

April SBA Meeting
 Sunday, April 23rd, 2016 at 6:00pm
 Kelley Board Room

I. Roll Call

President	Cavaco	
Vice President	Ziebarth	
Treasurer	Newhauser	
Secretary	Kerr	
At-Large	Masood	
ABA	Strafaccia	
4L	Humphrey	
3L FT	Gutnik	
3L FT	Joyce	
3L PT	Bischoff	UNEXCUSED
3L Weekend	VACANT	
2L FT	Guevara	
2L FT	Karim	
2L PT	Baker	
2L Weekend	Moos	
1L Section 1	Holstad	
1L Section 2	Tyrrell	
1L Section 2	Johnson	
1L Section 3	Bloomquist	
1L Section 3	Primeau	
1L Section 4	Tope	
1L Section 4	Kennedy	
1L Weekend	Burkitt	
Hybrid Cohort 1	Haugen	
Hybrid Cohort 1	Anderson	
Hybrid Cohort 2	Kiedrowski	
Hybrid Cohort 2	McMahon	
Hybrid Cohort 3	Schoepp	UNEXCUSED
Hybrid Cohort 3	Wagner	

II. Old Business

1. LLSA

- Issue was resolved prior to meeting

III. New Business

1. Health Law Society

- Requests \$1325 for Aid in Dying Panel
 - \$1000 for appetizers, \$100 for plates and utensils, \$100 for musician, \$125 for gifts for speakers
 - MOTION (Guevara): to limit presentation to the monetary facts and not run through entire PowerPoint from HLS (seconded by Kerr)
 - Passes with no dissent
- Newhauser recommends \$467.50 total
 - 30 students estimated to be in attendance
 - Honorariums for 4 speakers based on what was given in PowerPoint
 - Cavaco suggests allowing for honorariums for 5 people, one being the volunteer attorney who is not presenting at the panel but was tabling all week with HLS members. This suggestion received no dissent, bringing total to \$492.50
- MOTION (Newhauser): Approve \$492.50 for panel (seconded by Moos)
 - Passes with one abstention (Cavaco)

2. By-Laws Changes

- MOTION (Humphrey): Approve By-Laws changes as outlined via email by Cavaco (seconded by Masood)
 - Passes with 5 abstentions (Moos, Baker, Cavaco, Newhauser, Gutnik)
- MOTION (Kerr): Remove requirements for entire Board vote on who chairs committees (seconded by Karim)
 - Requiring an entire Board vote just adds another hurdle to getting chairs in place on committees and getting the activities of those committees started.
 - Will keep the role of the President as the one to appoint committee chairs
 - Passes with two abstentions (Cavaco, Newhauser)
- MOTION (Karim): Add requirement for Board members to attend two PLP events during their term
 - Anderson expressed concern about how we would enforce this for Hybrid reps. Can we add an exception that Hybrid students can attend a diversity event in their locality?
 - Newhauser does not want to hold this vote now. This current Board is ending its term today and it would not be fair for us to vote to place this requirement on the next Board when the majority of the current Board is not returning.
 - Guevara agrees with Newhauser but wants to note that the purpose of this amendment is not simply diversity, it is to promote events specifically sponsored by MHSLS Student Orgs and give more visibility to those events by SBA members so that others may attend

- Anderson contends that even if Hybrid reps attended via video, they still wouldn't be visible to other students and those concerns expressed by Guevara don't apply
 - Johnson thinks this issue will be moot in the future because starting with this year's 1Ls, they are required to attend diversity events anyway; the number of people this amendment would effect is very small and he believes those students would attend diversity events anyway.
 - How do we define "diversity?" What does "diversity-related" mean?
 - Motion was not seconded, seems that this issue will be addressed by the next Board
- 3. Resolution in support of hiring replacement for Professor Deer
 - MOTION (Cavaco): Support Resolution to hire replacement for Professor Deer (Seconded by Masood)
 - Gutnik; What power does the SBA have over hiring for new professors?
 - This is more symbolic than anything; we want admin to know we believe students need another tenure-track professor
 - Karim: What is Dean Gordon's reasoning for not wanting to hire someone?
 - Strictly financial
 - Holstad: just signing a paper saying we support the resolution has not bearing. We need to send a request of our own to Admin asking for reasons why they won't hire a tenure-track professor if we want to be taken seriously.
 - Cavaco: our motion of support is part of a multi-faceted resolution by the five constituencies (Board of Trustees, Faculty, Students, Administration, Alumni)
 - Faculty motion passed with only one nay from Radsan
 - Without hiring a new professor, Routel would be left to teach 13 classes on her own next year with no raise
 - MH is second to last in the NATION for faculty to student ratio and this is a factor that consistently pulls us down in the rankings. We would not be adding a faculty members, merely replacing one.
 - Passes with one nay (Holstad), three abstentions (Gutnik, Anderson, Strafaccia).

IV. Officer Reports

A. President

1. Latin Honors

- Faculty voted 13-12 to postpone application of new Latin Honors standards for one more semester. All May 2016 graduates will have WMCL Legacy Latin Honors standards applied.

- This could continue to be an issue next year, as those who matriculated in 2014 but are part-time students will be 4Ls and may want the WMCL Legacy standards also

2. Facebook Group

- Facebook group is not a school-sanctioned page. It was created by Cavaco, Nadine Graves, Savannah Welch (WMCL SBA President), and Nicole Tabbut (Hamline SBA Social Chair) with the intent to have a place for students from two legacy schools to ask questions of each other and get information
- Cavaco wants to delete Facebook page but we're struggling with balance between the information provided for students and when it gets to be too much.
 - Important resource for Hybrid students and much more effective than email
- If page remains, Admin has stated they MUST be administrators on the page and would then enforce the behavior on the page.
 - Admin will not create a school-moderated page with all students involved; only wish to maintain separate class pages which is not as great for sending information out school-wide.

3. Year in Review

- Don't take the first answer administration gives you on its face; more often than not, the answer they give you is because *they* don't know the answer. We are really reinventing the wheel with this merger and there are many things to be figured out still.

4. MOTION (Cavaco): \$2,000 3L Send-Off (seconded by Primeau)

- Traditionally, this event was a boat-ride down the Mississippi from HUSL
 - Typically spent \$2,500-\$3,000
- The reason we are asking for more money, is because Dean LeMoine is throwing a coordinated event with the Alumni Association and is on the same day graduating students are required to pick up caps and gowns.
- Amount requested is on top of \$1000 already allocated for his event in Social Committee's budget at the beginning of the year
- Passes with one abstention (Newhauser)

B. Vice President

1. Student Org Transitions

- Transition forms are online and are submitted to Dean of Students. The issue with transition will be with the Dean of Students conveying the information to the SBA.

2. Lockers

- SBA is now in charge of assigning lockers in the basement. Orgs can reserve a locker by contacting Kennedy

C. Treasurer

1. Budget Update

- Current balance is \$19,043.43
 - Should be getting check coming from EventBrite for BB ticket sales in the amount of \$15,905
 - Once this check is received, Social Committee's account will be back in the black at a little over \$7,000.
 - Finance office has been going around to area banks without notice and cleaning out external bank accounts that Hamline legacy organizations had been keeping. Once we found out about this, we asked them to turn the funds over to the SBA so that we can use those funds to allocate out to the organizations that had the bank accounts. These accounts totaled about \$5,900 and have been reallocated to the orgs they were swept from
 - Our external bank account is at approximately \$3,100 but that will be closed and spent-down
 - Total balance is about \$35,000
- Still have approximately \$12,000 of outstanding reimbursements
- This meeting alone has approximately \$8,000 in motions
- Incoming Board should have around \$10,000-\$15,000 to spend by June 30 (end of fiscal year)

D. Secretary

1. Online Motions (1:00)

- ABA Law Student Division resolution compels the ABA to urge state legislatures to enact laws allowing undocumented immigrants to receive professional licenses to practice law (aka sit for the bar exam). Currently, some state legislatures deny undocumented law school graduates admission to the bar, some allow it. How do we want Ava to vote?
 - Ava voted aye
- The Ways and Means Committee received a request from Cybaris for funding towards their Symposium. In short, this request would cover: Lunch is 14/person. For 50 students, that would be \$700. Breakfast is 8/person, a total of \$400. The transcription is \$450. (The transcription is for publication in Cybaris, so all students would be able to access the information for free, online.) The total amount requested and recommended funding is \$1,550.
 - Motion passed with 22 ayes and 3 abstentions (Cavaco, Newhauser, Humphrey)
- Johnson motions, Kerr seconds the funding request of \$639.28 for the purpose of facilitating a first-year community building event at Blarney Pub & Grill.
 - Passes with 17 ayes, 3 nays (Gutnik, Karim, Bischoff), and 5 abstentions (Cavaco, Newhauser, Ziebarth, Strafaccia, Haugen)

2. MOTION (Kerr): Approve March Minutes (seconded by Guevara)

- Passes with two abstentions (Cavaco, Gutnik)

E. At-Large

- No Report

V. Committee Reports

A. Alumni Relations

1. Re-purpose

- Next ARC has task of perhaps re-purposing committee. Committee is in the Constitution so we can't just get rid of it
- Career Services office did a great job with the Off-the-Record sessions which sort of left the committee with not a lot to do
- Alumni records were lost in merger which dampened abilities of committee
- Newhauser suggests ARC becomes "ambassadors" to the Career Services office to give input on the events they plan

B. Budget

C. By-Laws

D. Communications

1. MOTION (Kerr): \$1200 for Communications Center (Seconded by Masood)

- Two framed 3'x5' bulletin boards at \$105 each
- 12 monthly calendars printed and mounted on foam core at \$40/month
- 4 black aluminum frames for calendars which will be reusable and mounted on the wall at \$148 total
- SBA Wall graphic at \$50
- Tax and shipping
- Passes with three abstentions (Cavaco, Newhauser, Gutnik)

E. Culture and Diversity

1. Minnesota Minority Recruitment Conference Information Session

- Hosted by Twin Cities Diversity in Practice
- Students would have interviews for positions for summer of 2018

F. Elections and Membership

1. Election update

- Election Rules violations (see appendix to these minutes for detailed report)

G. Facilities and Safety

1. Whiteboard

- Funds came from Presidential discretionary fund. We had set aside \$900 for SLO renovations when we found out we would be moving spaces but the whiteboard is the only thing we have spent money on so far (about \$365)

2. Library Access

- MOTION (Kerr): \$200 for snacks during 24/7 access (seconded by Tope)
 - Passes with three abstentions (Newhauser, Cavaco, Anderson)
- 3. MOTION (Kerr): \$4,200 for water bottle filling station (seconded by Burkitt)
 - This is a project that Environmental Law Society has typically taken on but they have not done anything this year.
 - Will be going on the 1st floor outside room 123
 - Outside room 188 is not an option because that part of the building has no water lines going to it and the other hallways in the building that would have access to a water line are too narrow for ADA already and adding a water fountain would cause problems.
 - Passes with two nays (Kennedy, Gutnik), five abstentions (Cavaco, Newhauser, Primeau, Bloomquist, Strafaccia)

H. Health and Wellness

1. Health and Wellness Week Recap

- Puppies and yoga were cool

I. Social

1. Barrister's Ball Recap

- Great event, under budget (!!!)
- Have heard great feedback from the venue that our attendees were extremely well-behaved (no one had to be kicked out) and were respectful of staff
- Should consider finding a bigger venue; we were at max capacity at 375 attendees

J. HEWS

1. Capstone Weeks

- Breakfast each Tuesday, Timberwolves games, Cohort 3 did a breakfast with their constituent money, cohort 1 had a happy hour, trivia at Billys
- Could do better publication for those events

2. Timberwolves

- Big success, had about 75 attendees
- Had \$2400 allocated for event, spent \$2100

3. Finals Breakfasts

- MOTION (Moos): \$1500 for Finals Breakfasts (seconded by Kerr)
 - Wednesday May 3rd at noon, Sunday May 7th at noon, Tuesday May 9th at 7pm
 - May 3rd breakfast will be made by Chef Anna, other two will be catered by Kowalskis
 - This money is in addition to \$1500 already allocated to the breakfast, but we are expanding to three breakfasts from two last semester (\$1,000 per breakfast)
 - Passes with one abstention (Newhauser)

K. ABA

- Spring Fling had 44 attendees

VI. Representative Reports

A. 4L

B. 3L FT

- Bar apps are due May 1st

C. 3L PT

D. 3L Weekend

E. 2L FT

F. 2L PT

- Lack of evening classes for the fall and no Advocacy on weekends
- Can't take business classes because they conflict with the only time evening students can take Advocacy
- MOTION (Baker): \$100 for pizza party for section (seconded by Tope)
 - Passes with one abstention (Newhauser)

G. 2L Weekend

- Only two weekend classes available that weekend students haven't already taken
- Online courses have Hybrid preference so those are out but in any case, running up to 15 credit online limit

H. 1L Section 1

I. 1L Section 2

J. 1L Section 3

K. 1L Section 4

L. 1L Weekend

M. Hybrid Cohort 1

- Many health law classes available for the summer but hardly any business classes available

N. Hybrid Cohort 2

O. Hybrid Cohort 3

- Summer class availability is concerning because Hybrid students need to be able to make travel arrangements and being on a waitlist does not help because of the uncertainty of when/if they will get off waitlist.

P. ABA

VII. Swearing in of New SBA President

VIII. Certification of 2017-2018 SBA BOG

- Passes unanimously

IX. Dissolution of 2016-2017 SBA BOG (1:00)

X. Adjournment

APPENDIX A: Election Commission Report

Spring Election 2017 for SBA Board of Governors 2017-2018

Election Commission Chair Report

This was the first general election conducted under the new SBA Constitution and Bylaws. It was, to say the least, a learning experience. Below is a report of what we dealt with and how we recommend future Election Commissions address them.

The report is broken up into two main sections. First, all reported rule violations and the subsequent investigation by the Election Commission (EC) will be addressed. Second, the report lists issues and suggested changes or recommendations to help run a cleaner, more effective, and transparent election in coming years.

1. Election Rule Investigations

The Election Rules were promulgated to the candidates on Monday, April 10 at 7:53 CST.

Subsequently, the following complaints and violations in regards to the Election Rules are noted:

1. Re: Srijita (Ri) Kar

It was reported to the EC by Brooke Bednarczyk that Srijita (Ri) Kar was campaigning in the classroom in violation of rule V.B. The EC investigated and found that the complained of campaigning occurred before the promulgation of the Election Rules and at the invitation of Professor Routel. Ms. Kar was not penalized, but received a warning and reminder to read the rules. Ms. Bednarczyk was informed of our action and asked to also be cognizant of the rules.

2. Re: Cuderman / Anderson mass email

On April 12, 2017, the EC received emails concerning the Cuderman/Anderson ticket. The EC received emails from students Ben Lacy, Faruq Karim and multiple verbal reports,

pointing out that the Cuderman/Anderson ticket violated the rules against email campaigning by sending campaign emails. It was confirmed that this occurred soon after the ballots were released.

The EC first considered removing the Cuderman/Anderson ticket from the ballot. However, the EC met with the Cuderman/Anderson ticket, along with representatives from the other Presidential and Vice Presidential candidates--Thomas Johnson (later replaced by Patrick Kennedy), Ayesha Khan, and Zack Sheahan. Dean LeMoine facilitated a conversation in which every candidate agreed that instead of removal, an email would be sent from MHSL administration. This email would include salient Candidate Information, a link to the Candidate Forum, and the President/Vice President ticket in reverse order emailed to the entire student body from the Dean of Students office. This email was sent early afternoon on Friday, April 14.

It was agreed generally that the rules were violated, but no one wanted to see Cuderman / Anderson removed from the ticket. Other options were discussed, such as a redo of the Pres/VP ballots, the option for students to amend their ballots, or redoing the entire ballot. Candidates were split evenly on this option. All things being equal, the thought was to let the students decide through voting.

During this discussion, there were other reported rules violations. These were not submitted formally to the EC, and no direct evidence beyond hearsay was offered. If any of these occurred, they also occurred before the effective promulgation of the Election Rules, and the EC does not have power to issue sanctions, punishments, or remedies before rule promulgation to the candidates--at least during this election cycle. The EC therefore determined that the ballot would stand as-is.

The EC conferred after the facilitated meeting and agreed that making this report a matter of public record was necessary for the transparency of the future board and would aid in assisting said board with addressing problems with future elections.

2. Recommendations Based on Various Issues

Issue #1: Because the EC wanted to make sure that the 2L Weekend, 2L Part Time, 4L positions were filled, and since no nomination petitions were filed in these sections, the EC extended the petition deadline through April 10 at 6 pm. In addition to these positions, the EC also extended the Judicial Council petition deadline to the same time, as the bylaws require diversity in class on the Judicial Council. It was thought that by extending the deadline, more class diversity would result. However, the expected class diversity did not occur as anticipated, instead resulting in a 4-way race within the 1Ls. Extending the petition also puts an increased administrative burden on members of the EC. **Recommendation:** The EC should only extend petitions for positions that have no petitions submitted. If the future EC wishes to extend petition deadlines, notice that the EC may extend the deadline as necessary should be posted on the petition form or in the Election Rules to give candidates a better understanding and notice of this process.

Issue #2: The promulgation of Election Rules resulted in some confusion of the candidates regarding when the rules were actually in effect. **Recommendation:** The bylaws be adjusted to include the Election Rules with the release of nomination petitions or otherwise earlier. The nomination petitions should also clearly state that the candidate shall follow the Election Rules.

Issue #3: The other problem the EC ran into was when the campaign period actually began. Candidates submitted nomination petitions and subsequently began campaigning without

waiting for confirmation from the EC. This led to copious posting on the Mitchell Hamline Students Facebook page. While entertaining for some, there were also several spurious comments that caused consternation and frustration for others, as suddenly the Facebook page became a place to be moderated full-time. We are, however, all students, and don't have time to monitor Facebook pages 24/7. Additionally, since we had not yet promulgated rules, the EC didn't feel like they could just begin policing social media or preventing campaigning completely on it, since it had already begun. **Recommendation:** Bylaws change stating that the candidates cannot campaign until after acceptance of nomination petitions. Further, that Election Rules be promulgated much earlier in the process and have specific rules geared toward social media postings.

Issue #4: What became apparent as we went through the Election Period is that the EC was essentially limited to penalties at two extremes: a warning or forfeiture of candidacy/removal from ballot. There was little we could do in between. For example, the EC cannot issue a fine for a violation of the Election Rules. Possible options might include a public reprimand or requiring a public apology for rules violations, or preventing further campaigning.

Recommendation: It was eventually determined that the best way to deal with the rules violations during this election cycle was to make this report and detail complaints and rules violations we investigated and any action we took, if any. We recommend a bylaws edit that requires a report by the EC for future elections. Further, the next EC should consider what penalties they might levy in the next election cycle.

Issue #5: Write-in candidates are fairly common and they do not submit petitions. We had to go to write-ins to fully fill Cohort 2, Cohort 1, 2L Weekend, 2L PT, and 4L. The bylaws require that a member agree to follow the budgetary and financial responsibilities of the SBA,

however, this is captured at petition time, not after the vote. **Recommendation:** To make sure the write-ins make an affirmative statement to follow SBA Constitution, bylaws, ect., we've recommended that, "if elected" be a qualifier in the bylaws so it also captures the formal acceptance of write-in (and all other) candidates.

Issue #6: One problem we ran into with the Election Rules is that the ones promulgated potentially impact hybrid students more than brick and mortar students. Specifically, the "no campaigning by email" rule. While the EC debated frequently about whether or not an email was more beneficial or harmful to a campaign, and what exactly a proper penalty should be, there was an acknowledgement that Hybrids might be more impacted by this rule than brick and mortar students. **Recommendation:** Bylaws changes that require that the EC include a member that is also part of a Cohort or Part-Time student to help recognize unique issues of those constituencies and candidates.

Issue #7: Perhaps the largest problem that the EC dealt with that isn't immediately obvious is the lack of someone who could serve as a mentor or guide through the general election process. Elections for just the reps are fairly low-key affairs, much more focused. But the general election is different, requires a lot of juggling, coordination, and making sure the Constitution, bylaws, and Election Rules are followed. **Recommendation:** The current chair of the EC will make himself available to go over the various requirements to the next EC. Additionally, the next EC should reach out to Professor Levine (Election Law) about how to conduct a cleaner election, with a possible review of the bylaws.

Issue #8: The administration uses Survey Monkey to compile results before they are handed off to the EC. There are other possible platforms that the administration can use to do this, like [Election Buddy](#). **Recommendation:** During the 1L election during the next cycle, the

EC recommends that the administration try Election Buddy. Funding should also be set aside for the SBA to pay for the administration's use of it.

Other Recommendations

1. A centralized place for all Election Materials on the SBA website would be ideal. This was partially developed over the course of this election. It's recommended that this be repurposed for future Elections Commission materials--like petitions, election rules, and materials for candidates.
2. Informational sessions regarding what SBA does and how it functions would go a long way to both a) improving campus knowledge about SBA and b) fostering interest in the various elections. The Elections Commission should set up one right away for new 1L students in the fall, and any positions that need to be filled. The Elections Commission can also get feedback during these periods of time to improve the elections.
3. It was asked of the EC that the ballots be randomized. The bylaws require alphabetical ballot listing. Election Buddy can do this type of work, but to institute such work would require a bylaws changes, the discussion of which we leave to the next commission.
4. There is an "SBA.Elections@mitchellhamline.edu" email account that we found out existed only late in the process. This would greatly facilitate centralization. I would recommend speaking with Information Technology to get access to this email.

Elections Commission 2017

Alexander Gutnik | Joshua Humphrey (chair)

Rayeed Ibetsam | Joseph Ling | Nicholas Strafaccia