



Court Order 2223-004

Order in the Matter of: Defining Undergraduate in Student Government Association Governing Documents

Description of Court Order

Petition Number:

2223-007

Petition Filed: Thursday, March 16, 2023

Order Handed Down: Saturday, March 18, 2023

Court Action:

In the matter of Petition 2223-007, the Butler University Student Body Supreme Court provides the following summary judgment. The current precedent of this Court is hereby reversed and the term “undergraduate” within any Student Government Association governing document shall refer to any student that has “UGRD” as their career in the Registration and Records database and pays the student activity fee. The Election Oversight Commission’s candidate approval for the Spring 2023 election stands.

Reasoning:

According to the Constitution, the Student Government Association is designed to serve the undergraduate population of Butler University. In January of 2022, the Student Body Supreme Court discussed a question regarding the exact definition of an undergraduate student and unanimously decided on “a student who is eligible to receive traditional undergraduate federal and Butler financial aid.” The Court received petition 2223-007 on March 16, 2023, which used this definition to question the Election Oversight Commission’s approval of a candidate for the Spring 2023 election. In determining the validity of this petition, the Court examined SGA governing documents, meeting minutes from the 2021-2022 Court, information from Butler’s Office of Financial Aid, and

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information from Butler’s Office of Registration and Records. The Court found it paramount to overturn the previous definition of undergraduate because it did not adequately cover the entire undergraduate student body. The problem the Court found is that many undergraduate students receive only Butler financial aid and do not receive federal financial aid. According to the Office of Financial Aid, “International, undocumented, DACA, and other students not eligible for federal financial aid via the FAFSA may receive full consideration for all Butler Gift Programs below except Butler Tuition Guarantee and the Butler University Grant.” Under the previous definition, SGA unfairly excluded any international, undocumented, or DACA students from participation in the organization and its election process. This standard directly contradicts the founding principles of SGA in the Constitution of promoting campus unity and embracing diversity. The Court finds that this issue with the previous definition, as well as the supremacy of the Constitution, provide enough reason to overturn the previous precedent. With that in mind, the Court turned to documentation from the Office of Registration and Records to determine a new definition for undergraduate. Since that office manages every student’s academic record and determines eligibility for graduation, the Court believes that their information should weigh heavily on the decision. The Election Oversight Commission requests a list of undergraduate students every fall and spring to hold elections. When this list is requested, the Office of Registration and Records creates a spreadsheet from their database with this information. The Court finds that the column in this spreadsheet titled “Career” is the most accurate university record for a student’s status as undergraduate or graduate. Finally, the student activity fee funds SGA and the spreadsheet provided does not include students that do not pay it, so the Court found it necessary to include that in the definition.

Justices:

All Justices concur.

It is so ordered.



APPENDIX A: Student Government Association

Constitution Preamble

We, the students of Butler University, in order to advocate on behalf of the Butler students to University executives, provide a channel for the expression of the Student Body's ideas, opinions, and concerns, promote campus unity and cooperation, embrace diversity, address important campus issues, promote and sponsor student services, empower student organizations, and build greater community relationships, hereby do ordain and establish this constitution for the Student Government Association of Butler University.

APPENDIX B: Excerpt from Student Government Association Constitution Article II: Constitutional Adoption, Supremacy, Amendment

Section 2: Constitutional Supremacy

This constitution will be the supreme authority for the governance of the Student Government Association. No bylaw or Resolution may be in conflict with this constitution, the University's regulations, or local, state, and federal laws.

APPENDIX C: Excerpt from Student Government Association Constitution Article III: Membership

Section 4: University Status

All members must be enrolled, full-time undergraduate students of Butler University. Members who have senior class standing and less than 12 credit hours remaining in their degree requirements will be exempt from the full-time status requirement.



APPENDIX D: Excerpt from Student Government Association Constitution Article VI: Judicial Branch

Section 2: Authority

The Supreme Court of the Student Government Association shall retain the authority to rule on all matters, issues, and controversies relevant to the Student Government Association and its various subordinate or associated organizations, constituting the branch's powers of judicial review and adjudication of appeals. This constitution, clarifying bylaws of the Student Government Association, and the policies of the University shall serve as the foundation for all rulings and decisions originating from the Judicial Branch. The Judicial Branch of the Student Government Association, in exercising its duties of adjudication and review, shall not infringe on the oversight authority of the Senate or Executive Branches unless to rule on an issue of constitutionality or abuse of power of one of those bodies. The Judicial Branch shall have special responsibility for the oversight of Student Government Association elections, the adjudication of election disputes, and the certification of election results.

APPENDIX E: Excerpt from Student Government Association General Bylaws Article VIII: Judicial Authority

Section 1: Constitutional Interpretation

The Supreme Court serves as the sole constitutional authority of the Student Government Association and is thus endowed with the power to interpret the Constitution, General Bylaws, legislation, regulations, rules, and procedures.



APPENDIX F: Excerpt from Student Government Association General Bylaws Appendix B, Article III: Candidate and Vote Eligibility

Section 1: Candidate Eligibility

All candidates must meet and maintain the criteria throughout the tenure of their candidacy and position...Candidates must be full time undergraduate students in good academic and conduct standing with the University.

Section 6: Voter Eligibility

All full-time undergraduate students of Butler University who pay the Student Activity Fee shall be eligible to vote for the Student Government Association presidential ticket, as well as the Senators representing their constituencies.

APPENDIX G: Excerpt from Student Government Association Judicial Branch Rules and Procedures, Article II: Judicial Proceedings

Section 2: Proceeding on General Petitions

The Justices may determine the necessity of an injunction or summary judgment without either party to a petition submitting a motion.



APPENDIX H: Excerpt from Student Body Supreme Court file “1/24/22 Meeting Minutes”

MOTION to define undergraduate students, as per the SGA Governing Documents, as a student who is eligible to receive traditional undergraduate Federal and Butler financial aid. —> Katie

1. Second: Will
2. Motion passes UNANIMOUSLY

APPENDIX I: Excerpt from 2023-2024 Academic Scholarship Renewal Criteria

This scholarship...

- Is available for a total of eight semesters (10 semesters for Engineering Dual Degree Programs, 5- year B.M. in Performance and Music Education, Music Therapy/Music Dual degree, 12 semesters for the 6-year Music Therapy /Music Education degree.) or less if one of the following occurs:
 - A bachelor's degree is obtained.
 - Graduate/professional enrollment is established.

[Link](#)

APPENDIX J: Excerpt from butler.edu’s “First-Year (Incoming) Financial Aid & Scholarships”

First-Year Gift Aid (Scholarships & Grants)

Note: International, undocumented, DACA, and other students not eligible for federal financial aid via the FAFSA may receive full consideration for all Butler Gift Programs below except Butler Tuition Guarantee and the Butler University Grant.

[Link](#)



APPENDIX K: Excerpt from Election Oversight Commission file “BU_SR_CURRENT_ENROLLED_UGRD_SGA_BY PROGRAM_4223”

Spreadsheet column headings and one redacted row.

ID	Name	Term	Career	Acad Prog	Acad Plan	Descr	Email	Exp Grad Term	FERPA
			UGRD						

