

Fall 9-30-2014

SB [R] 55-005 Censure of Student Body President Cocco

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University of South Florida Student Government Senate



SB [R] 55-005

Censure of Student Body President Cocco
55th Term
Fall 2014

A SENATE RESOLUTION

Whereas,

According to Student Government Statute 301.1.10.1:

“Neither the Student Body President nor the Chair of the Activity and Service Fee Recommendation Committee shall be one of the three (3) student members appointed to sit on the Local Fee Committee”, and

Whereas,

The Student Body President has appointed himself to sit on the Local Fee Committee, thus placing himself in violation of Statute 301.1.10.1, and

Whereas,

According to Amendment III of the Student Body Constitution:
“The Student Supreme Court is the final judicial authority within any case of controversy within Student Government. Any other external case or controversy may be appealed to its respective appellate board or designee.”, and

Whereas,

Florida Statute 1009.24, subsection 10(a) states “...Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body President...”, and

Whereas,

Florida Statute 1009.24, subsection 10(a), places power with the Student Body President, making the matter an internal affair of Student Government and

Whereas,

On September 22, 2014, Senate President Andy Rodriguez issued a Notice of Noncompliance for the reasons listed above, giving President Cocco 5 business days to remove himself from the Local Fee Committee.

Whereas,

As of Tuesday, September 30, 2014 at 5:00pm, President Cocco has still not removed himself.

Whereas,

Nonfeasance is defined in Student Government Statute 103.32 as “Failure to perform an act that is either an official duty or a legal requirement.” and

Whereas,

Misfeasance is defined in Student Government Statute 103.51 as “Performance of a lawful action in an illegal or improper manner or with an improper or corrupt motive.” and

Whereas,

Malfeasance is defined in Student Government Statute 103.49 as “Commission of a wrongful or unlawful act involving or affecting the performance of one’s duties.” and

Be it enacted by the Senate of the University of South Florida Student Government assembled,

Student Body President Jean Cocco is hereby censured on the following charges:

Nonfeasance by failing to remove himself from The Local Fee Committee.

Misfeasance by appointing himself on The Local Fee Committee, still knowing he would be breaking Statute 301.1.10.1

Malfeasance by appointing himself to The Local Fee Committee and appealing the decision of the Student Supreme Court to the Dean of Students.



Andy Rodriguez

Andy Rodriguez
Student Body Senate President

9/30/14

Date

Abdool Aziz

Abdool Aziz
Student Body Senate President Pro Tempore

9-30-2014

Date

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Author: Emily Seitz, Senator, College of Arts and Sciences

Sponsor: Emily Seitz, Senator, College of Arts and Sciences

Taylor Myers, Senator, College of Business

Committee Action: Bypass Committee

First Reading: September 30th, 2014

Final Vote Count: (23-3-2)