

DEAN OF STUDENTS OPINION

The majority of the articles filed with the Supreme Court and the appeal to the Dean of Students by the Petitioners in Case No. 04-02 (Gasponi, et al. Petitioners V. Clegg) are issues that pertain primarily to the Code of Ethics (Title II-Code of Ethics Ch. 100 Art 2 §3(a)(f) §4(f) §5(b)). The other two allegations in question are under the Student Government Constitution but they are also issues relevant in ethical matters SGC Art 1§2 and 6.

A code of ethics is commonly seen as a set of principles of conduct within an organization that guide its members in decision-making and behavior. The principle behind a code of ethics is to provide the members of an organization with guidance for making ethical choices as they make decisions in the scope of their duties.

The Dean's role is to review on appeal the Opinion of the Supreme Court sitting as the Impeachment Review Committee. The Dean disagrees with the Petitioners with regards to all of the technical and procedural issues that were brought up on appeal. The Dean, however, disagrees with the Supreme Court and finds that there is sufficient evidence associated with Articles of Impeachment I through VI to warrant an order for an impeachment trial to occur at a joint session of the Student Senate and Graduate House of Representatives within ten (10) business days from this decision.

The Dean also believes that there are other issues as noted above related to the clarification of some of the governing documents that will need to be addressed in the future. Some of these changes will support checks and balances and due process that should be addressed by a Student Government Task Force composed of members of the House, the Senate and the Supreme Court within the next year. These changes should receive approval during a joint session of the House and Senate before following the usual route for final approval of the governing documents.

The Dean is forwarding this decision to the Chair of the Senate and Leader of the Graduate House of Representatives for immediate action. The role of the Dean is only to determine if there is enough evidence that supports an impeachment trial. It is to be noted that it is up to the members of the House and the Senate to make a decision regarding impeachment.

As a final personal statement, I want to reiterate that I, as your Dean, am an educator and as such, it is my philosophy that matters be resolved in a way that is conducive to civic discourse, and also to keep in mind that our goal should be to advance student growth and development of all parties involved.

ORDER ISSUED: March 28, 2018

BY: Dr. Margarita M. Arellano
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