



George Bernard Speaker

2094B Ohio Union
1739 N. High Street
Bernard.306@osu.edu

57th General Assembly
Autmn 2024, Session 9
September 25th, 2024

I. Opening

- a. Call to Order
 - i. 6:37
- b. Land Acknowledgment
- c. Attendance
 - i. 28/29 Senators Present
- d. Swearing in of Alternates
 - i. Roy.457 for Senator Hutton
 - ii. Teich.21 for Senator Killgore
- e. Approval of Minutes
 - i. Minutes Approved

II. Open Forum for the Public

III. Executive Report

- a. *President Bobby McAlpine and Vice President Justin Robinson*
 - i. McAlpine: Great to see everyone. We have not been here for about 2 weeks because of meetings and events and it is awesome to see you all here. Justin and I have speaking rights within GA, but not voting rights. We are head of the executive branch and every week we come here or send a representative to give you all an executive on things we are working on. Does anyone have any questions about our roles? One big thing that is happening is the March on Scarlet which is a big non-partisan voter registration event. It is on Saturday starting at the French field house and marching down to the south oval and centered around voter registration and voter

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education. Again, it is non-partisan and we will have a lot of different organizations there. It is a great time to get to know your constituents. We want to turn voter registration iner turn, out and USG is hammering hard on. Another thing is that we did two focus groups with our police chief and there were interviews that were held today and next week that I will be a part of. The focus group was meant to bring a diverse perspective in and talk about what they want to see in the next police chief. We will also be doing more focus groups on problems related to students, but more updates will come soon. Around the Oval tomorrow we are going to be sitting in a room with the president's cabinet to talk about issues students are facing. We will be talking about different things Justin and I are hearing and we are very excited. Also on election day, there will be a trial run to have classes virtually or asynchronous to try and get students to vote and be poll workers. This information would be great to send to your constituents. The state tour is visiting all the regional campuses that we both want to do and it will be somewhere around mid-October beginning in Newark. Also, one more thing, we have a very big announcement to let all of you know that we have worked on getting the NYT subscription. But we have just moved towards having the Wall Street Journal subscription for everyone with a BuckID. We need you all to share that information with your constituents and professors so they can assign readings

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based on that subscription. It is going to be free in mid-October.
Now we should be done.

- ii. Robinson: Hello, everyone. My name is Justin Robinson and I am the VP of student government. About the focus groups, we will be reaching out to some of you guys to talk about problems. Please be on the lookout for that. I have university senate resolutions that will be seen soon. Please also come out to the march on Scarlet. My office hours are Tuesdays 11-12.
- iii. Braziel: How were you able to get the Wall Street Journal?
 - 1. McAlpine: We were able to get it in the summer budget. We got it for the next two years and we had to figure out how much it was going to cost. We have created a process for these types of big things to happen. Give my CFO a hand for all that he has done. We have only paid for 1 year, but they did give us two because we are in good negotiations.

IV. Updates

a. Speaker George Bernard

- i. We have some nameplates and I will put in another order later. Besides that, we will have the resolution to appoint university senate appointees and directors. Hopefully, meetings can start soon and resolutions can start.

b. Parliamentarian Oliver Griffith

- i. We have our Robert rules presentation at the very end. We have election bylaws later and we cannot amend them, but the standing

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rules can be amended. If you have any questions about poll working, I would be happy to help.

c. Secretary Lily Evans

- i. Have consistency reports in the back of your head. They will be due on October 13th.

V. Committee Reports

a. Allocations Committee

- i. Slow week, two things in the group me to be checked out

b. Oversight Committee

- i. We will be meeting on Sunday afternoon

c. Issue Committee Reports

i. Academic Affairs

- 1. I will be making a groupme soon and think of some resolutions

ii. Black Caucus

- 1. No updates, please join the committee

iii. Health and Safety

- 1. Meeting with public health professor to get ideas for resolutions and will make a groupme

iv. Governmental Relations

- 1. Everyone should register to vote

v. Justice and Equity

- 1. Let me know if you have to be added to the groupme

vi. Student Affairs

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1. I had a constituent email me about having their criminal history removed from the OSU application and I will be looking into that

vii. Sustainability

1. A groupme was made

VI. Old Business

a. Standing Committee Elections

i. Oversight Committee (4)

1. Motion to move into executive session

a. Motion passes

i. Senator Chaudhary nominated

1. Elected to oversight

ii. Senator Kronenfeld nominated

1. Elected to oversight

iii. Senator Martel nominated

1. Elected to oversight

iv. Senator Cade nominated

1. Elected to oversight

2. Motion to Rise and Report

a. Motion passes

VII. New Business

- a. 57-R-2: A Resolution to Approve the Judicial Panel Standing Rules for the 2024-2025 Academic Year

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- i. Utkarsh Mahey.2: I am the Chief Justice of the Judicial Panel and I am here today to bring up the standing rule of the Judicial Committee. The rules have been redesigned and have been expanded because there have not been any amendments in the last 4 years and have added a few sections. I will go over the new sections and answer any questions after. The first new section is the new member section which says “The membership process to the Judicial Panel will look as such: There shall be a month-long period, occurring between the commencement of classes and the last day of October, during which applications to the Judicial Panel will be open. Following the review of applications, a two-week period will ensue during which the Chief Justice will collaborate with the President and Vice President of the Executive Branch to conduct in-person interviews for each applicant who passes the initial review. Applicants will be evaluated based on their demonstrated commitment to impartiality, leadership, and a willingness to uphold the values of the Judicial Panel as outlined in the USG Constitution. The selection of new members shall be finalized no later than two weeks after the conclusion of interviews, with formal notification given to all applicants regarding the decision. New members of the Judicial Panel shall undergo a mandatory one-week orientation period where they will be briefed on procedures, decorum, the responsibilities of their roles, and the process of recusal in the event of conflicts of interest. As stipulated

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in the Constitution, while the responsibility of ensuring that the Judicial Panel is fully staffed lies with the Executive Branch, there shall be open communication between the Judicial and Executive Branches throughout the process to promote transparency. The second new one is hearing bylaw violations which says “All alleged bylaw violations, regardless of their type, shall be heard by the entire Judicial Panel. The Chief Justice and all Associate Justices shall participate in the hearing and adjudication process for each case. This shall apply to all types of bylaw violations, including Type I, II, III, IV, and V, as defined by the USG Constitution and bylaws. The Judicial Panel shall follow the same procedures for all bylaw violations, ensuring consistency and fairness across all hearings. The Chief Justice shall retain the authority to moderate all hearings and ensure proper decorum, but all decisions regarding violations shall be made collectively by the Judicial Panel. In the event of a conflict of interest, any Justice involved shall recuse themselves, and another Justice may be assigned to ensure the case is heard by a full panel. The third new one is the judicial panel of appeal: "The Judicial Branch of the Undergraduate Student Government shall be divided between a Judicial Panel with original jurisdiction and a Judicial Panel of Appeals with appellate jurisdiction. For all panels, justices shall be chosen at random. All parties involved in the hearing have the right to be present during justice selection. Any Justice who exhibits a conflict of interest may recuse themselves or

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may be forcibly recused by the Chief Justice. A representative from the Office of Student Life who does not have a conflict of interest, shall be present to hear appeals. The Judicial Branch shall ensure this. Three Associate Justices shall be chosen at random to serve on the Judicial Panel of Appeals from the Justices who did not hear nor who have conflict with the original claim. The Chief Justice shall moderate the appeals hearing. The fourth new one is autonomy which says “If any ruling made by the Judicial Panel of Appeals is overturned or questioned by another body at Ohio State University, the Judicial Panel reserves the right to maintain its decision and disregard any conflicting opinions as non-binding. However, the Judicial Panel recognizes that the Ohio State University Board of Trustees holds ultimate authority over university governance. As such, any rulings or decisions made by the Board of Trustees shall take precedence over the decisions of the Judicial Panel and must be followed. And then transparency which says “These Standing Rules shall be made available to all undergraduates and shall be circulated to all parties involved in hearings or appeals. The Standing Rules shall be accessible on the Undergraduate Student Government website and updated versions shall be posted within 24 hours of any approved amendments. And then an amendment to the election bylaws which says “The Chief Justice and Associate Justices may propose amendments to the Election Bylaws for approval by the General Assembly or an

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iteration of the G.A. Amendments to the Election Bylaws proposed by Associate Justices shall be approved by a majority vote of all Justices before being submitted for General Assembly approval. And then amendments of the standing rule which says “The Chief Justice and Associate Justices may propose amendments to the Judicial Panel Standing Rules for approval by the General Assembly or an iteration of the G.A. Amendments to the Standing Rules proposed by Associate Justices shall be approved by a majority vote of all Justices before being submitted for General Assembly approval.

- Hutton: How does the chief justice work with new membership? What happens if there are no JP members?
 - Utkarsh Mahey: I have not thought about that, we have not ever had an entirely vacant branch.
- Ahmed: Can you tell us the difference between appointment power and vacancies?
 - McApline: We appoint, you all confirm. You all have to confirm them in the first place. That is in the constitution.
- Swartly: Under section 8, can you explain the amount of time?
 - Utkarsh: You’re saying 24 hours is not enough amount of time. We have not had any problems with that time frame before.
 - Bernard: The reason for that is because they are only active during election season and they do not have that much time to spare.

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- Cade: In section 4 it does not specify how many justices are needed in that one. How many justices vote when doing bylaw violations?
 - Utkarsh Mahey: It is heard by the entire panel
- Cade: What concerns me is sections 3 and 5 and I just want to know if it is presented to both parties
 - Utkarsh Mahey: I do not have an answer to that
 - McApline: When someone makes a bylaw infraction they submit it to JP and they submit it to the other party, so the answer is yes
- Dobres: I had a student reach out and they were concerned about sections 4 and 5. They are concerned about not being able to sit on those appeals. If there is an appeal process there won't be anyone without a conflict of interest.
- Bernard: In a bylaw violation, is that heard initially by all of the members of the JP? How would your appeal process work if everyone has already heard the case? What justices would sit on that appeal?
 - Utkarsh Mahey: What would your amendment be?
- Dobres: For some of the justices to sit aside in case of an appeal. I think that can be done.
 - McAlpine: I just wanted to understand this correctly. In the bylaws, if someone has a conflict of interest, they have to step away. I do not think that because they heard a case they have a conflict of interest, they are acting as impartial judges in the first case. It would be with the same people.
- Cade: Okay, just to go back to that. In hearing the case, there is a bias that has been established.

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- Utkarsh Mahey: I disagree, I feel like that is common and I do not see an issue on the appeals unless they have a conflict of interest
- McApline: That is set before judges are assigned to cases and I do see that in the standing rules that you cannot hear a case again
- Griffith: I just wanted to clarify, it says on the top that JP should hear all claims with all justices and I motion to cut out “who did not hear” and “nor”
 - Utkarsh Mahey: So I see the issue is that if a certain amount of justices have already heard the case, they would have a prefixed
- Bernard: The original motion is to strike those who do not hear and nor and would add the word don't. Is there a second
- McCann: Can you repeat?
- Bernard: The motion is that it would strike the highlighted rules here. Is there a second
 - Second Heard
- Hutton: I motion to amend this motion to have it say have no conflict
- Griffith: I take it as friendly
- Migliore: I think we jumped too fast and I think that it would be more feasible to have 4 of the 7 per case picked at random and have 3 judges sit aside
- Griffith: Is there something to do with a tie?
 - Utkarsh: No there is not
- Chaudhary: I want to get back to the speaking floor. I move to the table
 - Second, heard
 - Motion passes 23-1-2

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- Hutton: In section 4, letter I say that the entire judicial panel must hear the case, but that another justice would be reassigned and that it is contradictory because there are no more extra justices
 - Utkarsh Mahey: That is my bad and it should be changed
- Musa: I have 3 clarifying questions, can I ask all three of them
 - Bernard: Yes
- Musa: How is a conflict of interest determined in section 5?
 - Utkarsh Mahey: There is not a set list that determines a conflict of interest, however, I feel like something like that should be added
- Musa: Regarding autonomy in section 15, I wanted to ask if this excludes administration.
 - Utkarsh Mahey: It was specific to the board of trustees and it would be for them. I yield to the president.
 - McApline: We are not allowed to go against what the president or student life says. I wanted to let you know I am not for or against
 - Utkarsh Mahey: I feel like it should be added that student life and the president to that should be part
- Musa: For section 16 regarding transparency, it sounds like this would be a living document, would it be?
 - Bernard: Any amendments have to be approved by the general assembly
- McCann: I have a couple of questions for clarification. It is written in section 5 under the apart, can you give us insight into the random selection
 - Utkarsh Mahey: I have not used any mechanism yet, however that process would be like rolling a die

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- McCann: I think it is important that we understand what mechanism we use. Another thing is the section regarding opinions. What are the necessities for confidentiality?
 - Utkarsh Mahey: I have not identified what those cases would look like yet
- McApline: Did you receive a transition document from past justices I know that there are processes for choosing justices because I know that it has happened before. It seems like you have not seen it, is it in any transition documents?
 - Utkarsh Mahey: I think a process needs to be written down. I did receive a transition document, but I do not think that document says anything about that.
- Braziel: I move to limit the speaker's list to whoever is left on the speaker's list
 - Second Heard
 - Hutton: I do not think we should limit the speakers list and this is the process
 - Cade: Additionally, I feel like it is important for us to what his responses
 - Pal: We have new applicants and were wondering if we could continue this discussion after considering the applicants
 - Chaudhary: We should get to the amendment process
 - Griffith: We have a couple of options, we can look at numerous amendments and put them back into committees
 - Braziel: I want to see that senators who support this motion have said things I have been thinking. We have to have a discussion to move on.

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- Bernard: Seeing no other discussion points, we will go into voting
 - Motion passes 19-3-1
- Cade: Section 5, subsection C. How is that repressive chosen?
 - Utkarsh Mahey: It has previously been Matt Couch
 - Cade: Assuming that since that is the case, wouldn't it be that we would have to change all the justices to student life? The general line of questioning is that every justice in appellate cases has some sort of bias and needs to be replaced with people from student life.
- Bernard: We are now in discussion
- Griffith: I motion to move this all to the oversight committee
 - Second Heard
 - Hutton: I would prefer not to send this back, I think we should send it to the Chief Justice
 - Hickman: Is there any way that the oversight committee could hear from senators who are not on the committee?
 - Griffith: We can submit that legislation to oversight and once we vote on all those we can send that back to the assembly
 - Braziel: I think that sending it to oversight is a great idea and we have a lot of amendments we can make right now. I think that it would be a great value of our time to have a plan and I am in support of our motion.
 - McCann: I agree and I think this is a beneficial motion and we can discuss until we are blue in the face. I think this is a good motion and for the productivity of this house, it is important for us to move on.

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- Cade: Point of information. Would it be possible to do a committee of the whole?
- Bernard: This is why that is a bad idea. We can amend that on the floor right now as a chamber. Are there any other discussion points?
 - Motion passes 19-4-0 and the bill goes back to oversight
- b. Vacancy Applications
 - i. Oli Wood for Natural and Mathematics Seat
 - 1. Candidate passes and is elected to the seat
 - ii. Ezra Lia for Exploratory Seat
 - 1. Candidate passes and is elected to the seat
 - iii. Malachi Hardison for Regional Campus Living Area Seat
 - 1. Candidate passes and is elected to the seat
 - iv. Motion to rise and report
 - 1. Motion passes

VIII. Announcements

- a. Bernard: Steering voted to close the vacancy application so we will see one more next week and then no more after that
- b. Hutton: Next week we will be seeing a university senate resolution and feel free to reach out to me with questions. I want to recommend to LCs in your announcements of events that the executive branch committee is doing.
- c. Griffith: Robert's Rules presentation

IX. Adjournment

- a. 9:13

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