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**Senate Bill #3007**

**TITLE:** Inclusion of the Judicial Council's Policy Recommendations and SOFB Precedent into the SOFB Finance Policy  
**DATE INTRODUCED:** 10/22/2024  
**AUTHOR:** Student Organization Funding Board  
**SPONSORS:** Senators Brown, Ward

1. WHEREAS, the purpose of the Associated Students of the University of
2. Wyoming (ASUW) is to serve our fellow students in the best manner possible; and,
3. WHEREAS, the Student Organization Funding Board (SOFB) Finance Policy governs
4. the annual budget allocation process and other financial decisions of SOFB; and,
5. WHEREAS, as shown in Addendum B, previous Judicial Council verdicts and decisions
6. have emphasized the need to clarify whether third-party organizations may appear at
7. SOFB hearings on behalf of a Registered Student Organization (RSO), whether
8. communications related to RSO events need to be submitted in writing (already
9. addressed and amended), who those communications should be addressed and sent to,
10. and the statute of limitations regarding sanctions towards RSOs and appeals to the
11. ASUW Senate and Judicial Council; and,
12. WHEREAS, SOFB felt it was inappropriate for third-party organizations to appear
13. on another RSO's behalf, due to differences in vision, leadership, values, and
14. communication between RSOs; and,
15. WHEREAS, according to precedence communications have been addressed solely to the
16. chair, corresponding director, and/or advisor overseeing SOFB via virtual or physical
17. writing; and,
18. WHEREAS, implementing a 30-academic days statute of limitations on both sanctions
19. and appeals will ensure accountability on behalf of SOFB and give student
20. organizations due diligence and fairness within the sanction process; and,
21. WHEREAS, committee precedent has established that it is inappropriate for SOFB to
22. fund Union Overcharge Fees when events occur past the Wyoming Union's operating
23. hours; and,
24. THEREFORE, be it enacted that the ASUW Student Government amend the ASUW
25. SOFB Finance Policy to reflect the changes outlined in Addendum A; and,

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26. THEREFORE, be it further enacted that these changes take effect upon the passage of  
27. this bill.

Referred to: SOFB STEERING PID BNP

Date of Passage: October 29<sup>th</sup> 2024 Signed: *Adrian Knapp*  
(ASUW Chairperson)

“Being enacted on October 29<sup>th</sup> 2024, I do hereby sign my name hereto  
and approve this

Senate action.” *Kameron Mufatti*

ASUW President

### **Addendum A**

#### **Section 3.01 SO Event General Application Procedures**

1. Application forms for ASUW funding for SOs shall be made available online. ([Application forms link](#));
2. SOs may only receive funding when the program or activity is open to the entire student population and has a valid educational and/or enrichment purpose;
3. The SO shall submit an event application request to Qualtrics no less than three (3) weeks prior to the event. The ASUW Executive Branch will forward the application to the Chairperson of the SOFB and provide a copy of the request to each member of the SOFB;
  - a. Requests for events without a speaker/performer or with a speaker/performer who does not require a contract must submit the request a minimum of three (3) weeks prior;
  - b. Requests for events with a speaker/performer that require a contract (following University regulations) or if the speaker/performer themselves requires a contract, must submit the request no less than five (5) weeks prior to the event;
  - c. Exceptions to this rule for requests totaling up to \$3,500.00 shall be at the discretion of the ASUW SOFB;
  - d. All requests over \$3,500.00 shall be allowed no exception to the five (5) week application deadline and will be denied a meeting with SOFB and/or funding for the event;
    - i. SOs may appeal the denial of funding based on a failure to meet the deadline through the appeal processes outlined under Article 8, Section 8.01 and 8.02.
4. If a SO is unable to host the event on the specified date given to the SOFB at the time of the initial request, the SO is responsible for communicating the new date, time, and location of the event with the ~~corresponding ASUW position proper ASUW Executive~~ as well as providing a reasonable justification for the change;
  - a. ~~As ASUW executive position titles and roles change annually to best serve transient issues, proper ASUW position can be defined as the following:~~
    - i. ~~Chair of SOFB,~~
    - ii. ~~Corresponding executive of primary interaction regarding SOFB,~~
    - iii. ~~Advisor who oversees SOFB;~~
5. The availability of outside funding shall be considered and discussed before the SOFB grants requests. ASUW funds will not be granted when other such funding sources have not been explored and it is determined those sources are available and/or appropriate;

#### **Section 3.12 Circumstances Under Which Event Funding Shall Not Be Awarded**

1. SOs shall not receive funding for any program or event that includes any illegal substances or related paraphernalia;
2. ASUW can fund SOs and their events that may generate funds for charity fundraisers. ASUW shall not allocate funds toward charitable donations. Regardless of their charitable nature, any fundraisers shall be required to also be educational and/or enriching in nature;
3. Event funds cannot be allocated for:
  - A. Promotional Apparel;
  - B. Purchase of non-single use items that do not serve an educational and/or enrichment purpose including but not limited to ice chests, trash cans, and serving platters;
  - C. Purchase of alcohol,
  - D. Purchase of any and all gifts,

E. Union overcharge fee.

#### Section 5.1 General Application Procedures

1. SOs wishing to receive funds for academic competition registration fees may apply to the SOFB. SOs may only receive \$2000.00 for competitions per academic year;
  - a. Per “Year” is determined by academic competition start date;
  - b. Competitions beginning between July 1st and December 31st shall be defined as occurring in the Fall Semester;
  - c. Competitions beginning between January 1st and June 30th shall be defined as occurring in the Spring Semester.
2. Only ASUW fee paying students are eligible to receive funds for registration fees;
3. ASUW funds allocated through the SOFB for academic competition registration cannot be applied to travel, lodging, meals, or any other travel expenses. They can be applied to monetary fees for the competition registration;
4. SOFB will not fund personal memberships in social, professional, or fraternal organizations, in addition, SOFB will not fund parts or materials under this competition section, at the discretion of the committee if deemed necessary for the functions of the competition;
5. SOs can apply for funding to the SOFB before the end of the current ASUW Administration, for competitions occurring during the summer and within the first five (5) weeks of the new academic year. Any approved funding will be allocated out of the fiscal year in which the competition occurs.

#### Section 7.01 General Violations of ASUW Student Organization Funding Board Policy

1. SOs receiving allocations of ASUW funds shall use them in accordance with their itemized requests and any additional stipulations placed on the allocations by the SOFB and/or the ASUW Senate. Any changes made to an approved request must be reconsidered and approved by the SOFB prior to their use of the allocated funds;
2. Failure to comply with any provisions of this Article may result in the loss of funding for events that have not already taken place;
3. If a SO uses ASUW funds for items explicitly disallowed by the ASUW Student Organization Funding Board Policy, that SO must repay those funds to the ASUW Student Government;
4. If a SO violates any portion of the ASUW Student Organization Funding Board Policy or any additional stipulations placed on the allocations by the SOFB and/or the ASUW Senate, it may be placed on advisory term or suspended from applying for funding in the future;
5. All infractions of the ASUW Student Organization Funding Board Policy or additional stipulations placed on a SO by the SOFB or ASUW Senate stay on the SO’s record for one calendar year from the most recent infraction;
6. Infractions will be categorized into major and minor infractions as defined by the following:
  - A. Minor Infractions
    1. Failed to spend in accordance with itemized request submitted to the SOFB;

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1. If an SO fails to spend in accordance with their itemized budget and remains under their total allocated budget, the infraction remains a 'minor' infraction;
2. Exceeding the total allocated budget is automatically considered a 'major' infraction.
2. Failed to use an approved ticketing venue;
3. Failed to advertise ticketing locations in accordance with the ASUW Student Organization Funding Board Policy;
4. SO bought items disallowed by the ASUW Student Organization Funding Board Policy;
5. Post-event SO self-evaluation was not completed within thirty (30) days;
6. Videos purchased by ASUW were not returned to ASUW;
7. RSO failed to put the ASUW Logo on all promotional materials, including but not limited to: all social media outlets, posters, flyers, and handouts.
8. Any violation of the University of Wyoming's Procurement Policy, including Procurement Cards.

**B. Major Infractions**

1. Charging admission fees from UW students;
2. SO fails to spend in accordance with their itemized budget and it exceeds their total allocated budget;
3. Failure to advertise off-site events on campus for a period of three (3) weeks prior to the event;
4. Violated any laws, including but not limited to: presence of illegal substances, paraphernalia, and underage drinking at an event;
5. SO violates any portion of the ASUW Student Organization Funding Board Policy while being on an advisory term;
6. Disregard of prior notice of an infraction provided by an ASUW executive or Professional Staff member;
7. For any single funded SO event that violates three (3) or more minor infractions, those cumulative infractions constitute a major infraction.
7. **Infractions must be applied, and heard within 30 academic days of the SO violation;**
  - a. **P-card violations have no statute of limitations;**
8. Any other rule in the ASUW Student Organization Funding Board Policy that is not explicitly defined in the above section, will be considered either a major or minor infraction, at the discretion of the SOFB.
9. In making their determination, SOFB shall not discriminate against a SO based on the academic standing of its members.

**Section 7.04 General Procedure for Sanctions**

1. The SOFB or the designated ASUW Executive shall impose the suspension outlined above;
  - a. The SOFB Chair on behalf of the committee, or designated ASUW executive shall assemble a Violation Summary document, for the sake of documenting transparency and tracking of violations. This summary shall include:
    - i. A preamble,

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1. Detailing why the violation action was taken,
      2. The offending RSO's actions,
      3. Signed by the Chair and relevant ASUW Executive
    - ii. The Violation(s),
      1. Documented evidence of the infraction(s),
      2. Which section of the SOFB policy it violates, and whether this constitutes a Minor or Major infraction by the RSO,
      3. Date of infraction,
      4. Any additional relevant information,
      5. Action taken by the committee.
    - iii. Final Decision by the Committee,
    - iv. A conclusion statement,
    - v. Upon the signing of the Advisory or Suspension terms, these shall be included within as an addendum.
  - b. This document shall be kept on record within ASUW and shall be provided to the RSO for reference.
2. The length of a SO's suspension of funding or decision to place them on advisory term must not exceed the above guidelines;
  3. Additional stipulations placed on a SO by the SOFB and/or the ASUW Senate are binding. Infractions of any additional stipulations placed on a funding request will be considered as minor infractions, unless otherwise explicitly specified by the SOFB and/or the ASUW Senate at the time of placing the stipulation;
  4. SOs may appeal this suspension through the process outlined below in Article 8.
  5. Any Senator may make a motion to lift or reduce the length of a SO's suspension, regardless of the SO's decision to appeal. This motion requires a two-thirds (2/3) standing vote of the Senate to pass;
  6. For any hearing, including violation and appeal, a third-party RSO or organization may not appear on behalf of an RSO;

#### Section 8.01 Appeals to the ASUW Senate

1. The ASUW Senate may appeal the SO Funding Board's decision regarding any funding request or SO infraction(s) within 30 academic days of SO infraction(s) application, unless a p-card violation occurs;
2. One (1) Senator may bring forth a motion to appeal the decision of the SOFB, which must be seconded on the floor by another Senator. This motion to appeal requires a two-thirds (2/3) standing vote of the ASUW Senate to pass;
  - a. The Senator intending to appeal a decision of the SOFB must notify the full Senate and the ASUW Vice President in writing at least 6 hours before the next regularly scheduled ASUW Senate Meeting.
3. The ASUW Senate may only do the following on appeal;
  - a. Decide by majority vote to overrule the funding decision made by the SO Funding Board;
  - b. Decide by vote that no infraction of the ASUW Student Organization Funding Board Finance Policy or additional stipulations occurred, resulting in a lifting of all suspension of funding or placement on advisory term;

Commented [CS1]: should it be 30 days, a couple weeks, a semester?

Commented [CS2R1]: two weeks might be better, so the senate doesn't forget to do it?

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- c. Decide that a SO did violate the ASUW Finance Policy or additional stipulations, and place that SO on advisory term for a full calendar year.
4. For any hearing, including violation and appeal, a third-party RSO or organization may not appear on behalf of an RSO;

#### Section 8.02 Appeals to the ASUW Judicial Council

1. A SO may appeal the decision of the ASUW Senate to the Judicial Council within 30 academic days of the ASUW Senate's appeal;
2. The ASUW Judicial Council must hold a hearing of the appeal of a SO within ten (10) academic days from receiving the appeal. The Judicial Council will then issue a decision within ten (10) academic days of reaching a decision;
3. SOs may appeal a funding decision, a decision to place them on advisory term, suspension of funding, or the failure of the ASUW Senate to hear an appeal;
4. The ASUW Judicial Council's authority with regards to SOs' funding requests shall be limited to denial or approval of a SO's appeal. If the ASUW Judicial Council approves an SO's appeal for funding that was denied by the ASUW Senate, the Judicial Council will require the ASUW Senate to revisit their decision with recommendation that the ASUW Senate approve the funding;
5. The ASUW Judicial Council has the authority to overturn the decision to suspend or place an SO on advisory term if they determine the SO did not violate the ASUW Student Organization Funding Board Finance Policy or any additional stipulations placed by the ASUW Senate;
  - a. If on appeal, the ASUW Judicial Council finds that the SO made no major infraction(s) pursuant to the Student Organizations Funding Board Finance Policy, but minor infraction(s) did occur, the ASUW Judicial Council may lift the suspension of funding and place the SO on advisory term;
  - b. If on appeal the ASUW Judicial Council finds that the SO made no minor infraction(s) pursuant to the ASUW Finance Policy, the ASUW Judicial Council may lift the advisory term period.
6. If the Judicial Council finds that the ASUW Senate erred in failing to hear an appeal of an SO, the Judicial Council can require the Senate to include and hear the appeal under New Business at the next regularly scheduled meeting;
  - a. When this occurs, the SO does not need to have a Senator file a six (6) hour notice to the Senate, nor will the Senate need to vote on whether they will hear the appeal.
7. For any hearing, including violation and appeal, a third-party RSO or organization may not appear on behalf of an RSO;

Commented [CS3]: should appeals for both be the same? I think so

Addendum B

Judicial Council Verdict from

***“ASUW By-Laws Art. 3 § 3.01(3)(A)(c) grants the JC the power to recommend or require “actions of the other branches of the ASUW.” Under this authority, the JC requires that:***

- 1. The SOFB of the 112th Administration to review its Policy and make changes as it sees fit to provide clarity on the expectations of RSOs seeking funding from ASUW; and***
- 2. The Senate of the 112th Administration amend—as soon as practicable—SOFB Policy Art. 7 § 7.01 (6)(A)(7) to specify that it only applies to materials created by the RSO receiving funding and third-party materials over which the RSO receiving funding has control.***

***Additionally, the JC recommends that the SOFB of the 112th Administration amend the Policy to:***

- 1. Clarify whether third-party organizations may appear at SOFB hearings on behalf of an RSO.***
- 2. Clarify whether SOFB Policy § 3.01(4) requires communications related to RSO events to be submitted in writing and further clarify to whom the RSO should provide the notification;***
- 3. Clarify whether SOFB Policy violations have a statute of limitations for the SOFB to apply a violation to a RSO and if appeals of funding decisions are time limited. If so, clarify these limits; and Codify “SOFB Policy and precedent” that Cowbell events must be created before the SOFB funding request is created in SOFB Policy.”***