



Student Assembly R. 11: Creation of University Student Court - Bylaws Change

*Sponsor: Ulysses Smith on behalf of Scott Seidenberger
Propose on September 23rd, 2013*

1 Whereas, the Student Assembly is the governing body of all undergraduate students and is
2 charged with addressing all matters of interest or concern to the student body;
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4 Whereas, there is currently no realistically feasible method for students to contest the actions
5 or decisions of the SA;
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7 Whereas, there is currently no reasonably feasible method for students to hold their
8 representatives accountable if they feel that their representative is not performing his or her
9 specified duties;
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11 Whereas, the SA's handling of its own judicial affairs and adjudicating matters related to the
12 legislation it is charged with creating and enforcing leads to an inevitable conflict of interest;
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14 Be it therefore resolved, that Article II, Section 4 of the Student Assembly Bylaws be amended
15 to read as follows:
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17 Section 4: Recalling officers
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19 A two-thirds vote of the voting membership of the SA may vote to recall any officer of the SA
20 from his or her office for being unable to execute the duties of his/her office or for violating the
21 governing documents of the Student Assembly. Should there be a dispute regarding the
22 reasons for recalling an officer, the issue will be resolved through a formal hearing before the
23 University Student Court.
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25 Be it further resolved, that Article III, Section 1, be amended to read:
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27 8. Appoint Assembly Parliamentarian, Executive Archivist, and Chief Justice of the USC.
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29 Be it finally resolved, that Article VIII be inserted into the Bylaws and all subsequent bylaws be
30 renumbered accordingly:
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32 Article VIII: University Student Court
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34 The University Student Court (USC) shall serve as the judicial branch of the Student Assembly
35 and shall be the highest judicial authority thereof. The Court shall be housed in the Office of
36 the Dean of Students.
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38 Section 1: Authority of the Court – The Court shall be the main appellate body utilized in cases
39 of disagreement with the actions and decisions of the Student Assembly. A general student or
40 a member of the SA may call for an appeal and formal hearing if they feel the Student

1 Assembly unjustly rendered a decision on a piece of legislation or action. The Court shall also
2 have jurisdiction to hear and enter judgment in suits brought against students, student
3 organizations, and student governing bodies, by other students, student organizations or
4 student governing bodies of Cornell University. The judicial power of the USC shall extend to
5 the following controversies:

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7 Matters of the recall voting (see Article II, Section 4)

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9 Matters of interpretation of the SA Charter and bylaws

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11 Matters of contested elections, in extreme cases where the Elections Committee decision is
12 flawed

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14 Matters concerning organizations when referred to the Court by the units of the University, or
15 when petitioned by the SA or an individual student

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17 Other matters arising under the bylaws or actions of the Student Assembly

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21 Respectfully Submitted,

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23 Ulysses Smith '13
24 President, Student Assembly

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26 Scott Seidenberger '16
27 Judicial Affairs Task Force Chair, Community Life Committee

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30 Reviewed by: Community Life Committee, 9/24/2013