

Chief Justice Dwayne Crenshaw  
SGA Supreme Court  
[Djcrensh@uno.edu](mailto:Djcrensh@uno.edu)

September 26, 2022

Dear Chief Justice Crenshaw,

This letter serves as my response to the Protest of the Decision made by the UNO Student Government Association (SGA) Supreme Court regarding case number 122-1. The petition filed by Aaron Jordan requested a full court hearing because he alleged that the SGA did not follow the required protocol during an appointment decision. The SGA Supreme Court denied the petitioner's request for a full hearing.

In his petition, Aaron Jordan argued that the agenda for the SGA meeting was not posted on the SGA website and the petitioner was only provided one day notice that his appointment was placed on the agenda. The petitioner also argues that Vice President for Legislative Affairs (VPLA) Hinnawi stopped questioning without providing senators the opportunity to extend the questioning period. The petitioner also states that the SGA Senate went into executive session, requiring non-Senators to leave the room, to discuss the petitioner's appointment and the vote on the appointment took place during the executive session.

Upon review of the petition, the SGA Supreme Court argued that SGA has very little control over publishing of the agenda and minutes on the UNO website and therefore the petitioner's argument related to the agenda was not relevant. The Chief Justice's ruling says that SGA "laws also don't require the legislative branch to post [the agenda or minutes] immediately." My review of the Open Meetings law and of the [Louisiana Legislative Auditor Open Meetings Law FAQ](#) found that the SGA is held to the Open Meetings Law and therefore must give notice of their meetings and the agenda for each meeting at least 24 hours prior to each meeting (pp. 10-11). Petitioner Jordan states in his petition that he was notified on August 30, 2022 that his nomination would be on the senate agenda for August 31, 2022. There is not enough information in the case file for me to determine whether the petitioner was provided 24 hours' notice, nor is there enough information for me to determine whether the agenda and meeting notice were posted at the SGA office at least 24 hours prior to the August 31, 2022 meeting. However, it is clear that, going forward, SGA must ensure that the agenda and meeting notice is posted at least 24 hours in advance of each meeting as required by the Louisiana Open Meetings Law.

Next, I reviewed the transcript of the August 31, 2022 meeting to assess the petitioner's claim that the VPLA stopped the questioning without providing senators the opportunity to extend the questioning period. I reviewed the transcript of the meeting and it is clear

that time ran out for questions, but VPLA Hinnawi allowed Senator Carbo to finish his question and then allowed the petitioner to respond to that question. Time had run out and VPLA Hinnawi should have ended questioning there. Had a senator wanted to extend time to allow Senator Carbo to continue his question, that should have been allowed. However, the record does not reflect any motions to extend time, nor did any senators object when VPLA Hinnawi moved on once the petitioner finished his response to Senator Carbo's question. Robert's rules allow for senators to object and since that did not happen, I can only conclude that the senate had no further questions for the petitioner at that time.

Finally, the petitioner objects to the SGA entering executive session to debate and vote on his nomination. The SGA Supreme Court ruled that the senate ended executive session when a motion to vote was made. On this point, I disagree with the SGA Supreme Court. Roberts Rules requires a motion, a second, and a vote to begin and end an executive session. In the case of the SGA meeting on August 31, 2022, there was a motion, a second and a majority vote to enter executive session, however, there was no motion, second, or vote to end executive session. At 25:59 in the transcript of the meeting, VPLA Hinnawi says, "Does anyone else rise in opposition? All right. Motion to vote by show of hands." That motion received a second, then a vote. Based on this order of events, I have concluded that the senate did vote while in executive session.

In his ruling on the petition, Chief Justice Crenshaw argues that the SGA is able to make their own rules and procedures that meet the needs of the university and the students. While this is mostly true, SGA is also held to state law in certain areas, such as the Open Meetings Law.

Louisiana state law (RS 42.16) requires that the student government association, as a policy making and advisory body to a public institution, hold meetings that are open to the public. Further, "No final or binding action shall be taken during an executive session." The law also stipulates, "However, nothing in this Paragraph shall permit an executive session for discussion of the appointment of a person to a public body..."

The [SGA Court Rules and Procedures](#) outlines the process of protesting a decision made by the Supreme Court, which allows an individual to submit a protest for review by the Dean of Students. The only guidance provided by the Rules and Procedures is copied below.

*The Dean of Student Life, through a written opinion, may order a rehearing. Said opinion shall be forwarded to the Chief Justice or Presiding Justice (in the absence of the Chief Justice).*

*c. If a rehearing is ordered by the Dean of Student Life, there will only be one rehearing. The date and time of the Hearing shall be set by the Court in consultation with the Dean of Student Life. This rehearing shall occur within ten (10) school days of the order for the rehearing, and shall follow the Rules and Procedures as set forth herein.*

Unfortunately, these procedures are insufficient in this case since I may only order a rehearing. Since a hearing was not held, a rehearing is not appropriate. The rules are silent on what the Dean may do in cases in which a hearing was not held; therefore, I am requiring the SGA Senate to conduct a new appointment process that will meet the necessary state law requirements:

- A notice of the meeting and agenda must be posted at least 24 hours in advance of the meeting.
- The meeting must be open to the public.
- The senate cannot enter executive session for any official business related to the appointment.
- The vote must be public and cannot be by secret ballot ([Open Public Meetings Law FAQ](#), p. 15).

This notice serves as an educational opportunity for the SGA Senate to review the Open Public Meetings Law to ensure that their behavior complies with these legal requirements in the future. I am copying the SGA President, VPLA, and SGA Advisors on this response to ensure that all are aware of their responsibilities according to Louisiana state law.

I welcome any questions you all may have about this decision and the relevant statutes.

Sincerely,

Carolyn Golz Ph.D.  
Dean of Students

Cc: Ms. Tiffany Courseault, SGA Advisor  
Mr. Todd Gitlin, SGA Advisor  
Mr. Angelo Charles, SGA President  
Ms. Azizah Hinnawi, SGA VPLA  
Mr. Aaron Jordan, petitioner