by sections 17, 18, and 19 of this chapter.

#### 100.18 Campaign Finance, Reports for Independent Candidates

(a) Expense forms shall include the name of the candidate

and office sought; date of expenditure; to whom paid; description of expenditure; and amount of expenditure.

(b) Contribution forms shall include the name of the candidate and the office sought; date of receipt of contribution; from whom received; form of contribution; and amount received.

(c) Fundraiser income and expense forms shall include the information requested for expense and contribution forms. The expenditures related to the fundraising event shall be deducted by the amount received at the fundraiser and this amount shall be reported on the cover page. Any contribution in excess of \$10.00 received at a fundraiser, or received in exchanged for any item shall be itemized.

(d) A cover page shall report the name of the candidate and office sought; subtotals from the expense, contribution, and fund-raiser sections of the report; a total of expenditures and income; the signature of the candidate; and the date of signature.

#### 100.19 Campaign Finance, Reports for Parties

(a) A party must submit an expense form for all candidates who ran as a member of that party. Individual candidates who ran as a member of a party are not required to submit individual finance reports.

(b) Finance reports shall be provided with the petition for candidacy.

(c) Expense forms shall include the name of the party; date of expenditure; to whom paid; description of expenditure; and amount of expenditure.

(d) Contribution forms shall include the name of the party; date of receipt of contribution; from whom received; form of contribution; and amount received.

(e) Fundraiser income and expense forms shall include the

information requested for expense and contribution forms. The expenditures related to the fundraising event shall be deducted by the amount received at the fundraiser and this amount shall be reported on the cover page. Any contribution in excess of \$10.00 received at a fundraiser, or received in exchange for any item shall be itemized. In the case that an in-kind service is provided in exchange for a contribution, the fair market value of the service performed shall be used to determine the amount of the contribution for the purpose of this subsection.

(f) A cover page shall report the name of the party; the names and offices sought of all candidates who ran as a member of the party; subtotals from the expense, contribution, and fund-raiser sections of the report; a total of expenditures and income; the signature of the party treasurer; and the date of signature.

#### 100.20 Campaign Finance, Contribution Limits

No candidate, party, student, family member of a candidate, organization, or other person or entity may contribute more than \$150.00 to a party organization or candidate during an election cycle in which an election is held. Items that count toward the contribution limit include direct contributions, the difference between the amount contributed to a party or independent candidate less the value of an item received in exchange for the contribution and value of in-kind contributions. An independent candidate shall not be subject to personal contribution limits but shall abide by all other contribution limits.

#### 100.21 Voting, Generally

A student must present his or her Ohio University identification card and have his or her name checked off an official list provided by the university of all eligible voters. If a student's name does not appear on the list, or

if the student does not have an his or her student identification card, the poll worker shall write the student's name and Social Security Number on an envelope containing his or her marked ballot, and deposit that envelope into the ballot box. Such ballots shall be individually checked to see if the student is an eligible voter.

#### 100.22 Voting, Polling Locations

(a) Jefferson Hall, Nelson Commons, Shively Hall, Boyd Hall, the intersection of President and South Court Streets closest to Bentley Hall, College Gate, Ping Center, and the steps of Baker Center shall be polling locations. The Board may designate additional polling locations as necessary and proper.

(b) All polling locations, excluding Jefferson Hall, Nelson Commons, Shively Hall, and Boyd Hall shall be open from 8:00 AM to 6:00 PM. Jefferson Hall, Nelson Commons, Shively Hall, and Boyd Hall shall be open from 11:00 AM to 2:00 PM and from 4:30 PM to 7:00 PM, or during the lunch and dinner hours at each dining hall. The Board shall determine the hours of operation for additional polling locations as necessary and proper.

(c) Campaigning is permitted on election day, except within the immediate room or area in which a poll is located and within fifty feet of polling areas. The restricted areas shall be clearly marked by the Board. Poll workers, the Board, and designees of the Board shall remove any campaign material or people campaigning within the polling location.

(d) Voters may vote only at the places designated as a polling location, except as allowed by section 25 of this chapter.

#### 100.23 Voting, Poll workers

(a) The Chairman of the Board of Elections shall be responsible for hiring poll workers as necessary. Poll workers may be hired through the Financial Aid Office. A meeting shall be arranged by the Board with all poll workers before the elections to explain voting procedures.

(b) No poll worker shall be a current member of Student Senate or a candidate for a Senate office or actively supporting a candidate for Senate office.

(c) Senate shall determine the method and amount of compensation before poll workers are hired.

#### 100.24 Voting, Eligibility to Vote for Various Positions

(a) A student who lives in university recognized greek off-campus housing shall vote for a candidate for Senator for Greek Off Campus Housing. A student who lives in university recognized greek off-campus housing shall not vote for a candidate for Senator for East, South, or West Green nor vote for Senator for Off Campus Housing. A student who lives on campus shall not vote for a candidate for Senator for Greek Off Campus Housing nor vote for a candidate for Senator for Off-Campus Housing. A student who lives off campus but not in university recognized greek off-campus housing shall vote for a candidate for Senator for Off-Campus Housing. A student who lives off campus but not in university recognized greek off-campus housing shall not vote for a candidate for Senator for Greek Off Campus Housing nor not vote for a candidate for Senator for East, South, or West Green.

(b) For the purposes of this section, eligibility to vote for Senator for Off-Campus Housing is determined by the residence of the student for the current academic year, or, for a student currently residing in on campus housing, eligibility is determined by intent to reside off-campus, but not in greek off campus housing, during the following

academic year. A student who currently lives on campus, is eligible to move off-campus, and has no on campus address listed for the following academic year, shall be asked by the poll worker whether the student intends to reside on or off campus the following academic year. The poll worker shall direct the student to vote for appropriate candidates in accordance with other provisions of this section.

(c) The Board shall direct a student to vote only for Senator of the college in which the student is enrolled. The Board shall determine eligibility based on a list of students that lists the college in which each student is enrolled.

(d) At no time shall a student vote for more than one category of Senators elected based on residence or for more than one category of Senators elected based on enrollment in a college.

(e) For the purposes of this section, all references to candidates in the singular may also mean the plural as applicable for positions for which a student may vote for more than one candidate.

#### 100.25 Voting, Absentee

(a) A student who will be absent from the Athens Campus due to a university recognized absence from campus or hospitalization may request in writing an absentee ballot. The request shall include the reason for the request.

(b) The Board shall grant or deny the request the day the request is received by the Board or by the end of the following business day. If the Board grants the request, the Board shall mail or deliver by other means the absentee ballot on the day it granted the request.

(c) Absentee ballots may be requested no later than 5:00 PM five calendar days from the date of the election. Any

absentee ballot received by the Board after the close of all polling locations shall be invalid.

#### 100.26 Ballots, Generally

(a) The Board of Elections shall be responsible for creating and distributing ballots for the elections. There shall be at least two versions of a ballot containing candidates for two or more parties, with each version having a different candidate order.

(b) The Board shall place, at the direction of the Executive Officers, candidates for Graduate Student Senate or other university wide issues or elections.

#### 100.27 Ballots, Unacceptable

Ballot sections shall be void if there are more than the maximum number of votes permitted for any one office, if the ballots are illegibly or incorrectly marked, if a voter is found to be ineligible, if the ballot is blank, or if a ballot is marked in a manner that violates section 24 of this chapter.

#### 100.28 Ballots, Write-in Candidates

Spaces for write-in candidates shall be provided on the ballots. A write in candidate must meet all requirements of section 9 of this chapter and shall have at least two votes.

#### 100.29 Ballots, Questions and Issues

(a) All ballot questions and proposed constitutional amendments submitted by Student Senate shall be included on the ballot in accordance with the Constitution and Rules & Procedures.

(b) Students may place constitutional amendments and ballot questions on the ballot by petition. A petition must be approved by the Board prior to circulation or the petition shall be declared invalid and the proposed constitutional amendment or ballot question shall not appear on the ballot. The petition must have signatures and date of signature of

at least ten percent of the student body. Each signatory must be a student in good standing at Ohio University, Athens Campus. Illegible signatures shall be invalid. Signatories may print the name of the signatory next to the signature if the signature is illegible. A completed petition must be submitted to the Board no later than forty five days from an election in order to be placed on the ballot of that election.

#### 100.30 Ballots, Counting

Ballots shall be counted by the Board and poll workers after polls close on election day. No unauthorized persons shall be allowed in the ballot counting rooms.

#### 100.31 Ballots, Ties

(a) If there is a tie for Student Senate then the Board shall conduct a recount of the votes for that position.

(b) The Board shall break all ties, after recount, by lot in the presence of the candidates who tied or a representative of each party affected, except in the case of a tie in an officer position, in which case the Board shall conduct a special election open only to the candidates who tied.

#### 100.32 Ballots, Certification of Results

All election results shall be unofficial until all grievances presented to the Board are resolved, financial reports verified to the satisfaction of a majority of Board members, and all fines, if applicable, paid by the party or independent candidate. The Board shall maintain records including official results in perpetuity.

#### 100.33 Ballots, Storage and Retention

After the results are official, the Board shall transfer all used ballots to the Advisor of Senate. The ballots shall be stored in tamperproof containers in a secure location for one quarter after the elections, excluding summer sessions.

#### 100.34 Announcement of Results

(a) After the ballots are counted and votes tallied, the unofficial results shall be announced. A representative of the Board shall call a location determined by the candidate or the party. In the case of a party, the Board shall telephone a representative at a location determined by the party and announce the unofficial results. After parties and independent candidates have been notified of the unofficial results, the Board shall announce the unofficial results to the public. A list of the unofficial results shall be available within one hour after the unofficial results are announced.

(b) After the results become official, the Board shall make the official results available to the public, including the media.

#### 100.35 Violations of Rules in Chapter 100, Generally

(a) Any member of the university community may present written complaints alleging election rule violations to the Board no later than five business days after the alleged violation. The Board shall issue a decision within five business days after a written complaint has been properly submitted.

(b) The Board shall determine the validity of the written complaint and may conduct hearings; subpoena candidates, members of a candidate's campaign organization, party officials and workers, and others; gather evidence; and other actions as necessary and proper within the Rules & Procedures, Constitution, University Policy & Procedure, and the Student Code of Conduct.

(c) The Board shall ensure compliance by candidates, their campaign staff, volunteers, or others materially involved, responsible, or otherwise affecting the conduct or outcome of a Senate election.

(d) All fines shall be paid to Student Senate within ten days of the date the Board imposed the fine.

(e) In addition to any penalty contained in sections 36 and 37 of this chapter the Board may refer the candidate to the Office of Judiciaries.

(f) In the case a candidate is a Senator or Executive Officer, the Committee on Ethics & Discipline shall consider the alleged violation with all deliberate speed.

(g) A student who is not affiliated with a candidate or party, or is not acting as an agent of a candidate or party, and violates any section of this chapter, may be referred to the Office of Judiciaries.

(g) Appeals of decisions, penalties, or both issued by the Board shall be submitted to Student Senate in writing.

#### 100.36 Violations of Rules in Chapter 100, Parties

(a) A party that violates sections 10(h), 13(c), 14(f), 16(b), 16(c), 16(d), 17(c), or 17(e) of this chapter shall be guilty of a first degree violation and subject to a fine not less than \$100.00 nor greater than \$200.00, or disqualification from candidacy, or both.

(b) A party that violates sections 13(d), 16(e), 15(b), 17(d), or 20 of this chapter shall be guilty of a second degree violation and subject to a fine not less than \$25.00 nor greater than \$100.00.

(c) A party that violates sections 10(g), 13(a), 13(b), 14(a), 14(b), 14(c), 17(a), and 22(c) of this chapter shall be guilty of a third degree violation and subject to a fine no more than \$25.00, or a written warning, or both. A written warning shall be presented to the candidate, the party, if applicable, and the President of Senate.

(d) A party that violates any section of this chapter for which no penalty is specified in this section shall be

guilty of a third degree violation and subject to a fine no more than \$25.00, or a written warning, or both. A written warning shall be presented to the candidate, the party, if applicable, and the President of Senate.

(d) A party that violates any section of this chapter and shows willful or malicious disregard, or a pattern of disregard of the Rules & Procedures of Senate, shall be guilty of the appropriate violation with the specification of this section and subject to a fine not less than \$100.00 nor greater than \$200.00, or disqualification from candidacy, or both.

(e) The Board may assign primary and secondary culpability to a party and a candidate of a party, and may impose a sanction determined appropriate by the Board to both the candidate and party. The penalty of a violation shared by a party and a candidate shall not be greater than that which is imposed by the provisions of this section.

(f) If the Board finds mitigating circumstances in regard to a violation, it may reduce the degree of the violation.

(g) If a candidate who is a member of a party does not pay a fine, the party must pay the fine within ten calendar days after the election or all members of the party shall be disqualified from candidacy.

#### 100.37 violations of Rules in Chapter 100, Candidates

(a) A candidate who violates sections 10(h), 13(c), 14(f), 16(b), 16(c), 16(d), 17(c), or 17(e) of this chapter shall be guilty of a first degree violation and subject to a fine not less than \$100.00 nor greater than \$200.00, or disqualification from candidacy, or both.

(b) A candidate who violates sections 13(d), 16(e), 15(b), 17(d), or 20 of this chapter shall be guilty of a second degree violation and subject to a fine not less than \$25.00 nor greater than \$100.00.

(c) A candidate who violates sections 10(g), 13(a), 13(b), 14(a), 14(b), 14(c), 17(a), and 22(c) of this chapter shall be guilty of a third degree violation and subject to a fine no more than \$25.00, or a written warning, or both. A written warning shall be presented to the candidate, the party, if applicable, and the President of Senate.

(d) A candidate who violates any section of this chapter for which no penalty is specified in this section shall be guilty of a third degree violation and subject to a fine no more than \$25.00, or a written warning, or both. A written warning shall be presented to the candidate, the party, if applicable, and the President of Senate.

(e) A candidate who violates any section of this chapter and shows willful or malicious disregard, or a pattern of disregard of the Rules & Procedures of Senate, shall be guilty of the appropriate violation with the specification of this division and subject to a fine not less than \$100.00 nor greater than \$200.00, or disqualification from candidacy, or both.

(f) If the Board finds mitigating circumstances in regard to a violation, it may reduce the degree of the violation.

#### 100.38 Suspension of Rules in Chapter 100

Upon concurrence of two thirds of Senators and Executive Officers voting, sections 6, 7, 10(a), 10(b), 15(a), 16(a), and 16(d) of this chapter may be suspended.

Mr. Tanner recognized Mr. Roush for the purpose of speaking as a sponsor.

Mr. Roush said he is pleased with the work of the Committee and thanked Mr. Mergen for his leadership.

Mr. Tanner recognized Mr. Barron for the purpose of speaking as a sponsor.

Mr. Barron said Mr. Mergen has already explained the Report adequately and noted that he believes one of the most significant changes is the creation of two additional Senator at Large seats.

Mr. Tanner said that anyone who has a question may ask any of the Committee members without the formality of yielding.

Mr. Davey asked why are there five Senators at Large.

MR. MERGEN, CHAIRMAN, SPECIAL COMMITTEE ON RULES & PROCEDURES—we discussed this issue extensively. In the end, we agreed that there is a need for additional Senators at Large given the workload. Consistent with Off Campus Housing, Residence Life, and Academic Affairs, this Report calls for a reasonable number of Senators to sit on their "home" commission. Three just is not enough. When the positions were created, they didn't have a "home." In fact, Senator at Large was created as a compromise—when Senate moved all elections to Spring Quarter, there were those who felt this would exclude first year students, so we had three at Large Senators elected in the Fall Quarter. Since then, we've found this is not only expensive, but unnecessary, since there is now an internship program, not to mention the turnover that may allow a first year student to become a Senator.

Ms. Watts added that much of the work of the various standing committees like Safety, will be handled by University Life, meaning that there is even more work for the Senators at Large.

Ms. Kelley said that as a Senator at Large, she is very pleased with the addition of the two positions and will improve representation of students.

Ms. Dikis asked if the branch campuses have their own Senates.

Ms. Watts said they do.

Ms. Dikis asked if Senate should represent them as well.

MR. MERGEN-The issue is moot since it is in our Constitution that Senate represent only the Athens Campus.

Ms. Watts added that the branch campuses are very different and Senate does in fact work with them occasionally.

Mr. Davey said the Report is a wonderful piece of work but questioned the addition of two Senators at Large. He said that it is simply creating more bureaucracy and cited Section Three of the Constitution. He said that this already makes too much bureaucracy by having Senators and Commissioners.

Ms. Wervey said that as someone who has served as Senator at Large, she is very pleased with the additional seats. She explained that there are so many issues with which University Life addresses that there is a tremendous need. As Commissioner, she believes this will enhance the Commission's ability to tackle issues like anonymous HIV testing, campus safety, etc.

MR. MERGEN-I feel that Mr. Davey has a bit of confusion regarding the structure of Senate. Perhaps I am incorrect, but it appears that he does not understand that the Constitution states that there are Senators. Some Senators serve as Commissioner. In everyday language, we talk about commissioners and representatives. In my search for constitutional purity, the committee that created the Constitution decided to use only two categories for people who vote on Senate: Senators and Executive Officers, instead of using representatives, commissioners, and executives. The reason was to clarify the fact that there is no difference in power, privileges, or stature between those who are elected and those who are appointed. So, the Constitution recognizes the fact that commissioners exist by saying some

Senators serve as Commissioners.

Mr. Roush moved the previous question.

The resolution was agreed to.

#### Roundtable & Announcements

MR.MERGEN-I'd like to thank everyone for their thoughtful consideration of the Rules and I hope that we can work equally well on the rest of the Rules.

Mr. Minto said that anyone who is interested in the future of technology at Ohio should attend an open session to interview a candidate for Assistant Provost of Information Technology. The forum will be at 3:30 PM in the 1804 Lounge.

Mr. Edwards asked for information on where to go in San Francisco, his spring break destination.

Mr. Ellwood thanked everyone for their support.

Mr. Nusairat asked for web page updates.

Ms. Brokaw said the web page looks better and wished everyone a lovely spring break.

Ms. Wiebold invited everyone to visit her in Florida. She also noted that it is clear to her that Senate needs the additional two Senators at Large.

Mr. Josh Woolley, former President of Senate, commended Mr. Michetti and others for addressing the keg ordinance.

Ms. Dikis announced that this is her last meeting as she will be interning in Congressman Strickland's office in Washington during Spring Quarter.

Mr. Eaton said he hasn't had any problems with the Provost and asked to hear others' experiences with the Provost.

Mr. Cohen said he will be meeting with President Glidden regarding student organization funding and, if necessary, have the issue placed on the Board of Trustees agenda. He said he is happy with five Senators at Large, though it should be spelled "phat large"

Ms. Kelley thanked Mr. Mergen and the Committee for their dedicated work on the Rules.

Mr. Eufinger said that former Senator Dan Farkas has mono and is living like a king, eating all day and laying on the couch watching TV.

Mr. Tanner welcomed Mr. Ellwood into the Senate fold. He thanked Mr. Michetti for giving a real One Minute speech. He complimented Mr. Groban for the fine job he has done with getting Senate an alumni account and working on fundraising.

Roll Call

Without objection, the rule requiring a roll call at the end of the meeting was suspended.

The meeting was adjourned at 8:22 PM.