

OSA Senate Agenda
February 5, 2019 at 4:45 PM
Reeve Memorial Union, Room 210

I. Call to Order – Pledge of Allegiance at 4:46 PM

II. Roll Call –

Senator Britt
Senator Dahse
Senator McCue
Senator Sederquist
Senator Spilman

III. Open Forum –

Senator Spilman – University crosswalks are unsafe for students.
President Howard – University Police were outside Clow to help people cross the street and Jimmy John’s was there to motivate people. They will start handing out \$162.50 tickets for jaywalking.

IV. Approval of the Agenda –

Senator Dahse – Moved to move OSA 18-021 from new business into unfinished business
Seconded by Senator Britt
Placard vote: one objection, no abstentions. The motion passed.

V. Approval of the Minutes –

VI. Club/Org Recognition –

OSA 18-023

BE IT RESOLVED: That the OSA Senate and OSA Assembly gives recognition and voting privileges to those Organizations with “Assembly” after their names:

1. Random Acts of Kindness – New
2. Steel Pan Society – New

Sponsored by: Ellen Dodge, OSA Speaker of Assembly

Random Acts of Kindness – Mission is to spread kindness throughout campus. Hand out compliment cards, flowers, hand warmers, work with other orgs.

How many members are interested? – About five right now. Founding members are all

CAs so they think recruitment will be easy.

Meetings? – Tuesdays around 7:00 PM

Steel Pan Society – Want to spread knowledge about Steel Pan music throughout the campus community.

What made you choose Steel Pan? – The most repertoire for it compared to other island instruments.

What would happen at meetings? – Pan maintenance and learning and then eventually recitals. Have a summer program to teach students how to play.

Placard vote: No objections, no abstentions. OSA 18-023 passed.

VII. Guest Speakers –

VIII. Officer Reports –

- a. Speaker Pro-Tempore – (Shane – osapeakerpt@uwosh.edu) -
- b. Speaker of the Assembly – (Ellen – osapeaker@uwosh.edu) –
- c. Chief of Staff – (Colin – osacos@uwosh.edu) – Welcome to the new semester. We are looking at the Bylaws and changing the Bylaws to make them easier to understand. Recruiting for new senators with elections.
- d. Vice President Pro-Tempore – (– osavppt@uwosh.edu) –
- e. Vice President – (Stephanie – osavp@uwosh.edu) – Big push for recruitment. Have classroom visits set up so let Liechty know if you want to go along or go to other classes. OSA Budget going to Segregated Fees by Friday so President Howard is working on that. Want to update Constitution and Senate Bylaws, but they are not rushed like the Election Bylaws.
- f. President – (Ronisha – osapres@uwosh.edu) – Welcome back everyone. Introduce Kyla as the LTE Office Manager until a search and screen is completed for someone to fill the position permanently. Recruitment for VPPT and other positions. Space Planning Committee meeting – see what the next steps are in opening a food pantry on campus.
- g. OSA Office Manager – (Kyla Brown – brownk31@uwosh.edu) – Looking forward to working with everyone and having a great semester.
- h. OSA Advisor – (Dr. Art Munin – munina@uwosh.edu) – Serving as acting Vice Chancellor for Student Affairs while Dr. Green is at UW-Whitewater as Interim Chancellor – holding things together until she returns this summer.
- i. OSA Academic Liaison – (Thomas – wolft@uwosh.edu) –
- j. OSA Directors and Ambassadors –

IX. Presidential Appointments –

X. Unfinished Business –

Moved to floor by Senator Dahse

Seconded by Senator Sederquist

All changes gone through line by line for the benefit of the voting members of the body.

Vice President Liechty – Changes are being made so that elections will be more inclusive and less confusing for other people to understand. Statements for candidacy go out next week Monday at noon and these things cannot be changed after that date. There was a thought to give the Election Commissioner (EC) a \$100.00 stipend for their hard work. That stipend would come out of the OSA Budget.

Senator McCue – Would more than \$100.00 be worth it due to time commitment?

President Howard – We would want to make sure that ECs stay until the end.

Senator Spilman – Maybe we could add wording that the EC would have to stay through to the end in order to receive the stipend.

Vice President Liechty – That would be added in the language.

Senator Spilman – moved to change language

Senator Dahse seconded the motion.

Placard vote unanimous in favor. The motion passed.

Article 2 Section 3 – Want to delete 3.3

Vice President Liechty – since the OSA Office Manager is already a paid position by the University, the Election Bylaws cannot tell them what to do.

Article 2 Section 4 – specifying what quorum is and who regular members will be.

Senator Dahse – It should just state that quorum 50% + 1 of the regular members of the commission.

Senator Sederquist – Moved to make that change.

Senator Spilman seconded the motion.

Placard vote unanimous in favor. The motion passed.

Article 2 Section 5 – got rid of 5.1 because it gave the president a lot of power over the EC. Part of the old 5.1 was added to 5.2 which now states that Senate can remove the EC by $\frac{3}{4}$ vote. 5.1.1 was added and states that the EC cannot support candidates on social media.

Article 3 Section 1 – 1.5 more concise language employed

Article 4 –

1.1 removed that staff or faculty can report violations.

Senator Spilman moved to change the language to “Friday at noon” for violations to be reported.

Senator Dahse seconded the motion.

Placard vote unanimous in favor. The motion passed.

1.3 – The EC will remove personal information about people who submit the violations

1.4 – This makes the timeline easier to understand and easier for the meeting to be attended by all members of the commission.

1.6 – Removes the possibility that someone could get negative votes.

Senator Dahse – There is a fear that there would have to be too many violations made to get to that point.

Senator Sederquist – How are the violations weighted?

Vice President Liechty – One point equals one vote.

Senator Dahse – We want to make sure all violations are explicitly stated in the document because last year they were not explicitly spelled out.

Senator Spilman – Maybe it should just say that if a candidate gets so many violations that they would have negative votes, they would be automatically disqualified.

Former 1.9.2, now 1.7.2 – removal of various very specific guidelines listed in 1.9.2

Senator Sederquist – Get rid of 8pt font and handwriting rule. Paraphernalia was sponsored by other student orgs who support candidates last year.

Senator Dahse – Last year some people were handing things out that cannot be labeled so maybe the language should be “posted paraphernalia, handwritten or typed.”

Senator Sederquist moved to reinstate 1.7.2 without ban on handwriting and smaller than 8pt font on posted paraphernalia

Senator Dahse seconded the motion.

Placard vote unanimous in favor. The motion passed.

Senator Dahse – Add an endorsement clause for student organizations.

Office Manager Brown – Add 1.7.2.1 as an endorsement clause for student organizations who wish to support candidates.

Senator Spilman – Violations by endorsing orgorgainzations would have to be proven to be connected directly to the candidate.

Ms. Kwaterski – EC should go over this with the candidates so that everyone is on the same page and candidates need to follow up with the endorsing organizations.

Senator Sederquist – Moved to add 1.7.2.1 with the following language. “Any student org wishing to endorse and campaign on behalf of a candidate should notify the candidate of their intentions. All actions taken by the aforementioned org will be subject to these bylaws and the penalties herein shall be against the candidate whom they have endorsed.”

Senator Spilman seconded the motion.

Placard vote unanimous in favor of this addition. The motion passed.

Removing 1.7.3 – Would allow university computer labs to be used for printing campaign paraphernalia,

Senator Spilman – Clarifying printing in OSA office.

Office Manager Brown – no printing in OSA office by candidates.

President Howard – Candidates also cannot use OSA office as campaign headquarters mentioned in 1.7.6.

Strike the former 1.9.10 – There is no way to know when things were distributed so there was no reason to have this in there.

President Howard – Things hung in Reeve are controlled by Reeve Admin office, and Reeve is a polling place for the election.

Senator Dahse – People can now vote on their phones so polling places are fuzzy, does this apply to Snapchat filters?

Vice President Liechty – No, just physical advertisements, but you could have that added in there.

President Howard – I think that’s a good idea because it wouldn’t be fair to all candidates.

Vice President Liechty – Can say paraphernalia and online posts.

Senator Dahse – I think this clause can just stay in there.

Senator Dahse moved to add 1.9.10 back in with addition of online posts and correct numerical label.

Senator Spilman seconded the motion.

Placard vote unanimous in favor. The motion passed.

1.8 – How do we know that student orgs won't charge things to their university accounts?

Ms. Kwaterski – this can be addressed by notifying Copy This staff so they will not allow organizations to print the requested items with their organization print cards.

Struck 1.10 – Remove the limit on campaign expenditures in accordance with US law.

Office Manager Brown – Add in to 1.8 that all candidates must disclose campaign expenditures within a week of the conclusion of the election.

Senator Dahse moved to add the above.

Senator Spilman seconded the motion.

Placard vote unanimous in favor. The motion passed.

1.14 – Failing to file a report is grounds for disqualification from the election.

Article 5 –

1.2 – This is already in the OSA constitution.

1.3 – limited to Reeve Union and another location. Add “if necessary.”

1.5 – Delete.

Add 2.3.1 back into election bylaws.

2.7 – Change “ten (10) class days” to “two (2) weeks”

3.3 – Add “Election Commissioner” and “by results of the election.” Also add two (2) meetings within the academic year.

OSA 18-021

BE IT RESOLVED: That the OSA Senate approves the amendments to the OSA Election Bylaws.

Sponsored by: Ronisha Howard, OSA President; Stephanie Liechty, OSA Vice President; Colin Daniels, OSA Chief of Staff; Natalie Britt, OSA Senator

Senator Spilman moved to pass OSA 18-021.

Senator Sederquist seconded the motion.

Placard vote unanimous in favor. OSA 18-021 is passed.

Senator Spilman moved to table all remaining Agenda Items.

Senator Dahse seconded the motion.

Placard vote in favor of the motion. The motion was passed.

- XI. New Business –**
- XII. Committee Reports –**
- XIII. Discussion –**
 - a. **Service and Therapy Animal Policy**
 - b. **OSA VPPT position**
- XIV. Announcements –**
- XV. Adjourn -**

OSA Election Bylaws
Oshkosh Student Association
Oshkosh, WI
December 5, 2017

ARTICLE I. Scope

Section 1 Purpose

These bylaws shall govern the conduct and procedure of all elections for elected offices within the Oshkosh Student Association (OSA) and of all referenda conducted by the Oshkosh Student Association.

1.1 The open positions consist of the OSA President, Vice President, and 25 seats for the Senate body.

1.2 All candidates shall be bound by and subject to these bylaws.

Section 2 Definition for the purpose of the OSA Election Bylaws

- A. Candidate: an individual seeking an elected office within the Oshkosh Student Association.
- B. Campaign: any public activity or series of activities on behalf of a candidate meant to advertise and gain voters for the OSA election.
- C. Slate: Multiple candidates who are running together for a joint elected position.
- D. Political party: a recognized student organization that endorses candidates for multiple offices.
- E. Agent: an individual acting on behalf of a candidate with the candidate's knowledge.
- F. Actor: an individual acting in support of or opposition to a candidate without the specific knowledge of the candidate.
- G. Paraphernalia: any physical advertisement, flyer, poster, sticker, poster, handbill, button, or other item produced by a candidate or agent.
- H. Online Post: any advertisement, paid or unpaid, through a blog, website, e-mail, social media site, phone application like, but not limited to, Snapchat, Twitter, Facebook or other platforms created by a candidate or agent.
- I. Endorsement: a promotional statement or signature in support of a candidate.
- J. Referenda: a yes or no question relating to student life to be voted on by the student body.

ARTICLE II. Election Commission

Section 1 Members of the Election Commission

The Elections Commission shall be made up of a Commissioner, six (6) regular members and two (2) alternate members, appointed by the President and approved by the Senate and Assembly. All members must be students at UW Oshkosh. The Commissioner shall be appointed for a single election cycle. If there is no Commissioner by the end of the fall semester, the highest ranked non-returning member of the OSA executive board, as defined by order of appearance in the OSA Constitution Article V, shall by default be the Commissioner. If there are no members of the executive board that are both qualified and willing to accept the position, then the most senior Senator, as defined by length of service, becomes the Commissioner.

Section 2 Powers and Duties of the Commission

- 2.1 For each member to serve at least four (4) total hours at the polling location on the days of the Presidential election;
- 2.2 To consider and rule upon alleged violations of campaign rules;
- 2.3 To review the outcome of the vote;
- 2.4 To verify and approve the results of the vote and to adopt a final report for submission to the Senate; and
- 2.5 To review annually the elections bylaws.
- 2.6 To assist the Commissioner in investigating alleged violations of campaign rules.
- 2.7 To reinterpret the Commissioner's interpretations of these bylaws if they are decided to be improper. The Commissioner's interpretations may be overridden by a 50%+1 vote from the **commission**.

Section 3 The powers and duties of the Commissioner are, in addition to those of a member of the Commission, are:

- 3.1 To administer all Oshkosh Student Association elections;
- 3.2 To chair the Commission,
- ~~3.3 To designate a secretary, preferably the OSA Office Manager, to assist in the administration of an election;~~
- 3.4 To verify the qualifications of candidates;
- 3.5 To interpret these bylaws;
- 3.6 To lead the investigations of alleged violations of campaign rules
- 3.7 To draft a final report for submission to the Elections Commission and the Senate
- 3.8 To ensure that all members of elections commission remain neutral
- 3.9 To ensure that all members of elections commission understand their duties and responsibilities in accordance to these bylaws;
- 3.10 To notify candidates of receipt and acceptance of election papers;
- 3.11 To inform candidates of interpretations of bylaws prior to the campaign period; and
- 3.12 To annually review and update as necessary statements of candidacy forms and bring any modifications before the Senate to review and approve prior to the campaign period.

Section 4 Meetings

- 4.1 Meetings shall be conducted under the following guidelines:
- 4.2 Meetings shall be held in accordance with Wisconsin's Open Meeting Law with at least twenty-four (24) hours' notice.
- 4.3 All meetings shall be open, except for the consideration of alleged violations of campaign rules or to review the outcome of the electronic vote.
- 4.4 Quorum shall consist of **four (4)** regular members.
 - 4.4.1 If a member does not perform his/her duties in accordance to Article II, Section 2 of these bylaws the Commissioner shall call for a vote to dismiss. Regular members must reach a simple majority for the member in question to not be dismissed. **Regular members will be the majority**. The member in question does not receive a vote.
 - 4.4.2 Meetings for the adoption of the Commission's final report to the Senate may be conducted via e-mail.
- 4.5 If the Commissioner or a member of the Commission formally declared their candidacy for office, he or she shall immediately forfeit their position.

Section 5 Resignations, Termination and Absences

~~5.1 The Commissioner or a member of the Commission may be removed from their position at any time by the President, the Elections Commission except between the time statements of candidacy are made available for an election and the adoption of the Commission's final report; during that time, except as provided in~~

5.2 The Commissioner ~~or a member of the Commission~~ may be removed – either by a three-fourths (3/4) vote of the Senate, **omitting active candidates, and of the Elections Commission,** ~~or by order of the Commissioner and a majority of the Senate~~ – only if there is clear and convincing evidence to demonstrate that he or she is:

5.1.1 Participating in any campaign activities, **including on social media**, or serving as an agent or actor of a campaign; or,

5.1.2 Engaging or attempting to engage in activities that would be a violation of the campaign rules, were they on behalf of the campaign; or,

5.1.3 Engaging or attempting to engage in activities designed to fraudulently alter the conduct or results of the election; or,

5.1.4 Divulging any sensitive information concerning any candidate to any party.

5.2. If a regular member vacates their position or is removed from the Commission, an alternate member shall immediately be chosen by the Commissioner to fill the open position. Otherwise, all vacancies, including that of the Commissioner, shall be filled as soon as possible by the president with the approval of the Senate.

ARTICLE III. Candidates

Section 1 Candidates

1.1 A candidate for office must meet the qualifications for that office, as established by the Constitution.

1.2 Candidates for President and Vice President must file for office jointly, and shall be listed together on the ballot, and are the only positions that can run as a slate.

1.3 Statements of candidacy shall be made available at noon (12:00 pm) on Monday, the second week of the spring semester, and shall be due at three o'clock in the afternoon (3:00pm) on the tenth (10th) class day prior to the election. A candidate must complete a statement of candidacy in order to be listed on the ballot. ~~Candidates running for President and Vice President must submit a statement of candidacy jointly.~~

1.4 Candidates must specify a treasurer; a candidate may be their own treasurer.

1.5 Write in candidates must meet the qualifications for office and shall be subject to Article 5 of these bylaws. A write-in candidate must receive at least **many votes as the number of fifty signatures (50) for president and vice president, and 25 for senators, the number that** would have been required to be listed on the ballot for that position. ~~Write-in candidates receiving sufficient votes for office must be informed within forty-eight (48) hours of the election and must file statements of acceptance within seventy-two (72) hours of being so informed in order to take office.~~

ARTICLE IV. Campaign Rules

Section 1 Common Set of Rules as delineated within these bylaws

1.1 Alleged violations of the rules of conduct listed in Article IV, Section 1.9 of these bylaws must be submitted by one or more students, ~~staff, or faculty~~ to the Commissioner ~~or designated secretary~~ no later than the ~~forty (40) hours~~ (Friday 12:00pm) after the conclusion of the election.

1.2 The Commissioner, with the assistance of the members of the Commission, shall investigate each alleged violation and decide if it merits consideration by the Commission. An alleged violation rejected by the Commissioner may be taken up by a two-thirds (2/3) vote of the Commission.

1.3 The Commissioner shall make available the violations, ~~omitting the personal information of those submitting violations,~~ that will be considered to the candidates to whom they are concerned to allow time to gather evidence supporting and refuting such allegations.

1.4 The Commission shall hold a single open hearing, ~~no earlier than the Monday after the conclusion of the election at eight o'clock am (8:00am),~~ ~~no later than a week after the election,~~ at which point evidence supporting and refuting allegations shall be presented, and those alleging and alleged may be questioned by the Commission. After the hearing is concluded, the Commission shall go into a closed meeting to consider each alleged violation.

1.5 In order for the Commission to find a candidate in violation, it must find clear and convincing evidence to demonstrate:

1.5. 1 That an action is a violation of one or more rules listed in Article IV, Section 1.9 of these bylaws; and

1.5. 2 That the action was taken by a candidate, or its agent or actor; and either

1.5. 3 That the candidate had prior knowledge of the action, or

1.5. 4. That the candidate did not have prior knowledge but did not remedy or attempt to remedy the action when requested to do so by the Commissioner or a member of the Commission within twenty-four (24) hours of being made aware of a violation.

1.6 Each violation of the rules of conduct shall be assigned a certain amount of points as outlined in Article IV, Section 1.9. Each slate or candidate starts with zero (0) points. ~~If fifteen (15) or more points are accrued, the slate or candidate is disqualified.~~ ~~If a candidate has more than half of their votes taken by violations, then they would be disqualified.~~

1.7 The rules of conduct are as follows:

1.7.1 The campaign period shall begin when statements of candidacy are submitted, in accordance with Article III, Section 1.3, to the Commissioner ~~or the secretary~~ or the OSA Office Manager and concludes at the closing of the polls on the final day of the election.

~~Each candidate's or slate's campaign period begins at the time their statements of candidacy are submitted.~~ Campaigning before the campaign period is prohibited.

Violators shall be given one (1) point per instance.

~~1.9.2 Paraphernalia must include a disclaimer of authorization and funding. Statements of campaigning by a candidate must clearly show the candidate or slate authorizing and paying for the paraphernalia and must be in at least eight point type. Candidates may use the abbreviated version of their slate name in this statement. All disclaimers of authorization and funding need to be typed; handwriting is not allowed. Violators shall be given one (1) point per original item, not per copy.~~

~~1.9.3 University computer labs may not be used to produce _____ paraphernalia or copies of paraphernalia. Copy This may be used to produce paraphernalia. Violators shall be assessed one (1) point per original item, not per copy, produced or reproduced in any university computer lab.~~

1.7. 2 No candidate may remove, destroy, deface, or relocate the paraphernalia of any other candidate. Violators shall be assessed six (6) points per damaged or removed item.

1.7.3 All candidates must abide by university solicitation and posting policies for all forms of paraphernalia, and the solicitation and posting policies of each building. Violators shall be given 1 point for the first instance, and an additional 1 point for every 4 additional violations after.

1.7.4 Slanderous, libelous, misleading or untrue statements against candidates or endorsers shall be prohibited. Violator must be shown to have either made the statement with malice, or with a reckless disregard for the truth. ME Violators shall be given 4 points per instance.

1.7.5 No poll watcher registered under Article V, Section 1.5 of these bylaws may participate in any campaigning, in person, inside of a building with a polling location while the polls are open, public or private, designed to influence one or more voters. Three (3) points shall be assessed to the candidate or slate that the poll watcher in violation was registered to, and the candidate or slate shall have all the registrations of their poll watchers revoked.

1.7.6 No campaigning may take place within the OSA office, excluding online posts, nor may any OSA property and/or services be used, or attempt to be used for campaigning by any candidate. Violators shall be given 1 point per instance of the violation.

1.7.7 No in-person campaigning may take place inside of, or within fifty (50) radial feet of a public entrance of a polling place specified in Article V Section 1.3. This includes the Student Involvement area, Reeve Union, Polk Library, and Blackhawk Commons while the election is taking place. Violators will be assessed two (2) points per instance.

~~1.9.10 On the days of the election, no paraphernalia may be distributed or hung inside polling places. This excludes paraphernalia that was hung before the election days. Violators will be assessed one (1) point per instance.~~

1.7.8 Any party violating campaign finance rules in Article V, Section 1.10–1.13 listed in shall be automatically disqualified.

~~1.10 Candidates for the Senate shall be limited to one hundred dollars (\$100.00) in campaign expenditures. Candidates for President and Vice President shall be limited to five hundred dollars (\$500.00) per slate in campaign expenditures.~~

~~1.10.1 All donations will count towards the stated spending limits.~~

1.8 Candidates are responsible for all campaign funding. No OSA or University funds may be used to campaign.

~~1.11 Costs incurred in collecting evidence for alleging a violation of campaign rules shall be exempted from expenditure limits and reporting requirements.~~

~~1.12 All campaign expenditures for candidates on the ballot and write-in candidates must be reported within one (1) week of the conclusion of the election. Reports must include receipts for all expenditures, one (1) copy of each item of all paraphernalia along with the number of copies produced for distribution, a copy and description of any paid for online or post, and descriptions of expenditures when appropriate.~~

~~1.13 A candidate for the Senate may waive the requirement to report expenditures if they agree to limit themselves to twenty dollars (\$20.00), which must be submitted in writing with the statement of candidacy. This limit may not be exceeded unless he or she rescinds the waiver in writing to the Commissioner. A candidate found to have exceeded this limit after waiving it shall be disqualified.~~

~~1.14 A candidate exceeding the expenditure limits, failing to file a report of expenditures, omitting expenditures from a report, or falsifying a report entirely or in part, shall be disqualified.~~

1.9 A candidate disqualified shall be ineligible to assume office.

ARTICLE V. Elections

Section 1 Regular Elections for the President, Vice President and the Senate

1.1 Shall be held no earlier than the fifth (5th) week of the spring semester and no later than the ninth (9th) week.

1.2 In event of vacancies of the offices of president and vice president, a special election will be held under Article V, -2(B) (2) of the OSA Constitution ~~for the president and vice president held under Article V, -2(B) (2) of the OSA Constitution shall be held at least twenty (20) class days after being called by the Senate.~~

1.3 Elections shall be held over a period of two (2) consecutive and uninterrupted class days. Regular elections shall take place over a Tuesday and Wednesday. ~~The designated polling places shall be inside Reeve Memorial Union Concourse, Polk Library, and Blackhawk Commons.~~ The designated polling place will be inside Reeve Memorial Union Concourse; locations can be added if necessary. The electronic polls shall be open from eight o'clock a.m. (8:00am) Tuesday through eight o'clock p.m. (8:00pm) Tuesday; and from eight o'clock (8:00am) Wednesday, through eight o'clock (8:00pm) Wednesday.

1.4 Polling locations within the polling places shall be staffed at the discretion and availability of the elections commission in accordance with Article V, Section 1.3.

~~1.5 Each candidate may register up to three (3) students as poll watchers at least two (2) class days in advance of the election. Poll watchers may observe the polling places and locations and record any violations, but they may not speak with voters or other poll watchers, and must remain at least ten (10) feet away from the polls at all times.—~~

1.6 No poll worker ~~or watcher~~ may display any paraphernalia while in a building with a polling location. Any poll worker violating these requirements shall be immediately dismissed.

1.7 A voter shall receive a ballot listing all of the offices and referenda he or she is eligible to vote for. A voter may cast one (1) vote for a President and Vice President slate, one (1) vote for or against each referendum question, and one vote for each individual Senator, allowing for up to twenty five (25) Senator votes total. If the previous stated guidelines are not met, and the voter attempts to cast numerous votes for the same candidate, the entire ballot shall be void.

1.8 A voter may write-in a vote for a President and Vice-Presidential slate, but must specify both a President and Vice-Presidential candidate on the designated line to count as a valid vote.

Section 2 Votings

2.1 The Commission shall not review the electronic results of the election until the Commission has considered and, when appropriate, acted upon alleged violations of the campaign rules.

2.2 If there are fewer available seats than candidates, and multiple candidates for the Senate are tied with the fewest votes to elect them to office, the winner(s) shall be chosen by a runoff election held no less than five (5) and no more than nine (9) class days after the conclusion of the original election.

2.2.1 Only those candidates receiving the most votes shall be listed on the ballot, and no

write-in votes shall be accepted. The campaign rules defined in Article IV, Section 1.9 of these bylaws shall apply. ~~and the deadline for reporting financial expenditures defined in Article IV, Section 1.10 of these bylaws shall be extended to 24 hours after the conclusion of the runoff election.~~ If the result of the runoff election is a tie, the winners shall be chosen by a mathematically random method, such as flipping a coin or rolling a die, chosen by the Commissioner.

2.3 If multiple candidates for President and Vice President are tied with an equal number of votes

there shall be a runoff election held no less than five (5) and no more than ~~ten (10)~~ **nine (9)** class days after the conclusion of the original election.

2.3.1 Only those candidates receiving the two (2) equal numbers of total votes shall be listed on the ballot for the runoff, and no write-ins votes shall be accepted. The campaign rules defined in Article IV, Section 1.9 of these bylaws shall apply. ~~, and the deadline for reporting financial expenditures defined in Article IV, Section 1.12 of these bylaws shall be extended to twenty four (24) hours after the conclusion of the runoff election.~~ If the result of the runoff election is a tie determined by an equal number of votes, the winners shall be chosen by a mathematically random method, ~~such as flipping a coin or rolling a die,~~ chosen by the Commissioner.

~~2.4 For the runoff elections, slates shall be limited to \$100 in spending and Senate candidates shall be limited to \$10.~~

2.5 The Commissioner and a majority of the Commission must certify any count of votes before they are released.

2.6 The Commission shall submit a final report for approval by the Senate detailing the number of votes counted for each office and referendum, violations of the campaign rules and actions taken by the Commission as a result, and the results of the election. The report shall be presented to the Senate no later than ~~ten (10) class days~~ **two weeks** following the conclusion of the election.

2.7 The report shall take effect on ~~a date~~ **after the swearing-in ceremony during the first week of May in the month of May chosen by the Elections Commission,** at which time the candidates elected shall take office and the results of the referenda shall be made final. The report shall be accepted by the Senate through a formal resolution.

2.8 The Senate must either adopt the report in its entirety without amendment or refer it with comments back to the Commission. If the Senate refers the report back to the Commission, the Commission shall reconsider it within five (5) class days, taking the Senate's comments under consideration and amending it, if necessary, before re-submitting to the Senate. The Senate must then act on the report within two (2) class days; if it does not reject it by a three-fourths (3/4) vote within that time, it shall be adopted. If the Senate fails to act on the report within ten (10) class days of its initial presentation, it shall be adopted.

2.9 **In the event that the Senate rejects the report of the commission, the report will go back to the Elections Commission.** ~~In the event that the Senate rejects the report of the commission, a special committee shall be formed no more than thirty six (36) hours following the conclusion of the Senate meeting where the report was rejected. The committee shall be chaired by the Elections Commissioner and will consist of six (6) additional members, three (3) members of the elections commission, all selected by the Elections Commissioner, and three (3) senior members of the Senate not running for re-election, to be selected and voted on during the meeting in which the report is rejected. If the Senate does not select members for committee by the conclusion of the Senate meeting, then the report of the commission shall be considered adopted.~~

Section 3 Referenda

3.1 Referenda must be held in conjunction with a regular election.

3.2 All referenda, except those held to ratify proposed amendments to the Constitution, those held as required by University, UW System or Board of Regents policy, and those held as a condition of approval for an action or proposed action by the Oshkosh Student Association, shall be advisory and nonbinding in nature.

3.3 For a referendum to be placed on the ballot, it must either be approved by the Senate and the Assembly at least ten (10) days in advance of the election, or submitted by petition.

3.4 A referendum must be phrased in such a way that a voter may cast a vote in favor of or against it. An action proposed by a referendum must be within the responsibilities or abilities of the Oshkosh Student Association.

3.5 To submit a referendum by petition, a student must submit the proposed question to the Senate at the same time statements of candidacy are due in accordance with Article 3, Section 1.3. ~~The Commissioner~~ the Elections Commission will rule by majority vote within forty-eight (48) hours on whether or not the question is valid; if it is not, it will be returned to the submitter with comments, who will have forty-eight (48) hours to submit a revised question. Once the question is approved, the submitter must collect at least one hundred (100) valid signatures from enrolled students at least one (1) week in advance of the election in order for it to be placed on the ballot. If the question is approved, by the results of the election, the Senate and Assembly shall be required to take up the issue about which the referendum question regards as new business within ~~six (6) meetings~~ within two (2) meetings following the finalization of the results of the referendum.

~~3.6 A referendum regarding membership in an organization assessing a mandatory refundable fee shall be held in accordance with Board of Regents Policy Document 87-3. Any referendum which is required to be held under Policy Document 87-3 shall be held automatically, regardless of whether or not Senate and the Assembly have approved it.~~

Section 4 Adoption and Amendment

4.1 These bylaws shall be adopted upon receiving a two-thirds (2/3) vote of the Senate.

4.2 These bylaws may be amended at any time except between the release of statements of candidacy for an election and the adoption of the report of the Commission for that election by a two-thirds (2/3) vote of the Senate.

The University of Wisconsin Oshkosh Policy # [####] Service and Therapy Animal Policy



Original Issuance Date: MMMM DD,
YYYY Last Revision Date: MMMM DD,
YYYY
Next Review Date: MMMM DD, YYYY

1. PURPOSE

This policy addresses the process under which persons may request the use of service animals and therapy animals as an accommodation in accordance with the rights afforded to persons with disabilities under the University policy, state and federal law. UW Oshkosh will accommodate those individuals as outlined below, while simultaneously being mindful of the health and safety interests of its general campus community and complying with Wisconsin Policy Chapter 18: *Conduct on University Lands*.

Although this document is a single policy by definition, it is divided into two specific sections addressing each animal policy separately: Service Animals and Therapy Animals.

2. RESPONSIBLE OFFICER

Dr. Cheryl Green, Vice Chancellor for Student Affairs

3. SCOPE

This policy applies to faculty, staff, students, and visitors on all UW Oshkosh owned and operated grounds during and after normal business hours.

4. BACKGROUND

This policy is intended to protect the rights of students, staff, faculty, and visitors at UW Oshkosh who utilize a service animal, outline responsibilities for all involved, set parameters for the use of therapy animals, and ensure the welfare of the animals involved.

5. DEFINITIONS

- 1. Reasonable Accommodation** - Reasonable accommodation is a modification to a campus policy, procedure, or environment that will allow a person with a disability to perform the essential duties and functions of their position or allow a person to participate in the academic programs of the campus (including classes, housing,

university events, and activities).

2. Service Animal - A service animal is an animal individually trained to do work or perform tasks for the benefit of an individual with a disability. Species of animals that may be service animals are dogs and miniature horses. Other animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.

3. Therapy Animal - Therapy dogs are trained and certified by qualified handlers who use the dogs to provide comfort and companionship to others in a way that increases emotional well-being and improves quality of life by sharing the animal with students, faculty, and staff of the University.

6. POLICY STATEMENT

1. Service Animals

- a. This section addresses the use of service animals by persons with disabilities on the UW Oshkosh campus and presents a standard of behavior for the animal. This section applies to an individual with a disability who requires the use of a service animal during their employment or to enjoy access and participation in an academic program, activity, or event. This policy also applies to service animal trainers and service animals in training.
- b. When it is not obvious what service an animal provides, only two questions may be asked of the handler by the university:
 - Is the service animal required because of a disability, and
 - What work or task has the dog been trained to perform.
- c. University property/buildings where service animals are allowed
 - For individuals and visitors who are not employees or students on campus, service animals will be permitted at campus locations which are generally open to the public, such as the student center, restroom facilities, common areas and recreational facilities (when not restricted by a pass, permit or ticket). For individuals with disabilities who are either employees or students, service animals will be permitted at campus locations where staff or students are allowed access for purposes of employment or academic matters, such as general classrooms, offices, residence halls, and assembly areas.
- d. University property/buildings where service animals may be prohibited
 - Service animals may be prohibited in the following locations: mechanical rooms, utility rooms, animal research facilities, food preparation areas, laboratories, shops, or studios with hazardous activities. Service animals may also be prohibited where the presence of a service animal would be inappropriate or disruptive to the learning activity.
- e. Responsibilities of the Handler
 - Meet with the Accessibility Center (if student) or the ADA Coordinator (if employee) to discuss equal access and participation, work environment, educational programs, or working conditions on campus.

- Be in control of the animal at all times.
- Have a harness , leash or other tether unless:
 - Handler is unable because of a disability to use the mechanisms or
 - Mechanisms would interfere with the service animal's work or tasks
- Ensure all animal care needs are met and all public health and safety concerns addressed properly; Maintain animal health, hygiene and vaccination.
- Ensure all required state and municipal license requirements (including vaccination) are met.
- Ensure the immediate clean-up and disposal of animal waste.
- Make prior arrangements for a person to take custody of the service animal in the event of a handler emergency.

f. Responsibility of the University

- A reasonable location for the animal to toilet and the animal's toilet area free from obstructions (snow, branches, etc.).
- Faculty and staff will contact the Accessibility Center if they have concerns over the use of a service animal in a particular classroom or other course-related setting or location.
- An identified alternate handler be contacted in the case of an emergency.

g. Service Animals in Training

- Wisconsin Statutes chapter 106.52 provides for individuals to be able to have service animals in public places when the animals are in training. If these animals are being trained by an individual who is not using the service animal for their own personal disability, or the future use of a faculty/staff/student, the training service animal is not allowed in classrooms, residence halls, or other non public areas. Questions should be addressed to the Office of Equal Opportunity and Access for faculty and staff and to Dean of Students Office for students.

h. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

2. Therapy Animals

a. For the purposes of this University, the only therapy animals approved are canines. This Section applies only to dogs certified through Therapy Dogs International (TDI), or an equivalent organization. Therapy dogs are trained and

certified by qualified handlers who use the dogs to provide comfort and companionship to others by sharing the animal with students, faculty, and staff of the University. This is done in a way that increases emotional well-being and improves the quality of life for the people being visited. For the purpose of this policy, therapy dogs are not defined as service dogs or assistance animals.

b. Therapy Dog Requirements

- Therapy dogs on the UW Oshkosh campus must be registered with Therapy Dogs International (TDI) or an equivalent organization and be in good standing with that organization and comply with identification requirements as applicable. All therapy dogs must meet health requirements as required by their registered organization. Because the registration through TDI requires these documents, the University does not need additional documentation. Therapy dogs must comply with all provisions under this section.

c. Rules applied to Therapy Dog visits

- All therapy dogs require advanced review and approval from the Risk Management Office.
- Therapy dogs are only allowed in commons areas/entrances of University buildings, and possibly in other specified areas (such as a classroom) with advanced approval and are required to have authorization and approval for the visit.
- Therapy dog visits are not allowed in food preparation areas, laboratories, or research areas where the animal is in potential danger of any form of contamination.
- Therapy dogs are not allowed in classes unless all requirements are met, including but not limited to:
 - The class professor has approved the visit in advance.
 - That class's subject matter pertains directly to the study of therapy dogs and their work.
 - The dog and handler are not disruptive to the learning environment.
- During visits, handlers are expected to protect works made by students, faculty, staff, and the general public wherever those works are on display and could be damaged.
- University employees who act as handlers during a therapy dog visit, must do so at times completely separate from any other University-related work. While the dog and handler are on campus, the handler's sole responsibility is to the therapy dog work.
- Handlers are allowed to bring personal items to an office/designated area for storage during a therapy dog visit, but are not allowed to leave the dog alone in an office/designated area. Further, handlers may not keep the dog as a companion in

their office during University-related work time on the day of the visit.

- Handlers must keep the dogs on leash and under control at all times.
- Any pet waste deposited on university lands shall be removed and properly disposed of by the handler.

d. Exemption: The Counseling Center maintains a separate, pre-approved therapy dog program. Contact the Counseling Center for more information. Any other request for approval of a therapy animal must be routed through the Risk Management Office and the Institutional Animal Care and Use Committee (IACUC) for advanced review.

3. Liability and Insurance

a. The handler shall be responsible for all liability and claims and insurance related to the service or therapy animal. UW Oshkosh/State of Wisconsin provides no indemnification to the animal, handler, or resident using the animal. UW Oshkosh/State of Wisconsin provides no personal property insurance coverage. Any events involving animals on campus require consultation with Risk Management and the Institutional Animal Care and Use Committee (IACUC) prior to approval.

7. REFERENCES

Fair Housing Act (42 U.S.C. Part 3604);
Titles I and II of the Americans with Disabilities Act, as amended, Section 504 of the Rehabilitation Act of 1973;
Wis. Stat § 106.52(3)(am);
Wisconsin Policy Chapter 18: Conduct on University Lands

8. PROCEDURES

1. Removal of Service or Therapy Animal

- a. If a person has a dispute, disagreement or complaint as to a service or therapy animal or its handler/owner under this policy, or said person suspects or has observed animal abuse or neglect of an animal, the Dean of Students Office (for students) and the Office of Equal Opportunity and Access (for staff) should be contacted immediately for appropriate action.
- b. The University may require a service or therapy animal to be removed from a UW Oshkosh facility for the following reasons, including but not limited to:
- The animal's behavior is aggressive in nature.
 - The handler is unable or unwilling to maintain proper control over the animal.
 - The animal's presence creates a significant hazard to the academic, workplace, or residential environment.

- The animal's presence fundamentally alters or is disruptive to the workplace, education program, or residential or learning environment.
- The animal poses a direct threat to the health or safety of others.
- The animal is not properly housebroken.