



Introduced By: Senator Calloway
Sponsored By: Attorney General Winograd
 Chief Justice Scimeca
Contact: sga_ljr@ucf.edu
First Reading: September 8, 2016
Committee Action: Passed Favorably, 6-0-0
Second Reading: September 15, 2016
Third Reading: September 22, 2016
Final Vote: Passed, 26-0-1

University of Central Florida
Forty-Eighth Student Body Senate
Bill 48-107

[Updates to Title V “Powers and Duties of the Chief Justice” for the Judicial Branch]

.01 **WHEREAS**, Statutes are in constant need of revision to best reflect policy and serve the Student Body;
 .02 **WHEREAS**, Current statutes do not adequately provide a process for Administrative Decision Appeals for
 .03 dissatisfied students;
 .04 **WHEREAS**, The Supreme Court of the United States ruled in *Board of Regents of the University of Wisconsin*
 .05 *System v. Southworth (2000)* that an allocation system for student activity fee funds should have a clear appeals
 .06 process to attain mandated viewpoint-neutrality in student government;
 .07 **WHEREAS**, Revision of these statutes will ensure that the University of Central Florida Student Government
 .08 Association Judicial Branch has a process for students to be able to appeal administrative decisions;
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THEREFORE, BE IT

.10 **ENACTED**, by the Forty-Eighth Student Senate of the University of Central Florida that the following changes be
 .11 made to Title V: The Judicial Branch:
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Chapter 504 Powers and Duties of the Judicial Council

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 .17 504.1 Justices shall be required to serve on several appeals boards from across the
 .18 University including, but not limited to:

- .19 A. Student Conduct Boards
- .20 B. Parking Appeals Boards
- .21 C. Grade Appeals Boards from the Colleges
- .22 **D. Fiscal Administrative Decision Appeals Boards**

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 .25 504.2 The Student Conduct Process

- .26 A. All of the Justices of the Judicial Council shall be members of the Student
 .27 Conduct Board from which students are chosen for Conduct Hearing Panels
 .28 according to the Golden Rule.
- .29 B. All Justices shall be judicially trained ~~each academic year~~ according to the
 .30 guidelines put forth by the Golden Rule and the Constitution of the Student
 .31 Body for the purpose of hearing conduct cases.
- .32 C. A Justice assigned to a Hearing Panel shall adhere to the provisions guaranteed
 .33 to student defendants under the Constitution of the Student Body and the Golden
 .34 Rule and shall not contravene the hearing procedures outlined in the Golden
 .35 Rule.
- .36 D. The records, notes, and official transcripts of student conduct procedures to
 .37 which a Justice is privy shall be considered judicial in nature and exempt
 .38 from Sunshine regulations according to the Student Body Statutes and the
 .39 Golden Rule of Office of Student Conduct unless all parties consent in
 .40 writing.
 .41

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E. All records, notes, and official transcripts of student conduct procedures are maintained by the Office of Student Conduct.

504.3 Student Grade Appeals

- A. All Justices shall be members of the Student Academic Appeals Panel from which students are chosen by deans to form Student Academic Appeals Committees to hear academic appeals.
- B. Determination of which Justices shall sit on a formed committee shall be based on an assignment by the Chief Justice at the request of the dean of the college in which the alleged offense has arisen.
- C. Justices hearing academic appeals shall adhere to all procedures of the college/school in which the dispute arises and all confidentiality requirements of the Golden Rule. Records which may not be disclosed without written consent of both parties.

504.4 Parking Citation Appeals

- A. The Judicial Council shall be vested the authority to hear appeals based on the decision of the Parking Citation Appeals Committee.
 - 1. The Judicial Council must schedule such cases within ~~fourteen (14)~~**ten(10) business** days upon receiving notification of the appeal.
 - 2. A case may only be heard if the grounds for the appeal are in accordance with the stipulations set forth in the UCF Parking Services Rules and Regulations.
 - 3. In the event that the decision of the Parking Citation Appeals Committee is overturned by the Judicial Council, the Chief Justice shall submit the reasons in memo form to the Director of Parking Services and to the Judicial Council.
- B. The Chief Justice shall contact the appellant within three (3) business days to schedule a hearing.

504.5 Fiscal Administrative Decision Appeals Boards

- A. **The Judicial Council shall be vested the authority to hear appeals based on fiscal administrative decisions made in the Legislative Branch.**
 - 1. **Including but not limited to, funding and probational decisions for Registered Student Organizations or Individuals made by the Legislative Branch.**
- B. **The appellant shall contact the Chief Justice to initiate the process within ten (10) business days that the administrative decision was handed down.**
- C. **If the appeal is determined valid, the Chief Justice shall contact the appellant within three (3) business days of the appellant's initial contact to schedule a hearing.**
- D. **The Judicial Council must schedule such hearings within ten (10) business days upon receiving notification of the appeal.**
- E. **In the event that the decision of one of the administrative authorities is overturned by the Judicial Council, the Chief Justice shall submit the reasons in memorandum form to the head of the authority in question within three (3) business days and remand back to the Legislative Branch.**

504.5 504.6 If the Chief Justice is unavailable to fulfill their duty of administering the "Oath of Office," it may be administered by any member of the Judicial Council.

504.6 504.7 Adhere to all Judicial Branch Internal Rules.

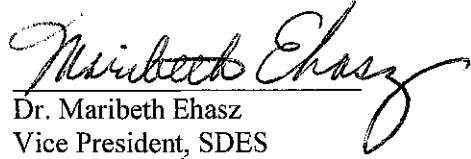
504.7 504.8 Attend retreat once per semester unless absence is approved by the Internal Assistant Chief Justice and the Chief Justice.

AUTHORIZING SIGNATURES



Christopher Clemente
Student Body President

9/28/2016
Date



Dr. Maribeth Ehasz
Vice President, SDES

10/12/16
Date

Document To Be
~~OCT 11 2016~~
10/13/16
Reviewed & Signed

due to closure for hurricane