

- I. Opening Prayer, Daniel Schermerhorn, *Baumer Hall Senator*
- II. Roll Call
- III. Approval of Minutes
 - A. Having a senator vacancy in the Committee on the Constitution, senators were nominated who were interested. Daniel Law and Benjamin Erhardt were nominated and both had a sufficient number of votes, so these Senators are now a part of the Committee on the Constitution.
 - B. Minutes approved
- IV. Executive Announcements
 - A. Sarah Galbenski: Email being sent out tomorrow about mental health resources being offered this semester, such as Fighting Irish Cares, UCC availability, McWell, and the new Calm app subscription. Really all great things, and I do hope you all will take advantage of that.
- V. General Orders
 - A. [SO 2021-18: An Order to Suspend Vacancy Elections in Keough Hall and Johnson Family Hall](#) - read by Thomas Davis
 1. Questioning:
 - a) Ricardo Pozas Garza: Motion to end questioning and move into debate.
 - (1) Seconded
 - (2) Vote passes
 2. Debate:
 - a) Michael Murakami: Motion to end debate and move into a vote

(1) Seconded

(2) Vote passes

3. Vote:

a) Vote passes

B. Oath of Office, *Johnson Family Hall Senator*: Eliza Smith

1. Congrats Eliza!

C. [SO 2021-19: An Order to Gauge Undergraduate Student Opinion on Article XIV, Section 1\(A\) of the Constitution by Referendum](#) - read by Madison Nemeth

1. Questions:

a) Ricardo Pozas Garza: Why does the Committee on the Constitution believe this warrants a referendum; it seems to be getting into the nitty gritty?

b) Madison Nemeth: We believe 200 signatures is just not a substantial part of the student body to truly affect the will of the student body enough to warrant action by the Student Union. Why we want the referendum is to have the student body involved more so in the decision making and more of a voice in these petitions and changes in the constitution.

c) Patrick Lee: Does the Committee on the Constitution think there has been a problem in the past with too many petitions coming forward and that is what is propelling this order?

d) Madison Nemeth: I wouldn't say there are too many petitions that have had insignificant numbers of signatures and that have failed.

Ones that have had a higher number of petitions have been more successful.

- e) Benjamin Erhardt: I want to play Devil's Advocate for a minute because you raise the number of signatures. It makes it harder for students to participate in the student union, so how can you ensure that raising the number of signatures won't make it more difficult for petitions to go through?
- f) Madison Nemeth: It is supposed to be a bit more difficult because you guys are here to legislate. You guys should be able to understand the positions of your constituents. If you do not act, then a petition is valid in my opinion. I just believe it needs more than 3% of the student body's signatures to show it is really a popular view of the student body.
- g) Blake Johnson: Does the committee have a proposal for a new number or is it just a suggestion to change it?
- h) Madison Nemeth: We do not have a set number. I appreciate that question. This is just asking the student body if they want to raise the number. Even if they choose to do so, you all do not have to decide to act on this.
- i) Henry Jackson: Do you not worry that if we raise the vote it may suppress minority views? 3% is small I agree, but it is not insignificant.
- j) Madison Nemeth: You guys are supposed to represent you constituents, and that includes the minority. There is no set number

in my head even of what we would raise it to. I am not trying to make it possible for people to pass petitions.

- k) Thomas Davis: Let me just be clear. This is an order voting on referendum. Your vote on this is not to raise the number. It is to ask students on the ballot “Do you think this should go up?”. They can vote no if they think it will suppress their vote. If there is a minority voice that less than 200 students on a campus body of 8,000+ students, then they should come talk to you about that and their view. It is impossible to talk about everything, and we do not get bogged down by a bunch of petitions with 200 signatures.
- l) Michael Murakami: Why not just right an order for the Senate to pass amending this within the Constitution?
- m) Madison Nemeth: Because I think it is important if we are altering the rights of the student body. We owe it to them to run it through them first. This is our attempt at making things as democratic as possible.
- n) Thomas Davis: My plan when I was chair of ComCon was to just give you an order to do just that, but Madison and some others said “No, no. This affects the rights of the student body. We need to ask them first”. This really is Madison’s work, and I really do support it.
- o) Alec Breiler: Have you talked to any students to know what their thoughts are? I do not see students wanting to make it harder for themselves, I just do not see that getting enough votes.

- p) Madison Nemeth: I recall that when we had debate on the first petition that came to us with 215 signatures that that bar was way too low. We had another situation too within ComCon of people voicing they thought this was low. I have not encountered any opposition thus far to the idea of raising it.
- q) Ricardo Pozas Garza: I just want to echo what Thomas said that this is a referendum and not a final vote. I also had a question going off of Blake's earlier question. I know you guys do not necessarily have a number in mind, but I was curious as to what that discussion was like in ComCon. Did you guys have a margin that was being tossed around or prominent opinions within the committee? Could you discuss possibilities?
- r) Madison Nemeth: We did have some discussions on that. Currently as it stands, you need less than 3%. Some people said just raising it to 5%, with others being a bit more. Ten percent was the highest that was discussed, but that was not a popular option.
- s) Blake Johnson: I am not sure if the student body actually knows what the standard is right now, so would they be given that clarification when voting?
- t) Madison Nemeth: I do not have any problem adding clarification on what the current standard is so that people could be aware of what they are agreeing to.
- u) Connor Delaney: Will this vote be on the ballot for President and Vice President?

- v) Madison Nemeth: That was my hope in passing it today so that we can get it on there. We are far more likely to get far more undergraduate student opinions.
- w) Thomas Davis: Ultimately, when it comes to response to a JCouncil email, I am not quite sure how good that would be. I am trying to be careful with those right now. Ideally, it would be on the same google form. Also plug for voter turnout, talk to your constituents.
- x) Sarah Galbenski: I would like to refute the claim that people do not pay attention to J Council. When there is food involved, holy moly people interact! The turnout yesterday was immaculate.
- y) Alec Breiler: Will you have a firm number picked before you send it out, and do you think that would change people's opinion when voting?
- z) Madison Nemeth: I truly do not have a number, and I also wanted to refrain from picking a number myself. I feel that that will ultimately be your guys' decisions.
- aa) Blake Johnson: I think it would just be helpful to add that the standard right now is 200 votes, so people know what would be the current standard and what it would change.
- bb) Madison Nemeth: We will reflect that.
- cc) Sarah Galbenski: We can take that as a friendly amendment. Thank you Blake.
- dd) Eliza Smith: Did you guys do any benchmarking with how other Universities petition and what their requirements are?

- ee) Madison Nemeth: Yes, that is not as stuck in my mind right now just because of all the other information. I do have that available and can make it available for you all to see. [I can link it for your guys' viewing now.](#)
- ff) Alec Breiler: Is there any sort of legislation that would need to occur following passing this referendum?
- gg) Madison Nemeth: If the decision was to move forward with raising the standard, then an amendment would need to be proposed which would be a whole new Senate debate after ComCon works through it.
- hh) Ricardo Pozas Garza: Motion to end questioning and move into a debate
- (1) Seconded
 - (2) Vote passes

2. Debate:

- a) Ricardo Pozas Garza: First of all, I want to say J Council and ComCon did a great job with this. Regardless of our thoughts on the issue, I think we should all vote for this referendum to see what the student body feels. Then, act swiftly with whatever they wind up deciding.
- b) Benjamin Erhardt: Our job is to engage with the student body and to see what our constituents desire. We are already doing this by saying hey we are considering this, but now like hey we want to know what you want and what you think. I think we should pass this regardless

of what we think. Then, we have time to decide and vote on what we think after the fact

- c) Madison Nemeth: About the benchmarking with peer institutions, 5% is commonly used and 10%-15% is required at some if people want to amend the constitution. Our standard is very low in comparison. I want to see where undergraduate students are, and it is just a suggestion for the Senate, not a ruling. There is literally no stakes.
- d) Henry Jackson: I understand we are trying to do this democratically, but I think we need a number before we go into the student body. They cannot be informed on what decision they are making if they do not have a number. I think others would agree we would like to see an actual number.
- e) Sarah Galbenski: I think you folks would decide the number as the Senate based on what Thomas and Madison have said.
- f) Madison Nemeth: On that point, I do not think we need a number at this point and time. If you understand your constituents do want you to raise it, then you would be able to talk to your constituents by how much they think it should. I do not want to choose a number right now because that would require far more debate and would be very arbitrary. Having a number would require a lot of debate, which would be fruitless if the student body votes against raising the number.

- g) Bianca Burnett: Without having an actual number i think we might get an inaccurate representation of what people actually think with people concerned that it would go way up should it be voted for.
- h) Sarah Galbenski: To clarify, are you proposing a cap? Say, we would not raise it to more than x percent? Correct, very helpful.
- i) Ricardo Pozas Garza: I think Henry raises a great point. I think we could include a brief description as well as a ceiling cap at which the number of signatures would not exceed.
- j) Sarah Galbenski: Great team effort, I liked that synthesis guys.
- k) Alec Breiler: Do you think it would be possible to have a separate standard for petitions regarding amendments to the constitution within the general order?
- l) Madison Nemeth: I think that is something to look at. Obviously as far as amendments go, 200 signatures just does not seem like enough to make the Senate look at the amendment. At the same time, I guess I am struggling because we have not had an amendment come up via petition, so I am not 100% sure as to how to address that. That is typically your guys' job to decide as a group and to speak on behalf of your constituents.
- m) Michael Murakami: I think the idea of a cap is really interesting, but it brings up the question as to whether that is tangible. We should also add a minimum lower boundary.
- n) Madison Nemeth: So when I first drafted this referendum, I had all the mentioned numbers: 3, 5, 7, and 10. Thomas informed me that is

not typically how referendums go; it is usually a yes or no question to gauge what the student body wants. I truly do not see how having a number would help very much.

- o) Michael Murakami: The thing is if we do not have a number it leads to such ambiguity about what the student body should be expecting. I think there should at least be a range of sorts.
- p) Madison Nemeth: We can change the wording in the question to ask if they would be comfortable changing it by 5 to 8 percent.
- q) Michael Murakami: I feel like that does not mean much; we would still need a number.
- r) Madison Nemeth: That's actually a completely separate issue we had in ComCon because if we state a number that can end up being insignificant if our student body ends up increasing significantly. This number should be something that does not need to be changed based on the population of students.
- s) Sarah Galbenski: Perhaps we could say "The student body currently stands at x number of people" just so they get an idea of what that percent would look like. Again, I am impartial.
- t) Daniel Schermerhorn: I agree with Michael a lot. Perhaps we could have the percent listed and what that would equate to in the current number of students?
- u) Isabella Garcia: Motion to end debate and move into a vote
 - (1) Seconded
 - (2) Movement into a vote.

3. Vote:

- a) Karen Kennedy: What exactly are we voting on?
- b) Sarah Galbenski: Let's vote on it as it stands. Madison has agreed to putting percentages and equating those percentages to numbers, correct? Let's pull up the google drive and adjust for those.
- c) Madison Nemeth: Correct.
- d) Sarah Galbenski: The wording would be 5 to 8%, correct? We will do the math on what that equates to later? This is a friendly amendment that has been accepted. We will be voting on the order with two friendly amendments to make it more transparent for the student body.
- e) Vote passes

VI. New Business

- A. A Presentation on the Scope of Off-Council Council's Work, *OCC Officers*
- B. SS 2021-22: A Resolution Recommending Increased Student Resources and Transparency for the University's Study Abroad Programs
- C. SS 2021-23: A Resolution Calling for a Greater Emphasis on Student Mental Health
- D. Michael Murakami: I had some concerns from constituents about the President/Vice President tickets and the time frame or number of signatures required. Given COVID-19 limitations on petitioning, there are some worries people will not be able to fulfill the required signatures.

1. Sarah Galbenski: That is a great point. I long for the days wandering around the Dining Hall collecting signatures with pen and paper. Does anyone have legislation crafted around this topic?
2. Thomas Davis: It has become apparent to the Judicial Council about the virus and the ability to petition. I have made it clear during my time in the Student Union that suspensions should be the last resort, but it is an option to suspend this constitutional requirement. People have reached out asking for these mandates to be suspended; I am impartial on this. I would be remiss not to acknowledge this to you all.
3. Daniel Baudendiestel: Can you suspend the number of signatures to just majority approval by your hall staff since they know you best?
4. Karen Kennedy: There are challenges when you change the rules in the middle of the race. It is not something that should ever be done lightly. I know this is an unusual situation, but I just want to recognize that in the past there has been a lot of backlash by changing election rules in the middle of the process. People that are really interested and have taken initiative will have no problem, but then we would open the floor up to people much less devoted.
5. Michael Murakami: I think this is a very special year in the sense that we did not even have the ability to change the rules ourselves before petitioning began. We would have had to do that last semester.
6. Karen Kennedy: We did have an opportunity to make a change there. Meetings started two weeks ago, not last week.

7. Sarah Galbenski: Exactly, I think you guys both have great points.
Unfortunately, I think this is a case of hindsight being 20/20.
8. Renee Pierson: When does petitioning end?
9. Senate: Friday
10. Renee Pierson: Would there be any potential to change it to through the weekend?
11. Thomas Davis: That is the current plan. The Judicial Council does have a plan in place in which on a case by case basis the Judicial Council can come to us and we may extend that for them. Campaigning cannot start until the ticket reaches that 700. Extending the deadline may not actually change much because of the plan the Judicial Council has in place. You guys can also be encouraging your constituents to vote, making sure they are aware that petitioning is going on and that they can sign more than one petition.
12. Sarah Galbenski: Although you guys cannot sign petitions, you certainly can encourage others to do so.
13. Benjamin Erhardt: Going back to what Karen said, I also feel a bit uneasy by changing the rules in the middle of the race. I do not want to make it more difficult for anyone to get the required signatures. Although unprecedented times, technology really opens up the possibilities and ease of access. With that said, I do not see how it is that much more difficult.
14. Patrick Lee: Can someone tell us when rules were made available for this election? Were they always available?
15. Thomas Davis: All of the rules of the election are always available in the constitution. The most recent rules were available to the election committee,

and their preemptive advisory additions have been posted through the Judicial Council.

16. Sarah Galbenski: I don't know if you folks remember that beautiful 11 page document David Haungs shared with us last semester. At the time, we did not realize how important it would be, but these truly are crazy times.
17. Eliza Smith: We already have pre existing rules. Communication is limited, given there are restrictions on modes that can be used to access people for petitioning. Spreading awareness about petitioning is difficult, and even within the realm of social media there are private accounts, meaning the people who can actually see information is inhibited by the number of followers. I do not think there are enough modes of receiving signatures as there were available in previous years to make this fair to have the same signature requirement.
18. Maggie Allen: To combat this whole issue, it was brought up before about us encouraging some sort of forum or something? What is the purpose behind petitioning?
19. Thomas Davis: The purpose is having enough support. Garnering enough support to be on the ballot. Basically we do not want this to be a social media campaign. Defeats petition process in the first place. J Council has decided we cannot have no petitioning with 25 people on the ballot, but we cannot make it so hard that no one winds up on the ballot. It ultimately gauges interest of the student body in different candidates. I just want to make sure your constituents know what is happening and know that the petitions are floating around and to be aware.

20. Henry Bates: One thing that stood out to me, I also last year had to go out and get the 700 signatures. A big part of it is the personal nature, going and getting your face out there and connecting with people. I also do not know how great of an idea that is now to be encouraging students to increase interaction to garner support given the current rise in cases. I think it is not the best move to have petitioning end when it is supposed to on Friday.
21. Daniel Schermerhorn: Right now I am kind of in the middle of this issue. If they are really serious about running they would have adapted and adopted methods to increase their success of signatures.
22. Benjamin Erhardt: I want to thank everyone for the points being raised. I did not realize all the restrictions on communication and social media. I agree petitioning as it is is not the best move, but, if we change something, we have to give very clear reasons. We cannot just say, well times are crazy, because times can always be crazy. I think if we are really clear about our why, then we could really box it in and make it clear because of the situation in this immediate moment.
23. Sarah Galbenski: Two things that I will say is that I did not cap the meeting at 90 minutes because frankly I did not think it would last 90 minutes. I want to make you all aware that we are approaching that 90 minute mark, for I respect both your time as well as the Democratic Process. Also, I would like to make you all aware that we do have the members of a ticket petitioning with us tonight if someone would want to yield their time to them to give their take on the issue.
24. Ricardo Pozas Garza: I yield my time.

25. Matthew Bisner: Hi, I am Matthew and this is Alan; we are running for Student Body President and Vice President. We have two days left and we have now exceeded 700 signatures by quite a margin.
26. Miles Kelly: Since there is no legislation, how could this conversation reach a resolution? What is the end goal here?
27. Sarah Galbenski: Thank you for always keeping us task oriented Miles, and Thomas has an answer.
28. Thomas Davis: The process of suspension, which I am not suggesting, would begin by everyone consenting to entertaining the issue officially and 5/6th agreement that there are extenuating circumstances requiring it. If you are concerned, the Judicial Council has a process in place to accommodate these concerns as it is that I mentioned before about extending petitioning on a case by case basis.
29. Dan Baudendiestel: It sounded like the Senate needed to be unanimous on this, which it does not seem that we are, so it sounds like we are beating a dead horse with this.
30. Benjamin Erhardt: Is it a judicial council concern or is it a concern by individual tickets?
31. Thomas Davis: I am going to reserve my right to comment on that. I have an answer for you, but in the effort to be as clear as possible to the candidates we have had communication with the state of petitioning through J Council with the candidates. It has come to my attention through other individuals. Ultimately, it does not matter what the J Council thinks about the issue, but we do have our own plan and our own opinions. I am just not going to tell

you all those opinions. It matters what the Senate thinks and how you all would like to address it. We most likely will be executing on a case by case basis the mechanism we have in place for individuals that are petitioning.

32. Dan Baudendiestel: To get the Senate's point of view, wouldn't you need to give us the Judicial Council's opinion?

33. Thomas Davis: I am not a voting member of the Senate. It does not matter what the Judicial Council thinks. The reason we are talking about it is because Michael brought it up. Just to clarify, constitutionally you all have the power to suspend any rule in the constitution with Karen's approval. This is an example of that. You do not have to do anything though. Also in the constitution is our ability to extend the petition period on a case by case basis, which we will likely enact. If you all decide to go about a different method, then that is in your power as long as Karen agrees. Not all elections going further have this same stipulation, so it is a unique case.

34. Sarah Galbenski: Thank you. So what I am hearing is that it is Wednesday night and you all can act on this. Then, the Judicial Council could act on it Friday. It seems like we have reached a consensus.

35. Dan Baudendiestel: Motion to adjourn.

36. Sarah Galbenski: That is a question I am going to refer to Sarah.

37. Karen Kennedy: We are trying to see if we would have to act on it tonight?

38. Thomas Davis: The petitioning period will end, even if it is suspended. We do have a clause that allows us to accept petitions past that deadline, depending on the situation.

39. Sarah Galbenski: Madison has a form ready to vote on this. Is there a general consensus that we would like to proceed with this process.
40. Thomas Davis: That is not an option. We would need a motion or we could adjourn.
41. Madison Nemeth: The motion to adjourn did not get a second earlier.
42. Michael Murakami: I would like to motion to vote on this.
- a) Ben Erhardt seconds
43. Sarah Galbenski: We already essentially were in debate on this. Must we go through all these things?
44. Sarah Galbenski: I will leave this to Thomas because he understands this procedure. Paiging Michael Murakami.
45. Madison Nemeth: Your language needs to be a little more specific.
46. Michael Murakami: Okay, tell me what's my language?
47. Sarah Galbenski: I can guide you and say “Motion to suspend the clause relevant to petitioning in the constitution?”
48. Michael Murakami: Motion to suspend the clause relevant to petitioning in the constitution.
49. Sarah Galbenski: Is that acceptable phrasing now, Madison? I do appreciate your patience; consolation is you will all be getting a sweatshirt at the end of this meeting, so hang in there!
50. Michael Murakami: I would like to withdraw my motion and to motion for a resolution to suspend election petitioning statute of the Constitution.
- a) Henry Bates seconds

- b) Madison Nemeth: We need a unanimous vote for that resolution to be brought forward.
- c) Sarah Galbenski: *In response to hand vote for yes* We do not all want that resolution to be brought forward, so that decides this.
- d) Thomas Davis: We need to do abstains and nos
- e) Sarah Galbenski: How about we do a google form to vote?
- f) Sarah Galbenski: The final vote is 11 in favor, 13 against, and 7 abstain. That will not be moving forward because it was not unanimous. Communication is key, so I am glad we had this dialogue.

VII. Announcements

VIII. Adjournment