

Fall 9-30-2014

## Senate President Notification of Non-Compliance 55-001

Abdool Aziz

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UNIVERSITY OF SOUTH FLORIDA  
STUDENT GOVERNMENT  
Office of the Senate President

Notice of Non-Compliance 55-001

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To: Jean Cocco, Student Body President  
From: Andy Rodriguez, Senate President  
Subject: Notice of Non-Compliance for Student Body President Jean Cocco  
Date: September 22<sup>nd</sup>, 2014

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*This shall serve as an official notification that you are in noncompliance with the following Student Government Statutes:*

- **301.3.10.1:** *"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."*
- **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."*

*The following is noted to be in noncompliance:*

Student Body President Jean Cocco violated Statute 301.3.10.1 since he did appoint himself to sit on the Local Fee Committee. 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...". According to Florida Statute 1009.24, subsection 10(a) and Dean Freeman, President Cocco may sit on the Local Fee Committee. He is, however, still in violation of Statute 301.3.10.1. President Cocco was fully aware of Statute 301.3.10.1 as he called a Special Session of the Senate Committee on Rules to vote on removing Statute 301.3.10.1 and Statute 301.3.10. The Bill titled "An Act to Update Title III" failed the Committee on Rules with a 0-6-1 vote (with Chairman Ali Antar as the abstaining vote) on Thursday, September 11, 2014. Despite the Bill failing in the Committee on Rules, Student Body President Jean Cocco did not rescind his appointment to sit on the Local Fee Committee.

Student Body President Jean Cocco violated Amendment III of the Student Body Constitution as this was an internal case. As an internal case, the Student Supreme Court is the final judicial authority. Appealing the Student Supreme Court decision to the Dean of Students violates this Amendment. Based on Florida Statute 1009.24, subsection 10(a), the Student Body President has authority to appoint

student members to sit on the Local Fee Committee; therefore, the matter of whom sits on the committee is an internal process.

As stated in Statute 102.9, "Failure to comply within one week of the receipt of the Notification of Non-Compliance shall subjugate the aforementioned group or individual to Student Government repercussive actions, notwithstanding removal from Student Government office, freezing of the said group or individuals account or suspension of future financial allocations." In compliance with the Senate Committee on Judiciary and Ethics Grievance Findings from the grievance submitted on September 12<sup>th</sup>, 2014, and by the power invested in me by Statute 102.6.5, I hereby do promulgate this notice of non-compliance.



Andy Rodriguez  
Senate President

09-22-14P06:26 RCVD

CC: Gary Manka, SGATO Director  
Jean Cocco, Student Body President  
Rhondel Whyte, Student Body Vice President  
Abdool Aziz, Senate President Pro-Tempore  
Alexander Johnson, Attorney General  
Sammy Hamed, Chief Justice  
Daniel Shapiro, Senior Justice  
Kristen Truong, Chair of Judiciary and Ethics Committee