Call to Order
Chair Crayton called the meeting to order at 8:00 PM.

Attendance
The following members were present: Brittany Clark, Andrew Clark, Nish Patel, Chris Woodward, Peter McClelland (Vice Chair), and Travis Crayton (Chair).

The following members were absent: Laura Brush, Brad Dunnagan, Austin Gilmore, and John Guzek.

The following members were late: Will Stelpflug.

The following persons were also present: Speaker Comparato and Speaker Pro Tempore Brady.

New Business
Chair Woodward motioned to reorder the agenda to do resolution first.

Seconded.

Consent was called.

Resolutions

SCR-94-217 A RESOLUTION TO AMEND THE STANDING RULES OF CONGRESS FOR PURPOSE OF ETHICS REFORM

Chair Woodward said the purpose was to move this information from the standing rules to the ethics laws. He said it makes more sense in Title II.

Vice Chair McClelland moved to report favorably.

Seconded.

Consent was called.

Bills
SCB-94-216 A BILL TO UPDATE THE ETHICS LAWS OF STUDENT CONGRESS

Chair Woodward said that these laws in the student code have not been updated in a long time. He said multiple parts were ambiguous and contradicting because some parts were amended and others were not. He scrolled through the entire updated document. He said the first part consisted of what the Ethics committee does and the power it has. He said he clarified who was part of the committee, including the Chair and a returning member of Congress. He said if the Ethics Chair were under investigation, it would go to the most senior returning member of Congress. He said he changed member to representative throughout the document. He said he also clarified what a complaint was and said the Ethics Chair was able to evaluate a true compliant. He said he added some ways to bypass the Ethics Chair and go to the committee if it was serious enough and three or more people were complaining. He said he did not update the powers as much but changed some of the wording. He said when the Ethics Chair made a full report to Congress, motions would be voted on after it and it would be debatable. He said there would be debate if someone were being removed from Congress. He made an amendment to make it a resolution. He explained the clause of expectations and emphasized that they were only expectations. He said it was reasonable to have outlined expectations. He said it was important regardless of whom they were talking to because they were representatives of the University.

Speaker Comparato said it was a reminder to people to watch what they post on social media because people were always watching. She said NC State’s senate was a lot stricter with computers and social media.

Chair Woodward said that representatives must have good academic standing and be free of academic probation. He said this was easy to enforce and that he talked to the program coordinator at the Office of Student Conduct and asked if they could send a roster so no FERPA protected information would be given to other students. He said they did not agree with that because of the risks. He said they recommended holding representatives to the honor code. He said it was something they could consider more in the future. He said he wanted to set a good groundwork for being cognizant about using forms of social media. He said it was part of the expectations and that it could be grounds for investigation if people were complaining about being slandered online. He said social media was a public forum. He said for organizational membership, they took out the standing rules with some minor amendments. He said he added a clause on a representative’s duty to notify the Ethics Chair. He said it was important to update the Ethics Chair every semester. He said they added some accountability to reporting to constituencies by having a bi-annual report sent to the Ethics Chair and a meeting with the Ethics committee. He said it was not unreasonable to ask for some proof and hold the representative accountable. He said proof district would have to be given by the first full Congress after being elected in a special election or 72 hours after inaugurated in the general election. He said he didn’t change anything about the attendance requirement. For article II, he added onto the words malfeasance and misfeasance because they did not previously do a good job of defining them. He said they now encompassed every part of what they represent. He said he added a part about sexual or verbal harassment that was under the University’s policy, which would include a recommendation from the Ethics Committee to the Honor Court. He said he did his best to define what would happen in the Ethics Committee meeting and added more
checks and balances against the Ethics Chair. He said all the other parts dealt with scheduling and a motion/dismissal from Ethics unless supporting documentation was presented. He said he added a middle point between suspension and expulsion that would be effective immediately upon passage by Congress. He said he saw it as important to maintain order. He said the only question was whether it was a resolution and if it had to be signed.

Speaker Pro Tempore Brady said everything else has to be signed for consistency.

Speaker Comparato said it would open up a more awkward debate and that it would not send the right message.

Chair Woodward said they have done it in the past.

Speaker Comparato said it could be done provisionally during the meeting.

Chair Crayton said once it was passed as a resolution, it would be done with or without a signature. He said it was clear as it was.

Speaker Pro Tempore Brady said they have set up the precedent for the referendum and that they shouldn’t change the rules based on what they have already done.

Chair Woodward said it could be up to the presiding officer. He talked about how some information was limited. He said the last two parts were quick amendments to Title XI about vacancies and bolstering the election candidates.

Speaker Pro Tempore Brady said he wanted to amend section 5 to make it say it would be effect on April 3rd, 2013.

Chair Woodward accepted as a friendly amendment.

Speaker Pro Tempore Brady said for section 514, B, he requested that this requirement be mandatory and shall include the request of member of Congress as well as take everything else out. He said they shouldn’t limit it to just committee chairs and committees. He said it should be accessible to anyone elected.

Chair Woodward said he would accept it as friendly because any representative should be able to investigate something.

Speaker Comparato said it was fine.

Chair Woodward said it would be clearer.

Speaker Pro Tempore asked why the open meeting laws in Section 208 were taken out.

Chair Woodward said the purpose was stated in the standing rules. He said it was all defined in the final actions. He said he was defining it in other places and it was an old version that didn’t make sense.
Speaker Pro Tempore Brady said that was what he thought but it was still a question.

Chair Woodward said they could find a place to put it if needed.

Speaker Pro Tempore Brady said to take out always as a clerical error for Section 511, D.

Chair Woodward accepted as a friendly amendment.

Speaker Pro Tempore Brady said he was confused in E too because of the honor code. He said he didn’t feel comfortable with this and that it went farther than they needed. He moved to strike it.

Representative Clark said she liked Chair Woodward’s explanation more.

Chair Woodward said he agreed that the Honor Code already defines it but this would make it specifically pertain to Congress because they could see when someone would feel intimidated or harassed because they weren’t on one side of the legislation.

Speaker Comparato said it was necessary to state this occurrence happening in another part of the code. She said he has happened and the purpose was to make it easier for the Ethics committee to discuss things. She said the definitions now were vague and this section was necessary.

Speaker Pro Tempore Brady said he was going to leave it as an amendment. He said he originally wanted to strike D and E because he didn’t think it was their job. He said this was taking it back to being political and giving the Ethics committee the authority to decide whether someone was being harassed or intimidated. He said that wasn’t in their jurisdiction and it was up to the Honor Court.

Chair Woodward said he agreed.

Speaker Comparato did not agree.

Chair Woodward said D needed to stay.

Speaker Pro Tempore Brady said D would be okay. He said he appreciated the reasoning behind it but didn’t think the Honor Code pertained strictly to Congress.

His motion was seconded.

Speaker Comparato said she understood where this was coming from. She said it was saying that if people were doing or saying inappropriate things, it should be discussed in the Ethics committee. She said it doesn’t harm anyone and that it would have to go through Congress also. She said people would feel better if they know they could not be harassed or victimized so they wouldn’t have to worry about voting or abstaining.

Vice Chair McClelland motioned to vote on the amendment.
Seconded.

Consent was called.

The ays had it with a no from Representative Patel and abstention from Chair Woodward.

Vice Chair McClelland said the expectations in section 500 was a separate debate. He said they should divide it and make it it’s own bill.

Chair Woodward said they could put it in a different article.

Speaker Pro Tempore Brady said his concern was that they do not agree with this part of the bill. He said they would rather take this section out and pass everything else favorably instead of voting against the bill because they do not like one section.

Vice Chair McClelland said it should be voted on separately.

Representative Clark said her concern was that if they were separated, people wouldn’t know where to look.

Chair Woodward said it would just be a separate bill to approve.

Speaker Pro Tempore Brady said it was just to divide the question.

Vice Chair McClelland moved to the previous question.

Seconded.

Consent was called.

Representative Clark objected.

After voting, the ays had it with a no from Representative Clark and the bill was divided.

Representative Stelpflug said he has been working with Representative Root to define meetings more clearly. He agreed that they should remove the open meetings clause and it was best if they simply deferred it.

Speaker Pro Tempore Brady wanted to amend line 103 in Section 501, A that would make it one year instead of 6 months. He said it would be more fluid.

Chair Woodward accepted it as a friendly amendment if it was in the prohibition section.

Speaker Comparato said it shouldn’t be easier.

Chair Crayton said Section C addressed his concerns.
Speaker Pro Tempore Brady said he felt more comfortable for one year because they could come into Congress and vote in the first full Congress.

Chair Woodward said there was a section for prohibition to say 6 months.

Speaker Pro Tempore supported making that one year also.

Chair Woodward accepted both changes as friendly amendments.

Speaker Pro Tempore Brady said he did this because it keeps people from voting on organizations they have been on in the last year. He said it keeps them from taking it out on them and gives time for a fresh perspective.

Representative Stelpflug said the prohibition section lists organizations that do not require them to abstain. He asked what everyone thought of making the executive branch part of that. He said they seemed very large and diverse.

Chair Woodward said the others meant hat if you vote for them, you would gain personally. He said for executive branch, they wouldn’t gain personal items by voting yes.

Representative Stelpflug asked if it was listed because it was so large and diverse.

Speaker Pro Tempore Brady said they did not fund themselves unless to pay clerks or themselves. He said fees funded all other groups. He said the executive branch was not necessary to put in.

Chair Woodward said it benefited of other students.

Speaker Pro Tempore said there wasn’t any personal gain involved for what they asked for.

Representative Stelpflug said it was a good argument and that it function effectively as it.

Representative Clark asked about section 522 D.

Chair Woodward said that was the way it is said in the Instrument of Student Governance.

Representative Clark asked if the open meeting law was in there.

Chair Woodward said it was a specific part of the meetings law in reference to public meetings.

Speaker Pro Tempore Brady asked if the retreat would fall into this category and if they would be open to this.

Chair Woodward said it was part of their listserv and not closing off meetings.

Speaker Comparato said they had a nice cop hanging out with them at the retreat.
Vice Chair McClelland moved to report favorably.

Speaker Pro Tempore Brady said he had one more question.

Vice Chair McClelland withdrew his motion.

Speaker Pro Tempore Brady said he was good.

Representative Clark asked about the 2/3rd majority and asked if that was part of the Ethics committee.

Chair Woodward said it would take a majority of Ethics to make a recommendation and it would be voted on in Congress by 2/3rd.

Speaker Pro Tempore Brady moved to report favorably.

Seconded.

Consent was called.

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Chair Crayton said he was going to place it on general orders and they would discuss it.

Chair Woodward said this would be contentious. He said he wanted to emphasize that they were only expectations but that they needed to have accountability for each other. He said they could add stuff and talk about the social media but that it needs to be in there.

Speaker Pro Tempore said he agreed that should be some type of expectations. He said he has spoken to legal services and the school of government and they told him that “should” could never be legal. He said it should be a code of conduct that people sign that is not legally binding.

Chair Woodward said part of it was in the oath. He said they were expectations.

Speaker Pro Tempore Brady said expectations could not be legally binding.

Chair Woodward said that it doesn’t mean it can’t be codified.

Speaker Pro Tempore Brady said it was acknowledging that there is no way to uphold them. He said it allows members of Congress to decide what they do and do not want to do and it was a matter of opinion. He asked Speaker Comparato about NC State’s law and asked where it was.

Speaker Comparato said it was done at the beginning of the year that dealt with social media and not allowing members to use a computer during meetings.
Chair Woodward said he understood that they weren’t enforceable but it was a code of conduct and it should be codified. He said it was fine to change it to the code of conduct and amend it now. He said he understood where the legal services were coming but that they were protecting the interests of the University and restating the Oath of Office. He said he understood the social media qualms but that many people saw their social media pages. He said it didn’t mean people were going to be watching what others tweet.

Speaker Pro Tempore said it was open to discussion and that they call in trolling on the internet. He said they should outline standards. He said it was not setting them up for success and they should not tell people to watch what they tweet. He said social media was the freedom of expression and that he disagreed with them.

Chair Woodward said this was not what it was saying.

Speaker Pro Tempore Brady said he did not believe in a social media policy. He said a lot of times; people have a personal and professional twitter account.

Chair Woodward said there was nothing wrong with that.

Speaker Pro Tempore Brady said he didn’t believe they have the authority to do this and that it would be easy to file a lawsuit.

Chair Woodward asked what would happen if a representative if they made a racist comment.

Speaker Pro Tempore asked if it was on Twitter/Facebook.

Chair Woodward said yes.

Vice Chair McClelland said they would be impeached.

Speaker Pro Tempore Brady said they did not set up people for success when they had a disclaimer. He said his tweets were his own. He said my limiting people online; it was opening themselves up to way too much especially in a divisive body. He said it should be a guess and check. He said it was not helpful.

Chair Crayton said they should be more cognizant of time.

Vice Chair McClelland motioned to limit 2 minutes to each representative to talk.

Seconded.

Consent was called.

Representative Stelpflug said he agreed that it would be stronger if it was a code of conduct and motioned to change that.

Chair Woodward accepted it as a friendly amendment.
Representative Stelpflug moved to strike clause 5 because they made it clear in clause 1 to conduct themselves in a professional manner including the forum of social media. He said it was making social media an exception when it wasn’t. He said it was open to the public without it being more explicitly said.

Seconded.

Consent was called.

Representative Clark said that number 5 is pretty much covered by number one.

Chair Woodward abstained from the vote.

Vice Chair McClelland said he has real problem with this because it was private. He talked about his various social media accounts. He said he was not comforting with suggesting they should act a certain way and self-censorship. He said he did not support any part of this bill.

Representative Clark asked if they could report it if someone said something rude on twitter.

Chair Woodward said there was confusion on what would constitute on what would make it to the Ethics committee. He said the purpose was if someone was slandering or saying something really harsh and preventing it from reaching Congress. He said it wasn’t there just to accuse people.

Representative Clark said by reducing this, they weren’t trusting the committee to do their job. She said this was for future Congress member so they would know what is acceptable and what is not unacceptable.

Speaker Comparato said she agreed with Chair Woodward and that if an employee posted about how much they hate their job or co-workers, they would be fired. She said social media wasn’t the problem.

Vice Chair McClelland moved to report unfavorably.

Seconded.

There were objections.

Representative Stelpflug said they should have some code of conduct defined. He said they could withdraw the bill and clarify the expectations. He said this was a good start. He said they should report without prejudice and have full Congress discuss it.

Speaker Pro Tempore Brady motioned to adjourn.

Chair Crayton said that was out of order because they were in debate on a motion.
Speaker Pro Tempore Brady said he would support reporting it unfavorably because there was a lot more discussion to be had. He said he would be willing to bet that this stems from one particular tweet a certain representative sent.

Representative Clark interrupted.

Chair Crayton said Speaker Pro Tempore Brady had the floor.

Speaker Pro Tempore Brady said it was a tweet he tweeted about being disappointed in another representative, which happens every day of the week.

Speaker Comparato said something and Chair Crayton said it was out of order.

Chair Woodward said he understood and that it was reasonable but he said they had to have a code of conduct. He said they should report it without prejudice and let it stay in the system. He said they could talk about it.

Speaker Comparato said this was something her and Chair Woodward have been working on for over a month. She said withdrawing the bill would be dropping the conversation. She said they would have a full of discussion see other perspectives.

Vice Chair McClelland said he would not sign a code of conduct. He said they should take the social media part out.

Chair Crayton said they were still discussing the motion still.

Speaker Pro Tempore Brady withdrew the second on his motion.

Chair Woodward said there are some things they need to work on. He said it should be passed without prejudice to discuss. He motioned to report with prejudice.

Seconded.

There were objections.

Vice Chair McClelland said he would vote on anything dealing with free speech issues.

Speaker Pro Tempore Brady agreed and said it was not ready for debate in Congress or this committee since they were missing 3 members.

Chair Crayton said they were missing 4 members.

Speaker Pro Tempore Brady said he would love to vote for something that he is proud of but not for a bill that tells members what they can do online. He said that was not why they were here. He said withdrawing it would be the most respectful thing to do for missing committee members. He said it was more effective if they had more people.
Representative Stelpflug said they should report without prejudice because other committee members couldn’t offer their opinions. He said it could be amended.

Representative Clark moved to the previous question.

Seconded

Consent was called.

After voting, the ays had it with a no from Vice Chair McClelland. The bill was reported without prejudice.

Chair Woodward said he was willing to make amendments.

Speaker Pro Tempore Brady said he better tweet it up while he can.

**Announcements**

Chair Comparato said there would be a dialogue on sexual assault at 6 PM on Valentine’s Day.

**Adjournment**

Speaker Pro Tempore Brady motioned to adjourn.

Seconded.

Consent was called.

The meeting was adjourned at 9:30 PM.