



UtahStateUniversity™ STUDENT ASSOCIATION

ACADEMIC SENATE MEETING MINUTES

11/27/2017 | 4:00 PM | USUSA Senate Chamber

CALL TO ORDER AND THE SCOTSMAN

Approval of minutes: Senator Olson: **Moved** / Senator R. Thomas: **Second / Passed**

Officer accountability

Senator R. Thomas: **Move to postpone council updates pending our completion of the bylaws** / Senator Lieber: **Second / Passed**

PUBLIC FORUM

Ryan Jensen: **University day of giving:** Advancement and alumni are trying to jump on a giving day every year at the end of February. Different universities do it to keep it consistent. The big goals are donations to the university. The goal this year is participation rather than money, especially of students. It's tough because students already pay tuition, so we're just trying to get a feel from you guys--not necessarily your colleges--about how you feel about this. What would motivate you guys to give? Would something quirky work? Like, "I gave up my latte this morning to give." Would something like that work? Is \$5 too steep?

Senator Lieber: My first thought is "I wish we could have it be \$1." I personally would give \$5, but I have a kind of insider perspective of the university. I don't know if the majority of students would.

Senator Olson: One thing that's encouraged me before is if there's a matching gift. If I give \$5, it's actually \$10 being given.

Senator Davis: I feel like if there's something behind it, like, I know what it's going towards, I would be more likely to give.

Senator Bess: Will donations be going into the general endowment?

Ryan: I don't know all the details, but each colleges would have different lists of what the funds are going toward. For athletics, for example, maybe they would need new athletic equipment.

Senator Dowdle: Would you get to choose which subsection your donation would go toward?

Ryan: That's the idea.

Senator R. Thomas: I think if you make that clear to the students, they would be more likely to give. If you make it clear that you can make a donation to your college, I think that would be more appealing.

VP Harms: I think students would be encouraged if their donation gets them into an activity or entered into a contest.

Ryan: That got brought up too, but there might be some Utah law that would interfere with that. We'll look into it.

Senator D. Thomas: I think marketing will be important. We may retweet it and a lot of students may not care. Even sponsored ads on Facebook might be eye-catching.

Ryan: A couple more thoughts on marketing. Did anyone participate in the Outdoor Nation challenge? If we had posts you could download on the website where you could download the template and put a filter on, would that be appealing? Would you share something like that?

Senator Dowdle: I worry if you make it too specialized like that. It might not be as relatable. You could make it specific and attract people, but someone seeing it on a snap story might not think it applies to them.

Senator R. Thomas: I think college students are busy and lazy, and I don't think students would go to a website, unless there was an incentive.

Senator D. Thomas: Would this be for every student or just involved students?

Ryan: The idea is that it's available to everyone. We don't know if we should try and push it.

VP Harms: You might also think about having people in leadership positions go out and find donors. Like, finding people at the grocery store, for example.

Senator Bess: I almost wonder if you have a physical table where you could donate with a card. You could have people there trying to grab students with some sort of incentive. Sell it as a donation, but something that brings people in.

Senator Olson: The easier it is, the more likely I'm going to be to donate. I've also read about development campaigns, and if you get something in return, even if it's marginal, that can be helpful. Something like a pin. In mine and Dallin's fraternity, they do the Hoop of Steel society and they give you a pin for donating.

VP Harms: Venmo would be helpful as well.

Ryan: If this goes forward the way we think it will, this will help a lot. Any last thoughts?

Senator Lieber: A lower minimum.

Senator Dowdle: Maybe something like if you donate at least \$5, you get the pin.

NEW BUSINESS

ASB 2018-02 — "Academic Opportunity Fund Application Revision"

Senator Olson: **Move to address ASB 2018-02 / Senator D. Thomas: Second / Passed**

Senator Olson: I'm going to defer my time to Administrative Assistant Johnson. This is his bill, so he is going to be the one who reads it.

[Reading of the bill.]

VP Harms: I'll allow five or so minutes of general discussion to gather general ideas what we want to revisit this with next week.

Senator D. Thomas: On lines 2 and 15 it refers specifically to the year of the application. Does the application get rewritten every year? Would this only take effect for our school year?

Assistant Johnson: Previous legislation referred to the specific year. I don't know the specific process.

Senator Davis: I like how the revision is somewhat vague, "participate in another reputable academic event," but my concern is will we have funding to continue that once that is publicized because that broadens the purpose of this application?

Assistant Johnson: It doesn't necessarily broaden the purpose, but just brings it more in line with later in the application, in the Conference Information section, where it allows "other" as a legitimate form of presentation. That was already a part of the application to begin with. This is just clarifying that in the introduction. It is purposely vague to give the Allocation Committee discrepancy on that.

Senator Bess: Speaking to Senator Thomas's statement of getting rid of the dates.

Senator Lieber: I think most of this is really awesome and you've explained it really well. But I also, the vagueness of the last statement, "participation in a reputable academic event," the same concern as Cody. I feel like each group year-to-year can interpret that however they want, and I don't know if that's a good thing. With "participate," does that mean they can just go to a conference and just see things, and attend workshops, or do they have to actively be presenting? I think it could be interpreted now to just attend a conference. I think it's a little too vague.

Assistant Johnson: What would be a better word?

VP Harms: It just needs to be a little more narrowly tailored.

Senator Olson: The discussion we're beating around is what is the fundamental purpose of AOF? Is it to allow students to present their work, or is it to showcase the university itself? That would change the wording. For example, if we're highlighting the university, I think it's good as it is. If we're focusing more on students presenting research, I think that would change the wording.

Senator Dowdle: Yield.

Senator Lieber: Because of what we had talked about earlier with Linda, how we have more funds this year we need to leave the definition a little more narrow.

Senator Lieber: **Move to change lines 17 and 18 to "or actively contribute in another reputable academic event" / Senator Olson: Second / Passed**

Assistant Johnson: To drop the "2017-2018" from the proposed bill, do we need a motion to do that?

Senator R. Thomas: **Move to drop "2017-2018" from the proposed bill / Senator Olson: Second**

Senator Olson: Point of clarification: What are we changing it to?

Linda: Every year we put the new year on it, and with this, we wouldn't need to include the year. It's just the Academic Opportunity Fund Application.

Passed

VP Harms: All those in favor of passing this as a first reading? **Passed**

2018 Election Bylaws

Linda: To give you a little history, to be sure our bylaws are in line with freedom of speech and First Amendment rights, our bylaws have taken a huge overhaul. Kristin Deschamps, Senator Thomas, Spencer, Del Anderson from our legal process have all helped us with the process. A student at large, Brayden O'Brien, has helped as well. What we're proposing this week is to do a read through. If we don't finish this in time, we can send it out to you. If you have concerns, Tim, myself, or Rebecca can address those. It will go to EC tomorrow as well as a review. We are going to read through all eight pages today. Our goal is for them to go online next Wednesdays.

[Read through proposed bylaws, attached as an appendix]

VP Harms: If you have any questions or concerns, please get in touch with Tim.

ADJOURNMENT: Senator Khasgiwala: **Moved** / Senator Dowdle: **Second** / **Adjourned**

IN ATTENDANCE: Linda Zimmerman, Tim Olsen, VP Blake Harms, Senator Anuj Khasgiwala, Senator Cody Davis, Senator Heather Lieber, Senator Grant Bess, Senator Travis Dowdle, Senator Rebecca Thomas, Senator Deidra Thomas, Senator Sierra Wise, Senator Erik Olson, Assistant Dallin Johnson, Carter Moore, Ryan Jensen

Utah State University Student Association Election Bylaws – Logan Campus

This document is ancillary to the USUSA Constitution.

The Utah State University Student Association election bylaws govern the election of both USUSA Candidates and referenda affecting the USU student body. These bylaws derive their authority from the USUSA Constitution Article III, Section 7.

Candidates, campaign committees and supporters, proponents, and opponents of referenda must follow all university policies, as well as local, state, and federal law.

Definitions:

Active Campaigning: engaging directly with students with the intent of pursuing their vote. Includes any action where a Candidate and/or their committee are directly soliciting students for votes (e.g. handing fliers directly to students, etc.)

Actual Cost: is defined as the cost presented on an official sales receipt.

A-frames: are defined as a freestanding object that must fit in an 8-foot by 8-foot by 8-foot (8'x8'x8') square.

Bribery: is defined as the act of offering, giving, receiving or soliciting any item of value that may influence the actions of a person.

Campaign Committee Members: are people who are specifically helping Candidates campaign; must be current students from USU.

Campaign Materials: are any images, text, or physical item with the purpose of garnering attention and increasing awareness for a specific Candidate or ballot item.

Candidate(s): are registered USU students at the Logan campus that are in Good Standing and have filed a Declaration of Candidacy.

Donations: are defined as any monetary contributions or physical goods used as Campaign Materials.

Fair Market Value: is an estimate of the value of property and services based on what an average buyer would pay to an average seller in the market.

Good Standing (behavioral and academic):

- Carrying a minimum of 12 credits per semester, or considered a full-time student by the School of Graduate Studies during their entire term of office, including the spring semester of election or appointment.
- Free from academic warning, probation, or suspension.
- Free from USU Student Code violations and/or student conduct probation, including any pending issues.

Passive Campaigning: is any action where a prospective Candidate is NOT posting or distributing Campaign Materials or speaking to organized groups. Prospective Candidates may communicate with organizations and individuals to learn the issues facing students to gain insight as to how to address those issues and concerns.

Poster(s): are printed or other types of Campaign Materials on paper to be hung in appropriate buildings on campus. This includes digital signage within appropriate campus buildings.

Slander: is defined as the spreading of an untruth about other Candidates or their campaigns in a way that may hurt their campaign or reputation.

Reception: a meeting organized by the Elections Committee where students meet the Candidates and ask the Candidates questions about their platform and goals

I. Candidate Requirements

A. All Candidates must be in Good Standing.

- a. Eligibility: Any appeals to the eligibility criteria may be submitted to the Office of the Vice President for Student Affairs. Extenuating circumstances may be cause to appeal Candidate eligibility.
 - b. The Vice President for Student Affairs may grant exception to Candidate requirements based on circumstances. Those wishing to appeal Candidate requirements must see TSC 326. Any decisions made by this office are final.
- B. Candidates must be at the mandatory campaign meeting held by the Elections Committee to review the election policies and procedures. Absence will result in automatic forfeiture of candidacy unless prior approval of the Election Co-Chairs. While campaign managers are encouraged to attend the meeting, they cannot take the place of the Candidate.

C. College Senatorial Positions: Candidates for the office of a college Senator must be registered in the college they wish to represent as of the filing deadline for Declaration of Candidacy. Graduate students may run for a senatorial position in their respective college.

D. Graduate Studies Senator: Candidates running for Graduate Studies Senator must be a current, fully matriculated graduate student in the School of Graduate Studies by the filing deadline. Matriculation requires the student to be in Good Standing and taking graduate courses.

E. Write-In Candidates:

a. Must file a Declaration of Candidacy and abide by election bylaws, but are not required to pay the \$20 filing fee.

b. Will not be included in ads, pictures, or biographies paid for by the Elections Committee.

c. Must notify the Elections Committee if they choose to participate in forums and debates during USUSA Elections Week.

d. Will not be present on the primary election ballot and will only be included on the final election ballot if:

i. A Candidate comes in either first or second in total vote count, is eligible to hold office;

and

ii. reaches or exceeds 10 percent of the vote total in the respective election. (See EC Bill 2014-06)

II. Timeline

A. Deadlines:

a. A Candidate must sign a Declaration of Candidacy. The current USUSA officer holding the position should sign the form. This allows the Candidate to discuss the position with the incumbent officer and to more fully understand the position for which they are applying.

b. If the current officer is unavailable, or is a Candidate, then the USUSA advisor that advises the Candidate's position may sign the form.

c. This form and \$20 non-refundable filing fee are due in TSC 326 on the date set by the Elections Committee.

i. Any student may apply for a waiver of this \$20 fee through a written appeal to the Student Involvement and Leadership Center (SILC).

ii. The \$20 filing fee is for processing purposes and publicity by the Elections Committee.

d. To withdraw a Declaration of Candidacy, Candidates must submit a document in writing to the Election Co-Chairs prior to the announcement of final election results. After the Election Co-Chairs have received the withdrawal, the Candidate cannot be reinstated and the \$20 filing fee is forfeited.

e. If after the filing deadline, there are no constitutionally qualified Candidates for an office(s), the Elections Committee shall reopen the filing process for that particular office(s), accepting Declaration of Candidacy forms at the date set by the Elections Committee. Notice of the secondary deadline shall be advertised in The Utah Statesman.

III. Voting

A. Plurality to Elect:

a. The names of the two Candidates on the primary ballot receiving the greatest number of votes shall be placed on the final ballot.

b. In final elections and special elections, the Candidate or ballot item that has the greatest number of votes will be declared the winner.

B. Ballots:

a. Ballots will be accessed via www.vote.usu.edu

b. The names of all Candidates for each office shall be placed on the ballot in alphabetical order by last name, along with a space(s) for write-in Candidate(s). Permanent nicknames, however, may be approved by the Elections Committee (e.g. Bob for Robert, Sue for Susan, etc.).

C. Eligibility to Vote:

a. Logan Campus students

i. All registered students

ii. In USUSA Presidential election and select referenda, Elections will be open to all Regional Campus students.

b. In senatorial races, students are only eligible to vote for senators of their respective college.

i. If a student has declared a major in two or more separate colleges, they are eligible to vote for the senatorial candidates running to represent each college.

c. Only matriculated graduate students can vote for the Graduate Studies Senator.

- d. Proxy voting is prohibited.
- D. Counting Votes:
 - a. Votes shall be tabulated immediately following the closing of the polls.
 - b. No ballots will be accepted after the published time of closing. Votes are tabulated and verified by a committee of two student involvement advisors, one staff member of the Information Technology (IT) department, Election Co-Chairs, and the USUSA President.
 - i. In the event the current USUSA President is running for office, the officer following the line of authority shall take their place.
 - c. Tie-Breaking Procedures: Should an exact numerical tie occur between any candidates running for a USUSA elected position, the following procedure has been outlined and established as the method of breaking the tie.
 - i. Upon announcement of the final elections results, the tied candidates will be brought together by the Election Co-Chairs, the current officer in the position of the tied candidates, and at least one of the Student Involvement advisors to follow these tie-breaking procedures.
 - ii. The tied candidates will be given one hour to choose, at their discretion, whether they would like to participate in a coin toss by neutral party or in a special one-day election to break the tie.
 - iii. This election will occur within two weeks of the final announcement, will be on the selected day from 9 a.m. to 3 p.m., and all election bylaws shall apply (including remaining within the given budget allotment).
 - iv. If the candidates cannot come to a consensus within the hour given, the choice will be removed and a special one-day election will occur.
 - v. If a second numerical tie should occur between the same candidates, the tie-breaking procedure will be a coin toss by a neutral third party.
- E. On-Campus Voting Locations
 - a. The Elections Co-Chairs will have voting locations throughout campus for the convenience of students.
 - b. Candidates and their Committee Members may not offer any devices to students for voting.
- F. Results:
 - a. All results are final after votes are tabulated and verified. This extends to Candidates, initiatives, referenda, or any other matter submitted to the USU student body for a vote.

IV. Money and Finance:

- A. Campaign Value:
 - a. The campaign value limit is \$400 for Executive Council Candidates and \$200 for Senatorial Candidates. Candidates violating the campaign value limit (overspending) will be disqualified.
- b. Audits
 - i. Candidates must submit to the Elections Committee by the specified audit deadline, original receipts and a complete list of all campaign expenditures, Donations and the Fair Market Value of materials purchased or used in their campaign (“Financial Statement”). Candidates failing to submit their Financial Statement by the specified audit deadline will be disqualified.
 - ii. Candidates will be audited twice: once during primary elections and once during final elections. Candidates may be subject to additional audits if deemed necessary by the Elections Committee.
 - iii. If a receipt for a campaign expenditure is not available, or if the item has been donated, it will be assessed at Fair Market Value by the Elections Committee.
- c. Fair Market Value (FMV)
 - i. It is the responsibility of the Candidate to obtain from the Elections Committee a FMV for any Campaign Material not appearing on an FMV list provided at the mandatory Candidate meeting.
 - ii. Should a Candidate feel that FMV has been determined inaccurately or unfairly, they may submit a written appeal to the SILC Director and the Student Advocate VP who will then decide the FMV. All decisions by the SILC Director and Student Advocate VP will be final. The FMV will be communicated to the Election Co-Chairs.
 - iii. If the Student Advocate VP is running for office, the SILC Director will select an elected student body officer to take their place.
- d. Fines
 - i. Any fines levied against the Candidate and/or Campaign Committee Members –

either by a University or city entity – count towards the Candidate's Campaign Value Limit and must be reflected on the Candidate's Financial Statement.

V. Campaign Rules:

A. Campaign Committee and Meetings

a. Social and electronic media may be used for the purpose of communicating with Campaign Committee Members, but must follow Election Bylaws.

B. Campaigning within campus buildings

a. Campaigning in or around the Taggart Student Center must be in compliance with the Taggart Student Center Policy Manual (available at tsc.usu.edu).

b. Campaigning within campus buildings is subject to the approval and reasonable limitations of the appropriate colleges and/or departments. It is the Candidate's responsibility to receive permission prior to any campaign-related activity.

C. Signs, Literature and Structures

a. General Policy

i. The University shall provide reasonable space indoors and outdoors for the posting of signs, notices and posters by Candidates and Campaign Committee Members. Such signs, notices and posters may deal with any subject matter including, but not limited to, notices of meetings or events and expressions of positions and ideas on social or political topics, and must clearly identify the author or sponsor of the materials.

ii. Further information can be found by visiting usu.edu/facilities and reading their "Signage Standards" document.

b. Time, Place and Manner Restrictions

i. Candidates and Campaign Committee Members may post signs, notices and posters on bulletin boards and kiosks maintained by the University and located on the campus. Signs, notices and posters shall not be attached to trees, buildings, walls or other University structures unless otherwise expressly authorized by University Facilities.

ii. Messages or slogans of any kind shall not be painted or otherwise written on trees, buildings, grounds, fountains, walls or other University structures or surfaces, or on the personal property of others.

c. Candidates and Campaign Committee Members may also post signs, notices and posters on designated bulletin boards and kiosks maintained by the academic and administrative departments of the University subject to the approval and reasonable limitations of the appropriate departments. Colleges and departments may adopt reasonable time regulations limiting the time for display of signs, notices and posters on bulletin boards maintained by colleges and departments to maximize everyone's opportunity to use designated areas for signs, notices and posters and may prohibit attaching signs, notices or posters to walls and other surfaces in order to prevent damage to walls and other surfaces.

d. Any sign, notice or poster must be removed within 24 hours of the posting of the Election results. Failure to comply may result in a fine.

e. Responsibility for Content of Signs, Notices or Posters

i. Candidates and Campaign Committee Members shall be personally responsible for any signs, notices or posters they sponsor or post on campus. By posting the sign, notice or poster on campus, the person or organization agrees to hold the University harmless for any assessed damages or liabilities incurred as a result of the sign, notice or poster.

D. Distribution of Handbills, Fliers, Petitions, Stickers and Other Written Material

a. General Policy

i. Candidates and Campaign Committee Members may hand out and distribute non-commercial handbills, petitions or other written material on campus without prior approval, so long as such distributed materials clearly identify the author or

responsible for any acts of vandalism committed by Candidates, their campaigns, or their supporters.

e. Copyright and Trademark Infringement

- i. Use of USU, USUSA, and all affiliated organizations' copyrighted material is prohibited.
- ii. All campaign material must comply with copyright and trademark laws. Candidates assume full responsibility for failure to comply.
- iii. USUSA, USU SILC, and/or USU claim no responsibility for the illegal use of copyrighted or trademarked materials by Candidates.

G. Bribery and Slander

a. The foundation of USUSA elections rests on campaign ethics. Therefore, Candidates, campaign committees and supporters, and proponents and opponents of referenda must follow all university policies and local, state and federal laws. This includes, but is not limited to, a prohibition of:

- i. Bribery, in any form, either to voters or other Candidates.
- ii. Slander.

H. Off-Campus Campaigning

a. Candidates and Campaign Committee Members must have the permission of the building or apartment owner/landlord/manager prior to door knocking, displaying or distributing any Campaign Materials.

- i. The policy for off-campus banners and signs comes directly from the Logan City Land Development Code Section 17.40 and is included as an appendix to these bylaws (this policy is subject to change).

VI. Social and Electronic Media:

A. Social Media

- a. Candidates and Committee Members may use social media platforms to promote their candidacy, however, they must use personal accounts. Use of any official university affiliated or departmental social media accounts is prohibited.
- b. Throughout the election process, Candidates are not allowed to post on any official university or departmental Facebook pages or groups (e.g. USU, USUSA, College of Humanities and Social Sciences, Huntsman School of Business, etc.).

B. Election Video

- a. A video will be made by the Elections Committee of the Candidates' platforms. This video will be added to the USUSA website and social media accounts.

C. Election Website

- a. All final Candidates' election information (one picture, campaign platform, goals, and qualifications) will be uploaded to the USUSA website.

D. Mass messaging

- a. Use of USU mailing lists (e.g. Canvas or class contact information) is strictly prohibited.

VII. Violations and Penalties:

A. Fines

- a. Any fines levied against the Candidate and/or Campaign Committee Members – either by a University or city entity – count towards the Candidate's Campaign Value Limit and must be reflected on the Candidate's Financial Statement.

B. Hearing Board

a. Jurisdiction

i. Pursuant to Article V of the USUSA Constitution, the USUSA Hearing Board will hear all Election grievances. The USUSA Hearing Board will render a decision on each grievance, and will assess a penalty if necessary.

c. The Violation Process will be as follows:

i. During Elections Week, any charges of violation of campaign regulations will be submitted in writing to the USUSA Hearing Board within 24 hours of the incident, but no later than the closing of the polls.

ii. If an elections bylaw violation comes to light after the final election results have been announced, a complainant may file a grievance until noon on the day of inauguration.

a. Prior to Election Week, there is no time limit, although the USUSA Hearing Board will not meet regularly, and will hear cases on an as-needed basis.

iii. In the event of a violation, or a grievance being filed, both the accuser and accused must be called before the

USUSA Hearing Board together. Upon hearing both sides, the USUSA Hearing Board will render a decision and assess a penalty if necessary.

- iv. Election results for the office(s) in question will not be made public until all grievances have been heard by the USUSA Hearing Board, ruled upon penalties assessed, and the Candidate(s) notified of the decision.
- v. Candidates will be responsible for submitting grievances for their own campaign.
 - a. Any student must file an election grievance who was affected by, or a direct witness to, any violation of election bylaws by campaigns or those campaigning for ballot issues.
- vi. The burden of proving that a bylaws violation occurred is on the person filing the grievance.
- vii. Explanation of how to file a grievance will be discussed at the mandatory elections meeting.
- d. Penalties
 - i. Penalties from which the USUSA Hearing Board may choose are as follows:
 - ii. Confiscation and/or restriction of Campaign Materials (e.g. only one sign as opposed to two);
 - iii. Restrictions on campaign times (e.g. not being allowed to attend town hall meetings or campaign on campus during certain times);
 - iv. Budget restrictions;
 - v. Ordering a new election for a particular office pursuant to Article III, Section 1 of the USUSA Constitution;
 - vi. Disqualification of Candidate(s);
 - vii. Or fines to be paid if the violation is discovered after the election has already taken place.
 - viii. Fines shall not exceed the respective Candidate's campaign expenditure limit (see Article IV.A.a.).

VIII. Appeals Process

- A. One faculty member, and one professional staff employee to serve as the Appeals Board for the upcoming academic year. The faculty member shall serve as chair.
- B. The decision of the USUSA Election Grievance Board may be appealed by the student who was found to have committed a USUSA Election Bylaw or a Misconduct violation. The Appeal must be made in writing to the Director of Student Conduct within three (3) days from the date of the USUSA Hearing Board's decision.
- C. If no appeal is filed within the time provided, the decision shall become final.
- D. If an appeal is made, the Director of Student Conduct shall refer the matter, with all supporting documentation, to the chair of the Appeals Board. The Director of Student Conduct shall inform the parties of the names of the members of the Appeals Board.
- E. The parties involved shall have the opportunity to challenge the Appeals Board for bias in the case.
- ☐ Guidelines for the Appeals Board are as follows:
- F. An appeal shall be limited to a review of the initial hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the decision reached regarding the student was based on substantial evidence; that is, whether the facts in the case were sufficient to establish that it was more likely than not that a violation occurred or that the imposition of an election sanction was warranted.
 - b. To determine whether the penalty imposed was appropriate for the violation which the student was found to have committed.
 - c. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- G. If new evidence and/or facts could be the basis for altering either the decision or the penalty, the matter shall be remanded to the original USUSA Hearing Board for reopening of the hearing to allow reconsideration of the original determination and/or penalty; the USUSA Hearing Board shall report its conclusion to the Appeals Board for further review in the appeal process.
- H. If new evidence and/or facts are not presented, the Appeals Board may confirm or modify the decision of the USUSA Hearing board and/or may uphold or reduce the penalty imposed by the USUSA Hearing Board. The Appeals Board may also remand the case to the original USUSA Hearing Board to reconsider whether the penalty should be increased; the USUSA Hearing Board shall report its determination to the Appeals Board for further review in the appeal process.
- I. Upon conclusion of an appeal in a case involving an election violation, the Appeals Board shall forward its finding to the Vice President for Student Affairs.