



## **ADVISORY OPINION**

### **RECORDING OF SENATE SESSIONS**

January 28, 2025

#### **Introduction**

This advisory opinion is issued by the Student Judicial Court (SJC) of the Undergraduate Student Government (USG) at the University of Iowa in response to an inquiry about a bylaw violation relating to the recording of Senate Sessions. This opinion aims to evaluate the constitutional and procedural implications of this noncompliance and provide recommendations to address the issue.

#### **Background**

The Student Judicial Court received a request on Monday, January 13<sup>th</sup> at 8:25 pm via Engage to review the Bylaws concerning one of the Director of Public Relations' outlined responsibilities. The request detailed concerns regarding the issue of Senate meetings not being recorded as required in the USG Governing Documents. Considering this request, the Student Judicial Court reviewed the Undergraduate Student Government Constitution and Undergraduate Student Government Legislative and Executive Bylaws. The Student Judicial Court decided upon review to issue a recommendation for by-law change to the Internal Affairs Chair and Committee.

#### **Issue Presented**

In accordance with the Executive and Legislative Bylaws, Article III, Section D, Subsection 5, Sub-subsection 4, the Director of Public Relations has been stated to have not fulfilled their responsibility of video recording the events within the Senate. The lack of compliance raises concerns about executive transparency and inadequate review of bylaw requirements within the Internal Affairs Committee.

#### **Analysis and Findings**

SJC has compiled all relevant policies, bylaws, and regulations regarding the requirement that the Director of Public Relations record, optimize, upload, and archive USG Senate meetings and other notable events. These statements address concerns of the Executive Bylaws violation and current limitations posed by the resources of the Undergraduate Student Government.

On the issue of recording Senate Meetings and other pertinent events, the Executive Bylaws currently state that the responsibility falls upon the Director of Public Relations, under Article III, Section D, Sub-section 5, sub-subsection a:

“The Director of Public Relations shall be responsible for handling or delegating the following:

iv) Recording, optimizing, uploading, and archiving footage of the USG weekly senate meetings, as well as any other important USG events denoted by USG leadership, in conjunction with the IT team of the Iowa Memorial Union and the Speaker of the Senate. This footage shall include a plain view of the senate and clear audio, as well as including accurate closed captioning.”

The Executive Bylaws clearly outline the expectations and workflow to carry out this requirement. However, after reviewing the SharePoint and other USG social media platforms, it became clear that the entity of USG has not recorded or published any meeting since the passing of the 2022-2023 SSB18, referred to as the “Transparency and Accountability Bill.”

Additionally, the Transparency and Accountability Bill reads:

“Therefore, any additional expenses incurred by the use of new technology and/or additional compensation for the IT team of the IMU shall be considered by the senate at a later date and in a separate piece of legislation, no earlier than the 2023-2024 administration.”

SJC finds that the 2023-2024 USG administration failed to instate and fund these changes, leaving the directive unfulfilled. Seeing as this administration is out of office, SJC is unable to review the reasoning behind the lack of implementation and responsibility to enforce these changes now falls upon the current Senate Administration. Without this funding or structural support, the Director of Public Relations has been unable to execute this responsibility as outlined in the bylaws. This failure directly affects the role of the Director by creating an expectation without providing the resources or institutional backing needed to carry it out effectively. The decision to pursue and fund these changes remains in the Senate.

## **Conclusion**

SJC has determined that the Director of Public Relations is in violation of Article III, Section D, Subsection 5, Sub-subsection 4 of the USG Executive Bylaws. The failure to record, upload, and archive footage of weekly Senate meetings and other important USG events is directly in violation with the requirements outlined in the Executive Bylaws.

However, SJC acknowledges that the necessity for such records may have been more pressing in prior years, particularly due to the 2020 pandemic and its aftermath. Additionally, this failure does not appear to be intentional but rather a consequence of logistical and structural constraints within

USG. The lack of financial support and operational resources from the 2023-2024 administration has left the Director of Public Relations without the means to fulfill this obligation effectively. Without intervention, this issue will continue to create an unrealistic expectation for the role, making future compliance unfeasible.

## **Recommendations**

SJC recommends that the Senate amends Article III, Section D, Subsection 5, Sub-subsection 4 to reflect the current operational limitations while maintaining the intent of transparency and accessibility. Section C, Subsection 2, Sub-subsection b of the Executive and Legislative Bylaws states:

“The Speaker Pro Temp shall ensure that all minutes of Legislative and Executive Branch meetings are maintained and made available.”

These notes are already publicly accessible on the USG website fulfilling the goal of transparency that the recorded videos were intended to provide. However, to further enhance student engagement and awareness of USG in a clear and concise format, SJC recommends that an abbreviated version of the Senate Minutes be posted each week to USG social media platforms and/or website to increase student awareness of USG decisions.

Additionally, the Internal Affairs Committee should conduct quarterly reviews of active bylaws and bylaw adherence. This process could also identify areas where bylaws may be impractical or outdated, allowing for necessary adjustments. The Senate may also consider implementing a standardized reporting mechanism for these reviews to ensure accountability and track progress over time.

## **Limitations**

This advisory opinion strictly addresses the issue of compliance with Article III, Section D, Subsection 5, Sub-subsection 4 of the USG Executive Bylaws regarding recording and archiving of Senate meetings. It does not extend to broader discussions on USG transparency policies, public access to government proceedings, or the overall accessibility of USG operations.

This opinion is based on current resource constraints as reported by Senate and Executive leadership. If additional resources become available or alternative solutions are proposed, further review may be necessary to reassess compliance feasibility.

## **Compliance Statement**

This advisory opinion was issued in accordance with the governing documents and procedures of the University of Iowa's Undergraduate Student Government (USG) and the Student Judicial Court

(SJC). All relevant provisions of the USG Constitution and Bylaws, as well as the established procedures of the SJC, were followed in the issuance of this opinion.

Please note that this advisory opinion is non-binding but serves as guidance for decision-making purposes within the Undergraduate Student Government at the University of Iowa. For further assistance or clarification, please contact the Chief Justice Faith Briones.

Thank you,

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