

Open Meeting Act of 2014

Senate Bill 14-6

Senator James Parrett (Graduate)
Committee on Governmental Operations

A BILL OF THE ASSOCIATED STUDENT BODY AMENDING TITLE VI SECTION 114 OF THE ASSOCIATED STUDENT BODY CODE, WHICH CURRENTLY READS:

Section 114. ASB Open Meeting Law.

- A) All meetings, gatherings, sessions, or functions of any ASB body, except as otherwise provided by this Act, whether in the Executive, Legislative, or Judicial Branch of the ASB or in agencies, commissions, and committees of a regulatory, quasi-legislative nature shall, unless otherwise specified, be opened to any member of the public or press desiring admittance to a meeting of such body.
- B) Where members of the ASB Judicial Council deem that an open meeting of such body would be prejudicial to the rights of a student accused of an ASB Code related violation, such a body may close such a meeting by a vote of three-fifths (3/5) of those members present and voting, such a vote being a public vote. But at no time will such a meeting be closed without a majority of the members of such a committee voting in favor of executive session.
- C) The following committees, commissions, and bodies shall be required to hold open meetings with the exception that the members of such group may, when they deem it necessary, close such a meeting to the public upon three-fifths (3/5) vote of those members present and voting, such a vote being a public vote:
- 1) ASB Cabinet.
 - 2) ASB Senate committees during consideration of nominations.
- But at no time will such meeting be closed without a majority of the members of such committee voting in favor of Executive Session.
- D) All meetings of the ASB Elections Commission shall be open to the public with the exception of when the Elections Commission is in the process of counting votes. Any other meeting of the Elections Commissions may be closed upon three-fifths (3/5) vote of those members present and voting, such a vote being a public vote. But at no time will a meeting be closed without a majority of the members of such Commission voting in favor of executive session.
- E) For the purposes of this Act all committees and sub-committees of the ASB Senate, the ASB Cabinet, and all committees, agencies, boards, and commissions appointed by the ASB President, the members of the Cabinet, or appointees of members of the Cabinet shall constitute ASB bodies.
- F) Section VI (E) is not to delimit or confine the definition of what constitutes ASB bodies.
- G) The following ASB bodies must post notice of their meetings:


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- 1) Elections Commission.
 - 2) Cabinet.
 - 3) Senate.
- H) Notice of a meeting must contain the time and place of the meeting.
- I) Members of the public may not disrupt any meeting of an ASB body by violent conduct or abusive language on penalty of expulsion from the meeting.
- J) Nominees may be excluded from sessions in which their qualifications are discussed.

TO READ

Section 114. ASB Open Meeting Law.


A) All meetings, gatherings, sessions, or functions of any ASB body, except as otherwise provided by this Act, whether in the Executive, Legislative, or Judicial Branch of the ASB or in agencies, commissions, and committees of a regulatory, quasi-legislative nature shall, unless otherwise specified, be open to any member of the public or press desiring admittance to a meeting of such body.

 B) Any party to an ASB Judicial Counsel proceeding may make a request to close the meeting when an open meeting would be prejudicial to the rights or confidentiality of a student accused of an ASB Code related violation. That proceeding may be closed upon due consideration by the ASB Judicial Counsel and by a vote of three-fifths (3/5) of those members present and voting, such a vote being a public vote.

 C) The following committees, commissions, and bodies shall be required to hold open meetings with the exception that the members of such group may, when they deem it necessary, close such a meeting to the public upon three-fifths (3/5) vote of those members present and voting, such a vote being a public vote:

- 1) ASB Cabinet.
- 2) ASB Campus Senate committees during consideration of nominations.

Meetings should not be closed but for exceptional circumstances that shall be documented in the meeting minutes.

 D) All meetings of the ASB Elections Commission shall be open to the public with the exception of when the Elections Commission is in the process of counting votes. Any other meeting of the Elections Commissions may be closed upon three-fifths (3/5) vote of those members present and voting, such a vote being a public vote. Meeting should be not closed except for exceptional circumstances, for which the reason(s) for closing the meeting shall be included in the meeting minutes.

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- E) For the purposes of this Act, all committees and sub-committees of the ASB Campus Senate, the ASB Executive Cabinet, and all committees, agencies, boards, and commissions appointed by the ASB President, the members of the Cabinet, or appointees of members of the Cabinet shall constitute ASB bodies. This section does not delimit or confine the definition of what constitutes ASB bodies.
- F) The following ASB bodies must post notice of their meetings:
 - 1) Elections Commission.
 - 2) Cabinet.
 - 3) Senate.
- G) Notice of a meeting must contain the time and place of the meeting.
- H) Members of the public may not disrupt any meeting of an ASB body by violent conduct or abusive language on penalty of expulsion from the meeting.
- I) Nominees may be excluded from sessions in which their qualifications are discussed.

WHEREAS, this bill shall be referred to as the Open Meeting Act of 2014;

WHEREAS, this bill makes several minor edits in how open meetings shall be conducted by the Associated Student Body;

WHEREAS, this bill allows parties to an ASB Judicial Hearing to request that a meeting be closed in order to preserve their rights or confidentiality;

WHEREAS, this bill clarifies that meetings should not be closed except for exceptional circumstances; AND

WHEREAS, this bill clarifies that when meeting are closed, the reasons for closing the meeting shall be made part of the meeting minutes or record,

THEREFORE, BE IT ENACTED THAT THE ASSOCIATED STUDENT BODY SENATE AMENDS TITLE VI SECTION 114 OF THE ASSOCIATED STUDENT BODY CODE AS DETAILED ABOVE.

Date of Introduction _____ Date of Consideration _____

Committee Jurisdiction _____

Action of the Campus Senate _____

Senate President _____ Senate Clerk _____

ASB President _____

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Administrative Acknowledgement:

Dean of Students _____ Vice Chancellor _____

Chancellor _____