

SENATE BILL #2489

TITLE: One Year Provisional Extension of Privileges to the Interfraternity and Panhellenic Councils

DATE: February 18, 2016

AUTHOR: President Schueler

SPONSORS: Vice President Kath; Senators Ellbogen and Krell

1. WHEREAS, it is the mission of the of the Associated Students of the University of
2. Wyoming (ASUW) Student Government to serve our fellow students through responsible
3. and effective leadership; and,
4. WHEREAS, the Interfraternity and Panhellenic Councils (hereafter referred to as IFC and
5. CPH) have traditionally been considered as Programs of the ASUW Student Government;
6. and,
7. WHEREAS, these councils have provided important services to students who are members
8. of fraternities and sororities at the University of Wyoming (UW); and,
9. WHEREAS, decisions made in November 2015 resulted in the reclassification of the IFC and
10. CPH as Recognized Student Organizations (RSOs); and,
11. WHEREAS, the Constitution of the ASUW Student Government holds that the ASUW
12. Student Government is an “inseparable part of the University of Wyoming;” and,
13. WHEREAS, the Constitution of the ASUW Student Government grants the ASUW
14. Executive, Legislative, and Judicial Branches the authority and responsibility to conduct
15. ASUW Business, including the Services and Programs of ASUW; and,
16. WHEREAS, UW Regulation 8-234 holds that RSOs are not a part of the University and that
17. the University is not responsible or liable for those RSOs; and,
18. WHEREAS, the requirements of the ASUW Constitution call into question the possibility of
19. the IFC and CPH simultaneously being ASUW Programs and RSOs; and,

20. WHEREAS, barring action by the ASUW Student Government, the IFC and CPH will face
21. funding shortages and a lack of representation which will impact their ability to serve their
22. constituents; and,
23. WHEREAS, providing a temporary extension of the funding and representational privileges
24. which were afforded to these councils in their former role as ASUW Programs will prevent a
25. sudden disruption of services to students; and,
26. WHEREAS, a one year period of stopgap funding and representational privileges will
27. provide ample time for the student leadership of the IFC and CPH to find permanent
28. solutions to serve their constituents; and,
29. THEREFORE, be it enacted by the Student Senate of the Associated Students of the
30. University of Wyoming that Article III of the ASUW Finance Policy be amended to reflect
31. the changes contained in Addendum A; and,
32. THEREFORE, be it further enacted that the changes contained in Addendum A shall take
33. effect immediately; and,
34. THEREFORE be it further enacted that the deletions contained in Addendum B shall take
35. effect beginning on the first day of Fiscal Year 2018; and,
36. THEREFORE be it further enacted that the ASUW Student Government formally express
37. concern with the handling of the Interfraternity and Panhellenic Council's transition into
38. RSOs as described in the letter in Addendum C.

Referred to: Program and Institutional Development and Budget and Planning

Date of Passage: _____ **Signed:** _____
(ASUW Chairperson)

**“Being enacted on _____, I do hereby sign my name hereto and
approve this Senate action.”** _____

ASUW President

Addendum A

Article III. ASUW RSO Funding Board

- vi. The ASUW Senate through the RSO Funding Board possesses sole authority to allocate ASUW funds directly to RSOs.
 - 1. For funding provided to the Interfraternity Council and Panhellenic Council during only the 2017 Fiscal Year which would otherwise be in violation of sections viii and ix of this article, the ASUW Senate through the Budget and Planning Committee shall have authority to allocate these ASUW funds.
- vii. No other ASUW program, service, governing board, or any other ASUW entity (except Special Projects) shall have the authority to allocate any ASUW funds directly to an RSO.
 - 1. If an ASUW program or service wishes to forfeit a portion of its allocated budget to support RSO programming it may transfer those funds to the RSO Funding Board.
 - 2. Funds transferred to the RSO Funding Board from any ASUW program or service become part of the general fund of the RSO Funding Board.
 - 3. The ASUW entity that forfeits funds shall have no influence as to the group or program to which the transferred funds are reallocated by the RSO Funding Board.
- viii. RSOs shall not receive funding from ASUW for normal operating expenses, membership fees, dues, or organizational publications.
- ix. RSOs shall not receive funding from ASUW for travel expenses except when part of the contractual expenses of a performer or speaker.
- (...)
- xxxii. The Interfraternity Council and Panhellenic Council shall be exempt from the stipulations of Article III, Section ix and Article III, Section xxvii, Clause 2 for the 2017 Fiscal Year. These organizations will also be exempt from the stipulations of Article III, Section viii regarding 'normal operating expenses' and 'organizational publications.'
 - 1. If the Interfraternity Council and Panhellenic Council receive funds in the FY2017 ASUW budget, those organizations shall fully adhere to the rules, operating procedures and requirements which apply to ASUW Programs as specified in the ASUW Constitution, Bylaws, Rules and Procedures and Finance Policy.
 - a. Failure to adhere to these stipulations shall result in forfeiture of ASUW funding.
 - 2. For funding needs not classified as 'normal operating expenses' or 'organizational publications', the Interfraternity Council and Panhellenic Council may only receive these funds through the established RSO Funding Board process.

Addendum B

Article III. ASUW RSO Funding Board

vi. The ASUW Senate through the RSO Funding Board possesses sole authority to allocate ASUW funds directly to RSOs.

~~1. For funding provided to the Interfraternity Council and Panhellenic Council during only the 2017 Fiscal Year which would otherwise be in violation of sections viii and ix of this article, the ASUW Senate through the Budget and Planning Committee shall have authority to allocate these ASUW funds.~~

(...)

~~xxxiii. The Interfraternity Council and Panhellenic Council shall be exempt from the stipulations of Article III, Section ix and Article III, Section xxvii, Clause 2 for the 2017 Fiscal Year. These organizations will also be exempt from the stipulations of Article III, Section viii regarding 'normal operating expenses' and 'organizational publications.'~~

~~3. If the Interfraternity Council and Panhellenic Council receive funds in the FY2017 ASUW budget, those organizations shall fully adhere to the rules, operating procedures and requirements which apply to ASUW Programs as specified in the ASUW Constitution, Bylaws, Rules and Procedures and Finance Policy.~~

~~a. Failure to adhere to these stipulations shall result in forfeiture of ASUW funding.~~

~~4. For funding needs not classified as 'normal operating expenses' or 'organizational publications', the Interfraternity Council and Panhellenic Council may only receive these funds through the established RSO Funding Board process.~~

Addendum C

To Whom It May Concern,

The Student Government of the Associated Students of the University of Wyoming (ASUW) has the mission to serve our fellow students in the best manner possible through accurate representation, professional interaction with campus programs and organizations, and responsible, effective leadership. As part of this mission, the ASUW Student Government feels the need to express our concerns regarding recent status changes in the Interfraternity Council and Panhellenic Council (hereafter IFC and CPH) from ASUW Programs to Recognized Student Organizations (RSOs).

When researching the issues surrounding the decision to change the status of these councils and the process by which students were involved in this decision, we became concerned about elements of this transition.

Various accounts provided to the ASUW Student Government indicate that many of our fellow students involved in or represented by the IFC and CPH were not provided an opportunity to participate in the decision to become RSOs. Further, it appears that information regarding the status change may have been misrepresented and/or withheld from student leaders and student constituents of the IFC and CPH. Finally, given that the decision to become RSOs occurred during the course of a public records request on IFC and CPH, we worry that the change of status may have been motivated with the goal of preventing emails which would have been classified under the Wyoming Public Records Act as public record from being released.

The ASUW Student Government firmly supports the principles of open governance. It is deeply concerning that this transition may have been initiated as a reaction to a justified public records request. If the decision to become an RSO was made in order to conceal otherwise public information on behalf of the IFC and CPH, it is a decision which the ASUW Student Government cannot in good faith support.

The ASUW Student Government believes that students have the right and the obligation to play a significant role in guiding their university. We, as an organization, exist to promote the general welfare of all students at the university. As such, it is important that the decisions which affect the ASUW Student Government and its Programs are made by students in a transparent, representative, and accountable manner.

If the change to IFC and CPH's statuses was made with minimal or no student involvement, a problematic precedent has been set for ASUW Student Government and its Programs. From the accounts which we have received, it appears that only the IFC and CPH Presidents were included in these discussions. No ASUW Government representatives were allowed to participate in the process which effectively ended the Program status of two of ASUW's storied organizations. Changes of this magnitude to ASUW Programs should include ASUW Officials and should strive to be transparent and open to as many student stakeholders as possible. If intentional efforts were made to limit student involvement in this decision process, this would be antithetical to the mission and purpose of ASUW Student Government.

Constituents of the ASUW Student Government and its programs have a right to the information which influences the decisions affecting students. Members and constituents of the IFC and CPH, including those students trusted and elected by their peers to lead these organizations, may have been

misled about the circumstances surrounding the change in status and the reasoning for such a change. The role of the General Counsel's office in the decision-making process appears to have been exaggerated to imply that no alternatives existed in lieu of an immediate status change from ASUW Program to RSO. In discussions with officials in the General Counsel's office, no ultimatum was given regarding the status of these organizations. For student leaders to effectively represent their peers and promote the welfare of their constituents, they must be provided with a complete account of facts.

The information we have been able to evaluate may not be the full or complete account of events, but the information and accounts we have received cause us to be concerned about the actions and events surrounding this transition. We, the ASUW Student Government ask that members of the UW Administration address these concerns, and if malpractice has occurred, act to preserve the capacity and integrity of the ASUW Student Government and its Programs.

Brian Schueler

President of the Associated Students of the University of Wyoming

Emily Kath

Vice President of the Associated Students of the University of Wyoming