



Bylaw Violation Hearing

Brumfield V Williams

April 7th, 2021 at 8:05pm on Zoom

<https://uncc.zoom.us/j/91944217641?pwd=ZTMwZ0lm>

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Passcode: judicial

Hearing Process

A. Roll Call Attendance of Board Members- Jalyn P., Alyssa R., Adrienne E., Mark L., Jordan F., Doris M.

B. Decision on Compulsory Recusal Motions- None

C. The Complainant's Case

a. Opening Statement- Just to restate I'm representing senator Brumfield, the attendance log is something you log every week, so in 2018 senate passed the bylaw to ensure Senators took accountability for this, senate officers have been using groupme to mention office hours but this isn't valid, and this is being brought today because it needs to be addressed because it's the end of term and we must hold our senate accountable. The complainant alleges that the Senator in question has violated 3-2.17 Office Hours Sections B and C for all months that are blank on the attendance log sheet provided at the time this case was submitted as shown in the evidence document. The respondent did not routinely have office hours as expected of them under 3-2.17 and then log such hours on the official document.

b. Questioning from the Judicial Branch- None

c. Witnesses Testimony

I. Direct Examination- None

II. Cross Examination by the Respondent- None

I. Cross Examination by the Complainant- None

D. The Respondent's Case

a. Opening Statement- I would like to point our attention to the bylaws, the bylaws don't clearly define the attendance log, they don't define how the office hours have to be communicated, in my eyes I'm there for my community members, I have kept my office hours, and there are numerous points of where it's unclear where I have to keep a log of my attendance, when or where I have to fill out that specific log, it just says I have to record it somewhere by someone, so for the vagueness I am not responsible.

b. Questioning from the Judicial Branch- Are you saying you kept a log of your attendance to some capacity? Yes, I did you can go through my emails, and reach out to other senators, I don't have a consolidated log but there is evidence that I have. Do you get paid for your position? I did but not until a while ago, initially I did not, but I still had office hours, and I didn't have payment before because this is a new committee.

c. Witnesses Testimony-

II. Direct Examination- None

III. Questions from the Judicial Branch- None

IV. Cross Examination by the Complainant- None

E. Judicial Witnesses (if necessary).

a. Witness testimony- None

b. Questioning from the Judicial Branch- None

c. Cross Examination by the Complainant- None

d. Cross Examination by the Respondent- None

F. Consideration of Motions to Intervene.- None

G. The Complainant-Intervenor(s) Case (each Intervenor to be given their own time to speak)

a. Opening Statement- None

b. Questioning from the Judicial Branch- None

c. Closing Statement- None

H. The Respondent-Intervenor(s) Case (each Intervenor to be given their own time to speak)

a. Opening Statement- None

b. Questioning from the Judicial Branch- None

c. Closing Statement- None

I. Closing Statements

- a. Respondent's Closing Statement- I want to reiterate the bylaws, and their vague language, they don't have clear definitions, and based on the way they're written I haven't violated them, they don't account for the virtual aspect, and I do question if the factor of payment factors in the decision to call this case, I think it is important we uphold senate to respectful standards, and if they had reached out I could have addressed this before the issue. My father recently had open heart surgery, and to be here when he just got out of the hospital on an issue I could have addressed personally, I'm sorry that other senators don't have the respect to contact me.
- b. Complainant's Closing Statement- This is not my case, I'm just standing up for Brumfield, I'm just here to represent the complainant. I respect judicial decisions, and Brumfield just wants best for the student senate, and if Judicial is going to say the bylaws need to be changed, I wish they would recommend that to student senate

J. Deliberations- I move that we go into closed session to Hear or investigate a complaint, charge, or grievance by or against a public officer or employee. [N.C.G.S. 143-318.11(a)(6)]

K. Drafting of the Formal Rationale

L. The Reading of the Formal Rationale and Verdict- The Judicial branch finds Williams not responsible for violating 3-2.17 Office Hours Sections B and C.

O. Sanctioning (if necessary).-

M. Revision of the Formal Rationale to include sanction decision(s) and rationale. (if necessary). The Judicial branch has found the respondent not responsible for violating 3-2.17 Office Hours Sections B and C. As a branch, we recommend the legislative branch updates 3-2.17 Office Hours Section B and C. We encourage you to create clear definitions that relieve the vagueness in section B and C, and address the alarming equity issue in section B. Ultimately the revision of this bylaw is essential for ensuring the best interest of SGA and the student body.

N. Reading of the Sanctioning (if necessary).