ASUPS Formal Senate  
Murray BoardRoom  

Thursday, March 12th, 2015

- Call to order 7:00pm  
  - Present: Senators Busson, Chong, Gan, Griffin, Marsters, Showalter, Stoddard, Winston, Young, Vice-President Fagaragan, President Maney, Dean of Students Representative Palmquist Cady, Faculty Representative Morris  
  - Excused: Senators Busson, Leitzman, McPherran  
  - Unexcused: Senator Vallance  
  - Tardy:

- Approval of Minutes  
  - Yay: 11  
  - Nay: 0  
  - Abstentions: 0

- Move normal order to New Business  
  - Vote:  
    - Yay: 9  
    - Nay: 0  
    - Abstentions: 2

- Open Forum  
  - Director of Business Services, Taylor Smith presents his March 2015. From 02/19/2015 48 disbursements processed, $19,840.94 disbursed, the current project is variable pay totals-pay 50 people at the Trail, 10 people at Photo Services, 12 people at Tamanawas, 7 people paid at Graphic Design; which is a lot of money not including director and editor pay. Media should hire smart, because it’s a lot of money that could be utilized in other ways as well. Wine Night was a success, payroll mail merge is great, potentially introducing direct deposit and hiring his replacement.
• ASUPS budgets on the low-end based on the student fee off of attendance, and per Article 2, Section 2, Item 2 all additional funds after the budget process goes to Senate to allocate and do good with the $9,009. These 10th day funds will always go to Senate, but don’t count on it always being there, this is an unprecedented amount of money during March.

• Club Highlights: SOTA submits lots of disbursements, they pay dues; Mens & Womens Ultimate Frisbee are aware of their P-card reconciliation; Hiveminders and Taylor had a budget snafu that they worked out together. The conversation of including Wetlands as a Media will be a long one in considering where the money is coming from. The Finance Account increase is for services not for Media. Next year, ASUPS should ask the Budget Taskforce for funds for Media.

• Taylor has learned a lot about all the tiny clauses, moving parts and making sure everything with pay is being handled and fair.

  o Peer Allies has brought an issue up to Senate. One of their Peer Allies in conjunction with a computer science to create an app to speak to Peer Allies in the moment or communication as well. Some of their issues are being unable to put their app on the server, as no clubs can, however Peer Allies is providing a service on campus and would like ASUPS support to put this app online. The app could be very beneficial opportunity for the community and are ready to ask for a capital request to expand the server space in order to have this app.

    ▪ President Maney, Tech Services, Dean of Students Palmquist Cady, Director of Tech Services and a few others have figured out a way for Peer Allie’s app to be on the server for the cost of $261.59 and be monitored and money will come out of student activities.

  o The Association of ACM, a computer science is looking for a service to give campus members access to the events on campus, through the mobile application and online interface-web version of the application. Eventi, campus life extended is a digital implementation of posters on campus with big clear previews of posters and programming which can assign time, map, date of events that a club could personally access and share their information which will be curated by ACM. The posters would go through ASUPS’ existing poster service and a Robust web service to create and update events through a club account to provide content has a minimal ($1-$5) cost, reduced for the entire community. This is a more sustainable way to provide all information in one place which is easier to find and to share with your friends. This has been being developed all semester and a prototype will be ready in the next month for leaders to try and students to use this service. The purpose is to generate a small amount of revenue for this club and reduce paper waste and visibility for students. There is an Android and Apple development process undergoing.
Senator Schowalter and Dean of Students Representative Palmquist Cady were told to go outside and bring it in, Campus Quad, but this app is presented from UPS for UPS which is great. There needs to be a host and upkeep of the app as the students graduate, ACM has created a singular managing account for anyone to use along with other managerial individuals to assist, with interest from ACM continuing. The club already has a server for this app.

- Senator Chong requests a point of personal privilege

Senator Chong and C. J. Quierlo are presenting. Senator Chong is addressing a letter about Senator Chong’s candidacy for the Spring 2015, he has received disqualification from the elections. He is here to appeal the decision by the Honor Court. “Publicity” should not be understood to encompass all “speech.” Publicity may be a type of speech, but certainly not all speech is publicity. If that were the case, then the committee would suddenly assume authority to regulate speech that is constitutionally protected. The functional ability demonstrated by the elections committee to regulate the inalienable right of citizens to free speech would be grandiose indeed—far more secure than even that of the United States Congress.

Publicity, campaigning and political speech are three distinct categories. Publicity can rightfully be regulated because it is a determination on the form of speech and it a decision about where it can and cannot be conducted. Campaigning is not the same thing as publicity—and indeed, the elections committee granted me the right to “conduct a write-in campaign.” With that written guarantee, then the blog post must be seen as one of two things: either as a write-in campaign, or as political speech. Thus either i am protected by the committee’s guarantee that i can conduct a write-in campaign, or it is constitutionally protected political speech. In either case, the elections committee has absolutely no authority to regulate speech undertaken on a blog. Further, such an interpretation of “publicity” as inclusive of “political speech” violates the Integrity Principle prima facia as well:

“The Integrity Principle is the paradigm for developing self-knowledge. The Standards of Integrity that follow from it describe the respective roles of freedom and regulation in the university community. Together they provide both general and specific expectations that govern the relationships between all members of the community.

The Integrity Principle was developed, in its original form, by members of Puget Sound’s Student Senate. By subscribing to the Integrity Principle, all members of the university community commit themselves to honoring certain basic principles:

- the open exchange and challenge of beliefs, without rancor;
- the right of all to speak and to listen, without penalty; the need to care for others and to be cared for, without possessing or being possessed. “

(http://www.pugetsound.edu/student-life/personal-safety/student-handbook/student-integrity-code/integrity-principle/)

If the elections committee is permitted to regulate speech on the Internet under the guise of “on-campus publicity” then it is permitted to act contrary to the Integrity Principle’s
guarantee that all have the right to speak and to listen, without penalty. By definition, the committee has imposed a penalty on speech that ought be protected. The Integrity Principle was established by the Student Senate and for a committee of that organ to empower itself contrary to the dictates of the Integrity Principle is for ASUPS to have assumed unjustified, sweeping authority to intrude upon student speech.

It is unclear how the committee determined that online media constitute on-campus “publicity,” and it is especially unclear how they determine what constitutes “publicity” at all. To regulate formally the manner by which publicity can be relayed makes sense—to regulate posters, size of pages, approval of images, etc., but to determine if someone is “publicizing” on-campus based on an interpretation of digital text, the committee is functionally defaulting to a person-specific regulation of speech. When the committee prohibits one student from utilizing freely accessible student media, the committee could construe anything said by that student to constitute “on-campus” publicity. Such an interpretation would be circular, and would give the committee unlimited authority to impose quite clearly reactionary speech limitations.

Conclusion

The ASUPS Elections Committee has repeatedly intruded upon the integrity of the democratic processes of the 2015 spring elections. Their meetings were conducted in closed sessions, there are no minutes, demonstrating preferential treatment to some candidates over others, and taking action against a sitting senator based on anonymous, inflammatory reports. Now, they are punishing the same senator for exercising his right to free speech by publishing an article on the Wetlands Magazine blog. In my opinion this is a severe affront to student free speech: the elections committee can prohibit “on-campus publicity,” where “publicity” is defined, but they cannot prohibit individual members of the campus community from utilizing freely accessible platforms for student advocacy. The internet is not on-campus. Speech is not publicity. The elections committee does not have power to render such an overbroad decision. The Honor Court should remedy the situation as soon as possible by intervening against such unconstitutional processes and overturn my disqualification from the election.”

The internet is not on campus, and hearing the rules and regulations from the Elections Committee stated that Facebook anything was not considered publicity. A violation of the integrity code with a penalty has been committed when servers are unequivocally are not on campus. The Wetlands blog and editorial staff are concerned with the assumption that the blog is not on campus, and speech cannot be limited on campus. Precedent runs to the contrary being blogs do not constitute on campus and cannot regulate content on that blog, in a previous case with KUPS. The domain for wetlands is owned by Blake Kessel that Wetlands uses, not something ASUPS has control over, servers and the blog is free speech by federal law and regulations. Wetlands accepts all blog submissions, and have never turned one down with all students to use freely accessible media for student speak as protected by the Integrity Code. The post on Wetlands was not intended to be a campaign but rather Senator Chong addressing racial bias comments on social media and clear his name of bias hate, he was
expressing his political speech. Senator Chong will be appealing this charge.

- Wetlands was a club during this occurrence not an ASUPS Media, and during a candidacy meeting they clarified that social media is not publicity and Wetlands is not a trademarked brand. It is associated with campus and the elections committee didn’t say he couldn’t work with any clubs. The elections packets say all posts to a website must be submitted to the elections committee before posting. A distinction between social media and websites may be hard to define. In order to limit publicity a positive definition of publicity should be defined. Wetlands will never consider its blog property of ASUPS, it is a freely accessible student forum.

- Executive Reports
  - President Report
    - This is our last Senate, a lot of work has been done meeting with Residence Life about the check-out ability as posted on the ASUPS website and figuring out servers.
  - Vice-President Report
    - Finance: $6,710.68 + $90009, Capital: $145,114.51
    - Thanks everyone who came to the Elections executive Debate on Monday, all feedback is welcome to Marc’s office hours or via email. Thanks Senator Young for being an awesome Senate Chair, a wonderful human being. Thanks to DBS Taylor Smith who is the first to give monthly finance reports and being on top of it.
  - Faculty Representative Report
    - No report
  - Dean of Students Representative Report
    - Passages Leaders have been hired and should find out tomorrow, Perspectives Leaders are currently being hired and known after spring break. The University Leadership Awards is still accepting nominations.
  - Staff Senate Representative Report
    - No report

- Senate Reports
  - Chair Report
    - No report
  - Club Liaison Director Report
    - The week after Spring Break will still have a trial period with Campus Quad, it can be downloaded and they will see where this will go to get feedback on it.
  - Club Sports Liaison Director Report
    - No report
  - Committee Reports

- Senator Vallance requests a point of personal privilege
Elections committee met last night and presented the letter to Senator Chong about further sanctions.

“To the Concerned Students of UPS:

After much deliberation, the ASUPS Elections Committee has unanimously passed the motion for the disqualification of Kyle Chong from running in any elections during this semester, the Spring semester of 2015.

We have come to this conclusion based on the Committee’s interpretation of the ASUPS Bylaws and Elections Packet. In a meeting held on March 4, 2015, the ASUPS Elections Committee analyzed formal complaints against Spring 2015 candidates and then analyzed the accused candidate’s written responses to these complaints. The Elections Committee used only these formal statements, written by both those who lodged the complaints and those who the complaints were lodged against, as evidence. The complaint brought up against Kyle Chong during Open Forum of the Formal Senate on February 19, 2015, was analyzed and then verified by a two-thirds majority vote of the Elections Committee. After this complaint was verified using only the statements given by the parties involved, and the evidence given within those statements, the Elections Committee then voted that the penalties for Kyle Chong’s actions were twofold:

1. Kyle Chong would be barred from any publicity on campus.
2. Kyle Chong would be removed from the ballot.

After this was decided, the Elections Committee came to the conclusion that Kyle should still be allowed to run as a write-in candidate, as long as he followed the sanctions given him by the Elections Committee. The Elections Committee further decided that they would not release a public statement about Kyle Chong’s penalties or actions, as they felt that Kyle had received some abuse in the public arena, and decided that he should publicize his own sanctions as he saw fit.

It then came to the attention of the Elections Committee that Kyle Chong had published an article promoting his election on the Wetlands Magazine website. This post on the Wetlands website very clearly requests votes from the students of UPS, and therefore is considered publicity. The Elections Committee deliberated and then voted, passing the motion with a two-thirds majority vote that found him guilty of violating the sanction barring him of any on-campus publicity, as Wetlands Magazine is an ASUPS club associated with the campus, and, in addition, the Wetlands Magazine website domain registration lists the Wheelock Student Center as its mailing address, further tying the website with the campus.

The Elections Committee would like to assert that they are not attempting to censure any ASUPS club or media, or Kyle Chong himself, but are rather penalizing him for the actions he was found guilty of after the complaints and responses to the complaints were analyzed. After more than a two hour discussion on the topic, the members of the Elections Committee voted unanimously in favor of the disqualification of Kyle Chong from running in any elections this Spring 2015 semester. The reasons why Kyle has been disqualified from running this semester are threefold:

1. Kyle Chong breached the sanctions given him by the ASUPS Elections Committee.
2. Kyle Chong did not adhere to the guidelines in the Elections Packet, which state that all candidates must submit any non-print publicity to the Elections Committee for approval.

3. Kyle Chong violated the Student Integrity Code, as shown by his initial violation of the ASUPS Elections Packet and ASUPS Bylaws, and then his failure to comply with the sanctions that the Election Committee had given him based on their interpretation of the Bylaws.

Because of these reasons, the Elections Committee has found through investigation of the ASUPS Bylaws and ASUPS Elections Packet that Kyle Chong is guilty of an additional Level One campaign violation, and therefore the Elections Committee is leveling an additional sanction, and disqualifying him from running in any Spring 2015 elections. Again, the Elections Committee would like to reiterate that they are not attempting to censure Kyle Chong or any ASUPS club or media. They are simply penalizing Kyle Chong for not adhering to the sanctions that the Elections Committee placed on him earlier, for not following Elections Packet guidelines, and for not adhering to the Integrity Code. Kyle Chong’s case is also going to the Honor Court, where further actions will be taken if deemed necessary. Please contact the Elections Committee with any further questions.

Sincerely,

ASUPS Elections Committee"

- Unfinished Business
- New Business
- **15-022: Approval of Wetlands as an ASUPS Media**
  - The ASUPS Senate hereby recognizes Wetlands as an official ASUPS Media.
  - Media Board Presentation:
The ASUPS Media Board recommends that the Wetlands club become an official Media Department. Wetlands has presented to the board full and complete answers to the following questions:

- How Wetlands meets the definition of an ASUPS Media Department
- What is the mission and vision of Wetlands?
- What is the current budget for Wetlands?
- How does the current budget meet the needs for Wetlands?
- What financial planning steps are in process for Wetlands?
- What is the student commitment to Wetlands?
- How is Wetlands organized currently?
- How will Wetlands be organized differently, if at all, if it becomes an ASUPS Media Department?
- What is the role of the advisor?
- What is the role of the Gender Studies program/board? How will that change (or not) if Wetlands becomes an ASUPS Media Department?
- What is the submission process? Will that change if Wetlands becomes an ASUPS Media Department?
- How does someone become involved with Wetlands?
- What are your plans for future growth?

Additionally attached is the Wetlands Spring 2015 Syllabus is attached as reference.

The Media Board recommends that ASUPS explores how to make the Media Offices located in WSC 001 work for all the Media Departments. This could mean spending additional funds to create another office space or working with Facilities to figure out the best use of space. This is a major area of concern and does need to be addressed but should not encumber Wetlands from becoming an official ASUPS Media Department. However, it is vital that Media Heads have a space where their staff or other concerned parties can meet with them, especially for an organization with such sensitive topics as Wetlands tends to approach. Even in its current iteration, the Media Offices fail to equally accommodate all the publications they are intended to serve: Elements does not even have such an office space—just a desk at the back of the room—and Tamanawas and Photo Services are sharing an office space. Status as an ASUPS Medium requires equal treatment for all Media organizations, and the issue of space needs to resolved to create equity for the Medias in the long term.

The Media Board further recommends that ASUPS (a) explore a way to reorganize/renovate the Media Room to more efficiently use the space—more offices, smaller furniture, better cubicle arrangement—or (b) look into finding new or additional Media space.

- 20% of the budget must go to ASUPS Media and currently 21.8% budget is being used by Media Board, and any more allocations will stretch our current budget and the Media Board’s usage. President Maney presents a concern that Wetlands desire to be able to pay their senior editors may prevent them from printing as many copies they want or give insufficient funds to the editors. Approving Wetlands would make the budget move big numbers around in order to supply them with the funds they want for the upcoming year. The Finance budget is getting more and more strapped with more clubs.

- Mike Kessler, executive editor and the editor in chief is presenting her thesis currently; CJ Quierlo is the senior content editor. Wetlands does desire the additional funds to support Wetlands and they have for the past three and a half years have been contributing hundreds of hours for work. ASUPS support and approval signifies that Wetlands content and work is validated and formally being recognized for their narratives and discourses. As a formalized platform in the ASUPS community, Wetlands gains a certain credibility and benefits of being a media- more collaborative, and resources support, which has always been one of its
institutional board. Wetlands does receive academic credit for participating, a class that could be signed up for with visibility and support of interest with students. It’s a weekly evening using a Wyatt computer lab with about 24 students participating along with individual production and communication work on their own computers. There are a multitude of individuals who have devoted a myriad of skills and concept to Wetlands to continue the vision of Wetlands. They’ve done readings on gender studies, ability issues, race issues in theoretical grounding and support from the Gender and Queer Studies department. If approved as a ASUPS Media, the class could be maintained. They are open to getting grants and other outside organizations to support printing costs.

- $175-204 for executive editor and chief of staff, and covering other editors would cost about $6,000 which is lower than any of the other ASUPS publications. The budget would also require more money for printing and etc. Wetlands semester schedule is currently based upon the lack of personnel and resources and they believe having formalized responsibilities could increase production regularity. With more funding they would expand an issue working with writers for a longer period of time instead of producing issues more frequently.

- Vote:
  - Yay: 11
  - Nay: 0
  - Abstentions: 0

- Resume normal order to Open Forum

  - Vote:
    - Yay: 9
    - Nay: 1
    - Abstentions: 1

- **15-023: Finance Allocation to Men’s Rugby**
  - The ASUPS Senate hereby allocates $450.00 to the Men’s Rugby teams for unexpected field rehearsals.
  - Captains Emma and Max have come to ask for reimbursement for fields and equipment’s due to unforeseen metrological concerns that made them use the Portland Avenue field instead of Todd Field. The teams did not originally budget for these unexpected concerns since they typically play on Todd Field at no cost to themselves. The Women’s Team have been told they could use the field for their April 4th home game. The teams are discussing addressing long-term issues and making Todd Field a priority for students to update for club sports and others to use Todd Field. In a couple years the turf is planning to be renovated and implementing sleeves for the posts to be put in so Rugby can use the field.

- Senator Marsters requests a point of personal privilege

  - Vote:
    - Yay: 12
    - Nay: 0
    - Abstentions: 0
15-024: Finance Allocation to ASUPS Director of Business Services

- The ASUPS Senate hereby allocates $1,000.00 to the ASUPS Director of Business Services towards funding IFC and Panhellenic leadership conference.
- Taylor is here as DBS, after acknowledging they have received 10th day funds that would cover 12 people’s registration costs at this leadership conference while Senate has given money to individuals. ASUPS is to support other leadership opportunities on campus, many members of Greek Life sit on Senate and many running in the elections are a part of Greek Life. This money could cause discourse, the Greek community supports ASUPS events and Greek Life does have events for the entire campus community to attend. IFC and Panhellenic have done a great job opening up while ASUPS hasn’t been so. IFC and Panhellenic expressed having the necessary funds to attend the conference and instead ask for campus-wide programming funding instead, although they are planning raise dues in the next year to support this. This money would be considered a show of support for 32% of our campus.
- With more funds now, the 12 individuals are being benefitted and better their system and organizations as philanthropic entities. This request coming up suggests that the issue of money was a main reason of why IFC and Panhellenic’s finance request was turned down, which some Senators disagree with. Our DBS is warning Senate about funding Wetlands and ask the money being asked for another aspect of campus. This conference was sold by IFC and Panhellenic to ASUPS focusing on diversity as a huge issue they are looking to address and at the conference they may also become better leaders on campus, contributing members of campus. There are potential misunderstanding and confusion on what IFC and Panhellenic wants and how they will use this money and their presentation was poorly presented. It’s not about the importance of the topic, conference or individual but rather budgeting in the future has not been clear and questioning what will make this different next year.
- Vote:
  - Yay: 3
  - Nay: 7
  - Abstentions: 2

15-025: Finance Allocation to the Muslim Student Association

- The ASUPS Senate hereby allocates $250.00 to the Muslim Student Association to fund activities for Islamic Awareness Week.
- This money would support their Islamic Awareness Week, and be for the rights to showing a documentary about the North American Islamic punk movement. They want to show it in the Rotunda, as in America we have a homogenous view of who Muslims are and this documentary will enlighten members. The money is for one showing and the DVD could be retained for library and classroom use. It would tie in well with other events of the week, including a chanting remembrance circle for God and an Islam 101 to share their personal experiences and battle stereotypes.
15-026: Finance Allocation to the Mark Gilbert
- The ASUPS Senate hereby allocates $303.00 to Mark Gilbert as part of an event with the Center for Intercultural and Civic Engagement and Challah for Hunger
- This movie “A Place at the Table” on April 19th, 12-2pm at the Tahoma Room is on behalf of the Center for Intercultural and Civic Engagement and Challah for Hunger. This money covers the movie showing as many times as you’d like and shipping, it will be retained for future use. It’s a good introduction about hunger and poverty in the US; following the showing will be a discussion about hunger and poverty. It’s an opportunity to have dialogue on campus with publicity from the Challah from Hunger budget. It is taking the place of the no longer occurring Interfaith Summit. This leads into a fall hunger event.

Amendment: 15-026: Finance Allocation to Challah for Hunger
- The ASUPS Senate hereby allocates $303.00 to Challah for Hunger as part of an event with the Center for Intercultural.
- Vote:
  - Yay: 12
  - Nay: 0
  - Abstentions: 0

Amendment: 15-026: Capital Allocation to Challah for Hunger
- Vote:
  - Yay: 12
  - Nay: 0
  - Abstentions: 0

Vote:
- Yay: 12
- Nay: 0
- Abstentions: 0

Announcements
- Please take your Campus Climate Survey
- Senators should be acting with an appropriate morale code through the Election Process
- Adjournment 8:51PM