

NOTRE DAME STUDENT SENATE

Executive Summary

March 7, 2007

Notre Dame Room, LaFortune

I. OPENING BUSINESS

- A. Bill Andrichik called the meeting to order at 6:07 p.m.
- B. Bill Andrichik led the invocation.
- C. Lizzi Shappell, Philippe Collon, Pat Knapp, Aly Baumgartner, Matt Lodwich, Allison Steil, and Kevin Gimber were absent.
- D. Brian Corrigan moved to approve the minutes. Luke Derheimer seconded.
The minutes from the February 28, 2007 Senate meeting were approved at 6:09 p.m.

II. REMOVAL HEARING OF IMPEACHED SENATOR DWORJAN

A. Procedures

- i. Chris Hollon explained the procedures of the Impeachment. First, he, as the Chair of the Oversight committee, was asked to chair the impeachment because Bill Andrichik, the chair of senate, sent the violation of Senator Dworjan to the Ethics Committee and thus he felt he should step down and let Chris chair the impeachment. Chris proceeded to discuss the procedures. He will first read the Bill of Impeachment. Liz Kozlow will then reread the recommendations sent from the Ethics committee regarding Senator Dworjan. Greg will then give a statement. Questions can then be asked to Greg Dworjan. Following questions will be debate. Finally, there will be a vote by a show of hands as to Senator Dworjans removal from office.

B. Bill of Impeachment

- i. Chris Hollon, the chair of the impeachment read the Bill of Impeachment that senate passed at the last senate meeting. The Student Union Ethics committee said Greg violated the constitution in several ways. Impeachment was recommended because Senator Dworjan violated Article 17 sections 1 and 7 of the Constitution. The Bill of Impeachment was passed by senate February 28, 2007.

C. Recommendation from the Ethics Committee

- i. Liz Kozlow, chairman of the Ethics Committee read their recommendation. There was a hearing Tuesday, February 27, 2007. They reviewed Senator Dworjan's possible constitutional violations. In a 7 to 1 vote, they ruled in favor that there was a violation because Senator Dworjan used student resources inappropriately violating the constitution under Article 17. There was a 4-3-1 vote in favor of recommending that the impeachment be sent to the senate.

D. Senator Greg Dworjan's Statement

- i. Senator Greg Dworjan state that he believes he conducted his duty as a senator to the best of his abilities. He feels he has been violated of his rights to free speech by being impeached on account of his actions and SAO's desire to stop the overcrowding of bulletin boards. His goal was to inform individuals that they could participate in the abstain campaign. He was also not the only member to participate in the act. If individuals did not like their choices for the student body elections, he was offering an option in which they could choose not to participate by abstaining. He believes in the highest ethic. Greg told a story about his grandfather. When Greg thinks about his actions, he considers his highest ethic to be something he can say yes I did that and his grandfather can say I'm proud of you. Greg admits to breaking the rules but his ethic regarding democratic ideals to put up posters poster is right. Are these actions the same actions that are grounds for removals in office? He believes his actions do not warrant this type of response.

E. Questions

- i. Brian Corrigan said he knows last week that Greg said he wasn't familiar with the constitutional section that he violated. He asked Greg since he now knows, does he still feel like he is in the clear. Greg said he would still do it again. Analise asked Liz Kozlow, the President of the Judicial Council, what is the process for getting campaign approval. Liz Kozlow said any candidate that is approved can come to the Judicial Council to approve posters and then to Student Activities to approve these posters. Maris Braun asked Chris Hollon if these questions can be regarding motives. Chris Hollon said motive is placed in the fact so yes. Maris said she was under the impression that we represented a dorm when coming to senate and she thinks being a representative you need to have a blend of both personal ethics and dedication to your constituents. She says Greg's ethic trumped his duty to his dorm. She asked Greg what he thought. He said what he did was representing his dorm as a whole. Karen Koski asked if he talked to members of his dorm regarding this campaign. Greg said he did talk to people with in the dorm. Upon talking to these people, the prevailing opinion is the opinion he chose to represent. Danny Smith asked if abstain was the majority of people from his dorm. Greg said not from the actual total but people were saying that they did not like their choices and he was informing people that they could register as abstain. Jim Lockwood asked where his oath to the constitution plays into all of this. Greg said someone who is supposed to uphold the constitution also has an obligation to represent their dorm. The posters are for a candidate or ticket. He took his representation that he was trying to present. Jim asked if Greg is bothered that he didn't uphold constitution. Greg said if you have certain rights, you can violate that section. Maris asked what was the constitution is prohibiting. She said Greg wasn't

aware of these sections and not knowing the rules is not a defense. Greg said the laws are unethical and any time you are violating speech it is unethical. Lauren asked how Greg feels about giving up known rights when you came to Notre Dame. Greg said there are rights that transcend all rights. People would agree with him that the right to participate in the political process is more important than the student government constitution. Danny said this is a private institution and the way they run student government is the way people thought would be best. He asked Greg if he would have done this in the same manner if he knew the constitution. Greg said he would have done the same thing even if he knew these sections. Jim Lockwood asked why he didn't resign. Greg said if he is removed for what happened, then he would rather not be a member of senate anyways. Ashley Wright asked why he used the student government copier. Greg said he was out of print quota. Jim Grace said he can go into negatives on print quota. Mary Popit asked Greg how he feels about using student government resources. Greg said he is not bothered. Karen Koski asked Greg to clarify if the primary problem with these rules is that there is not enough free speech. Greg said yes. She asked if he thought about using other venues. Greg said this was the only option. Victoria Perez asked Liz Kozlow if the Judicial Council believes abstaining can be a campaign. Liz said the constitution defines a candidate as two students but that all campaign materials must be approved. Lauren asked if Greg is equating women not being able to have the right to vote to him not being able to put posters up. She also asked Greg if it is right to break the rules because you don't believe in them. Greg said he doesn't believe about complying with rules that violate your speech. Lauren asked Greg if he was aware that taking on the role of senator meant complying with rules. Greg said that it is like giving up the right to vote. Drew asked Greg if he sees a problem with using the student government resources to campaign. Greg said no. Oscar asked Greg if he has gone through any processes to change the laws. Greg said he did and they debated the constitutional change last week. Brian Lan asked Greg if he feels that going through the student union to get approval is not right. Greg said he didn't know there was an approval process. He saw posters that were not approved. Emily Cooperstein asked if he knew he was breaking the constitution when he was putting up posters. Greg said he didn't know and now that he knows it is like this he still would have done it because it's not right.

F. Debate and Vote

- i. Luke said this was going a little too far. After hearing what Greg had to say, he does feel like Greg should be removed because there is a blatant disrespect for the oath he took. Luke went along with his oath at the closed meeting even though he may have not wanted to vote according to his dorm. Chris Beesley agrees with

Greg's statement about free speech, but it is not up to individuals to determine what is ethical and not. Greg was in clear violation of the constitution which is why we voted to impeach him. He has been impeached. We are discussing the removal of office. His actions do not warrant a removal from office. Chris is not proud about his current view about the situation but Greg does contribute to discussion and it would be sad if we remove him from office. Sheena said there are things to keep in mind. First, we are not looking at whether abstention needs to be on the ballot. We're looking to see if Greg's actions are just by using the student union copier. Sheena said Greg admitted to violating the constitution. If they're here tonight to discuss this, then he did and he even admits it. She said we should remove him then. Secondly, she would like to point out at the dining hall when Greg approached her and admitted to carrying out the campaign. She asked him why he did it and he answered because I can. She said she wonders what his real motives were. Greg said his rights to free speech were his motives to do what he can. Maris said she agrees with the right to abstain. Her biggest problem is not the launch of the campaign, but now that he knows what the rules are he would do it again in the same fashion. If you can do it through the proper channels and deliberately choose not to, then that is not a senator that she wants next to her. You have a right to say whatever you want but there are rules. If you could do it again, why not follow the rules. Mark Healy said Greg's line of reasoning has been poor tonight. He has lost respect from senators in how he has gone about expressing his views. He said this information makes him want to vote for Greg's removal. Mark was running for student body president and there was a similar violation with materials in the student government office. He said it did not affect that ticket's ability to win the election. He said this really isn't any worse than that and he has no opposition to having Greg remain in the senate. Jim Lockwood said he doesn't think that there is a person here that would vote him out of office to print posters. If he would have come to them and said this is what I did, but I'm sorry, then we would not be discussing this right now. Instead, he said Greg doesn't respect senate. He will vote for removal because Greg didn't approach the situation in a respectful manner. Brian Corrigan said he agrees with Jim. The fact that Greg doesn't see a problem with using student government resources to do campaigning is the problem. Brian said in any election you can not use public resources for a campaign. Brian Lan said it's obvious he has done something wrong by using these resources. He does disagree with what Jim said. He knows Greg and he says Greg does care. Brian said he can't support that Greg would break the rules again. Danny said because someone broke the rules in the past, it doesn't mean people will follow the rules in the present and future. It sets bad precedent.

He feels like a lot of this is coming from the reason that Greg doesn't understand that Notre Dame can set up its own rules. Chris Beesley agreed with Maris in representing our constituencies as senators. He said his constituents were in disbelief that making copies could warrant a removal from office. They agreed with the impeachment, but his constituency has told him that he should not remove Greg from office so he won't. Chris Hollon said the impeachment last week was that he did break the rules. Today's discussion is whether he should be punished for that. Drew Clary said a second chance is warranted when the individual learns from his mistakes and Greg said he didn't learn. He said he has a hard time about understanding the logic that these rules are ok to break. Liz Brown said we should not debate how dedicated Greg is to senate. We should not look at his past contributions to senate, but at if he should be removed regardless. Analise said she doesn't agree with some of Greg's line of thinking, but removal does seem excessive. Luke said he is in agreement with Analise and Chris, except for the fact that there is zero remorse. Luke said Greg should try to change rules instead of breaking them. Greg took an oath in upholding the rules. The fact that Greg would do it again says that he doesn't have respect for oath he took. Lauren said it's hard to draw the line at what warrants removal. She said she's even scared that he could do something even crazier. She said you are held to an oath if you don't want to be held to that standard you shouldn't be in office. Josh Pasquesi said we need to look at intent here. Regardless of freedom of speech, we need to remember that Greg said I did it because I can. Maris said our problem is that Greg would do it again in the same fashion, then why wouldn't you just tell us that you would go to activities and get it stamped and have the same result. Greg said it's wrong according to the constitution not the conscience. Drew asked Greg if he's removed, does he consider himself a martyr for democracy. Greg said standing up for what you believe in and being removed for that is important. Oscar said we're questioning whether we want to remove Greg in terms of impeachment. He said are we actually going to remove someone for making copies. Jim Lockwood said he likes Greg, but the fact that he will not follow the rules or apologize is not acceptable. We're not voting against Greg because he made copies but the actions he took after that is ridiculous. In society, we respect freedom of speech but there are guidelines that must be followed to exercise that freedom. Those guidelines are active to protect us from anarchy. Victoria Perez echoed Chris. The biggest problem people have here is that he would do it again. With that, we have pushed Greg into a corner. She feels that this is a harsh crowd. She doesn't think he would break the laws again and it's not fair to say that he would break rules again. Brian said this is not personal and hopes everyone feels that way. He said why you

wouldn't work to change the constitution instead of knowingly violating it so free speech could be preserved as well as the system. Greg said because of the time constraints, he did not have the opportunity to follow three day rule. Brian said he agrees, but he's not asking about the original actions but if he would with no time constraints. Greg said it's hard to say. He doesn't know what he would do with different information. Mark Healy said we've already impeached Greg and he's received a strong reprimand. He said when you're voting, think of your constituencies and how this situation rates in the grand scheme of things compared to how it is felt by student government. This should be seen by other perspectives. Sheena asked Greg how he thinks breaking the rules again would further his cry. Greg said people do not know what is going on in the senate and how would they. Chris Beesley said we are removing him from office based on the nature of his offence regardless. Chris Beesley moved into voting. Maris seconded. Ashley objected. 11 yes to move into voting. 15 no. 0 abstentions. Debate resumed at 7:14. Chris moved to PQ. Oscar seconded. Moved into voting 15 yes 11 no. 0 abstentions. *Senate did not reach 2/3 majority vote to remove Greg Dworjan from office.*

III. PODIUM

A. Destinee Delemos Re: Cultural Competency Update

- i. Destinee Delemos said on February 15, the Office of the Provost formed a committee to explore cultural competency on campus. Within the next month or so, this committee will begin meeting to discuss cultural competency. This committee will be chaired by Dr. Hugh Page. The creation of this committee is unprecedented because of the changes that could result. MAC began working on this project during the 2005-2006 academic year. For a semester, MAC performed background research. They found that their idea was far from novel. Princeton has a historical analysis requirement. Stanford has educational requirements for a program to provide students for ethical citizenship. Nine of the top 10 ranked schools have cultural requirements. MAC decided to propose creation of a committee to explore cultural competency. In November 2005, a resolution to create committee was passed. In August, she began working with the Provost. The registrar's office ran a program to determine what percent of students would take this requirement. Only half of the students graduating in 2006 had taken one of these courses. The committee has finally come to fruition. Their consensus is that the best way to educate students would be to have a required course to enhance student's cultural competency. Joining her on this committee will be Steven Cartwright and John Henry. Every senate committee report, she has mentioned the cultural competency committee. She said our peer institutions are already on

board. They will be asking for support as it is needed. Mark asked what the next step is in terms of the course requirement. Destinee said it's going to the committee now. Then it has to go through the academic council and the Provost Office and several additional steps.

IV. OFFICER REPORTS

A. Ms. Lizzi Shappell, Student Body President

- i. Lizzi sends her bests from Uganda. At CoR on Tuesday, they had further discussion regarding the endowment for the student union to use the student funds from the shirt royalty and the excess of what is currently in the carry forward account. The committee on oversight will discuss the language of the resolution. The task forces out of CLC discussed agendas for the remainder of the year.

B. Mr. Bill Andrichik, Student Body Vice President

- i. Bill said he took part in the conduct awareness task force discussion. The Kintera project has moved into its testing phase. They would like it to be ready for the next alumni class.

C. Ms. Liz Brown, Chief Executive Assistant

- i. Liz said the Frank O'Malley and Irish Clover awards are due the end of the week after spring break. The forms are available in the student government office. Earlier today she worked with Ryan W. in Student activities to put up online applications to serve on university committees. It was Lizzi and Bill's intention to open it up so more students could apply. She asked senators to ask constituencies to apply. Sheena asked if people who are not senators have to reapply. Liz said yes. She said as senators, it is their role to transition their succeeding senator into the job. They should bring their senators to a committee meeting and the final senate meeting.

D. Mr. Philippe Collon/Ms. Linda Sharpe, Faculty Senate Liaison

- i. Linda said nothing to report. Next week they will report on the faculty meeting going on now.

V. COMMITTEE REPORTS

A. Committee on Oversight

- i. Chris said he will try to prepare a survey to get an accurate feed on what people want in the new election process. He would like to do that by the end of this term.

B. Committee on Community Relations

- i. Josh said the community summit went well. Josh thanked participants. Next, they will meet with representatives from St. Mary's and Holy Cross to discuss things for next year.

C. Committee on Social Concerns

- i. Sheena said they are bringing forward a resolution tonight. She has an announcement from the Gender Relations Center. The Core council

for gay and lesbian students is seeking students to apply to the council.

D. Committee on Gender Issues

- i. Ashley said they have been discussing re-screening Thin by popular demand. They are talking about funding. She has had meetings with people for funding the eating disorders conference next year.

E. Committee on Residence Life

- i. Mariana said this week is alcohol awareness week. There will be a coke give away tomorrow. Brian said Monday they gave out key chains with the designated driver's card. Tuesday was a t-shirt giveaway at field house mall. Today was an information session in Lafortune. Tomorrow is the coca cola giveaway from about 11-2:30 p.m.

F. Committee on University Affairs

- i. Aly was absent.

G. Committee on Academic Affairs

- i. Jim said last Thursday was major's night. They had about 450 students come. It went well. Most majors were there.

H. Committee on Multicultural Affairs

- i. Destinee said they are exploring a speaker for CelebrASIAN to come in late April. They have a representative in the cultural competency committee. They also have a resolution for the next meeting.

VI. OLD BUSINESS

A. Proposal of Resolution SS-0607-17

- i. Luke said this is the same Zahm Hall resolution as before with the exception of the ending clause. It's the only difference. Luke said it's the same thing recognizing the community factor of the dorm. He said he supported Carroll's birthday recognition. He asked for the same respect. Chris Beesley moved to PQ. Oscar seconded. Lindsey Meyer opposed. 18 yes. 7 opposed. 1 abstention. Moved into voting at 7:34 p.m. 17 yes. 6 opposed. 3 abstentions. Bill Andrichik voted against the Zahm House resolution. 8 opposed. *The Zahm Hall Resolution fails at 7:37 p.m.*

VII. NEW BUSINESS

A. Proposal of Resolution SS-0607-23

- i. Sheena introduced the resolution. Mary has been working on this resolution as well. Mary Popit presented the resolution. This concern was brought up at the beginning of the year. They hope that if this resolution passes, the Academic Council will take this seriously. They understand that this administrative body may not accept the resolution. In spite of this, the resolution should be passed for the university to recognize the cause. The legality of this resolution is arbitrary. Not including sexual disorientation in the clause hurts the institution. Mary said she has been working on this all year to ensure that it is

presented correctly. The first sheet has a list of Catholic colleges who include and do not include sexual orientation in their anti-discriminatory clause. The asterisk says that they do have it. Many of these schools do include the sexual disorientation in their clause. The second sheet regards what the anti-discriminatory clause says. She wants to emphasize that they are just discussing the issue of sexual orientation. The second party for the second sheet states what du Lac says. Chris Hollon asked if the Academic Council were to add sexual orientation, would that mean that Notre Dame could not legally limit such things as groups or events such as the Queer Film Festival. Mary and Sheena said they believe that Notre Dame would not be able to. Chris congratulated Mary and Sheena on the presentation of the resolution. He said the resolution makes a great deal of sense. The last attempt failed to produce action from the resolution. It is very supportive of the students here on campus. It shows the efforts of the student government to aide students. He said it's necessary that we pass this. Destinee says she is concerned with the "once again urge". There may need to be a stronger statement. Karen said she has seen the work that goes into this, and feels that this is well worded. It was modeled after the previous resolutions. She said while we do need to consider what the university does with this, it is important to make a statement. Sheena said we need to keep pushing for this. We should not pretend that this issue does not exist. She said she doesn't know if this will change the administration's mind. It's important to tell the administration what we think. Drew Clary said he is concerned with quoting the catechism and using what other colleges have done to justify what we're doing. Liz Brown said she understands his concern, but we are at a Catholic University and she feels this is appropriately quoted. She said these are accredited institutions of learning which have put great thought in constructing policies. She said this is not just following in other colleges' footsteps. Chris Beesley said the quote is appropriate and may have more weight with the resolution. Mark Healy thanked Mary for all her work on this. It seems as if she has thought this out a lot. The inclusion of the catechism helps to support the resolution. This resolution is a great way for senate to stand up for discrimination. Sheena said people can use a body of evidence to support their claim and the same body of evidence to dispute that claim. If the administration says that the Catholic Church supports one thing and doesn't want to change it because of that, then we should use catechisms to support our points. We want to stay ahead of other institutions. She said it's important that we look at this in terms of Catholicism. She said it is completely relevant and important to include this list. Maris said she thinks that in every resolution that comes through senate, we have a duty to take the resolution in light of what it means to be a student and what it means to have faith. She said Sheena and Mary have done a great job in tailoring this resolution to

both of these needs. Maris moved to limit discussion to 20 minutes. Danny Smith seconded. 19 yes. 5 opposed. 2 abstentions. Discussion is limited to 20 minutes at 7:58 p.m. to 8:18 p.m. Jim Lockwood fully supports the resolution but he is concerned that this may not be heard by the administration. If they do not, he supports what Destinee was saying about rewording it drastically or taking a different course. Lindsey Meyer said this resolution is a proxy for a big shift in ideals. This administration has not touched on GLBT in forming some sort of student recognition. This represents a pragmatic approach to starting that dialogue. Danny said he wants this to go through. Danny said be annoying by calling and making meetings. Eventually, the message will get across that we are serious about this change. Drew asked if there have been allegations that Notre Dame has not hired a student or done something because of sexual disorientation. Mary said the first resolution was in response to a Holy Cross priest who was forced out of his position because he was openly gay. Both faculty and students were horrified by this process. Lauren said the law school has something on their application that they have the right to not accept you or kick you out if they find out that you are a homosexual. Drew said since then the clergy has taken a stronger stance. The university tries to foster a certain atmosphere for its students. If the university would adopt this and lose their ability to somewhat regulate activities on campus, he thinks this should be a big concern. Liz Brown said that the portion of the catechism quoted shows the Church's perspective on the issue. That is the point and less of how the Church is taking their position. Karen Koski said this clause is a legal thing and is not saying anything about Notre Dame's interpretation of Catholicism. It's just saying that they will not discriminate. She said it's our job to do what is best for the students and the university. Jim Lockwood said just because you don't believe in something you doesn't mean you have the right to discriminate. Jim said by having more tolerance on campus allows for students to be more tolerant of different views. Sheena agreed with Jim and pointed out that when she started, she didn't know a lot about GLBT students. Through research and her interactions with Sister Sue, the catechism serves to support the resolution. It is increasing diversity of this campus. Drew said if this isn't going to reflect the university's take on Catholic Teaching, then he doesn't understand why we should include the catechism for justification. By using this for justification, you should leave the door open for other interpretations of the Catholic Church. Brian said besides allowing homosexual acts, the university doesn't even allow heterosexual acts to occur. The fact that we skipped over sexual orientation is like a gap. Chris said he sees where Drew is coming from, but he feels like in any argument you only use claims that support your argument. We're trying to support the student body to include this and we justify it by only using this part. He

pointed out that in the current clause, it has sex in there and the Vagina Monologues were still banned from campus. Therefore, the university would still reserve the right to uphold and band events in conflict with Catholic Teaching. Chris moved to PQ. Danny Smith seconded. 25 yes. 1 opposed. 1 abstention. *The resolution passes at 8:11 p.m.*

VIII. ANNOUNCEMENTS

A. Mariana said she hopes that everyone realizes that an hour and a half was spent speaking about impeaching Greg and Destinee spent only twenty minutes about discussing cultural competency, an issue that affects the student body as a whole.

IX. ADJOURNMENT

A. Brian Lan moved to adjourn. Oscar Garcia seconded. *The March 7, 2007 meeting of the Student Senate was adjourned at 8:12 p.m.*

Respectfully submitted,

Catherine Martinez
Student Body Secretary

