2/7/24

WKU JUDICIAL COUNCIL MINUTES
Written by Associate Chief Justice Henderson

Call to Order
5:30 PM

Attendance
- Chief Justice King
- Associate Chief Justice Henderson
- Associate Justices Hardin, Soares, Ranger, Gammons

Approval of Minutes
Unanimous vote in favor of approval.

Guest and Student Speakers
No guest or student speakers.

Chief Justice Report
- *Chief Justice King explained the rules of a JC meeting.*
    - *Each side will be given 6 minutes to present. After 6 minutes, they may request more time from the Judicial Council.*

Committee Report
No committee reports.

Special Orders
- *Speaker Denney, President Kurtz, EVP Finch, Chief of Staff Reed, Director of PR Romanov, Director of IT Johnson, Director of Enrollment and Student Experience Vincent v. AVP Leon*

Speaker Denney, President Kurtz, EVP Finch, Chief of Staff Reed, Director of PR Romanov, Director of IT Johnson, Director of Enrollment and Student Experience Vincent

- *Executive cabinet requested this hearing. They wanted to make it clear they are not speaking on AVP Leon's beliefs, morals, or character.*
- *Allegation #1: AVP Leon spent funds out of the executive project budget before Bill 22-23-S was passed, as President Kurtz required.*
    - *He placed an order for $350 of pizza from Papa John's and never said he would cancel the order if Bill 22-23-S did not pass. Bill 22-23-S was amended to omit the pizza order after the JC hearing was filed.*
    - *They presented texts between AVP Leon and President Kurtz showing that the Preston Center fee was to be filed with half projects fund and half legislative discretionary fund.*
        - *Deposit due of $425.25 on 2/1, prior to the presentation of Bill 22-23-S on 2/6.*
    - *His actions break clause 2.5.3 of the SGA Constitution.*
        - *He is still in breach of 2.5.3, even if the funds were to be refunded.*

- *Allegation #2: Asked Director Preston Romanov to promote Neurodiversity Week prior to passage of Bill 22-23-S.*
    - *They presented texts between President Kurtz and AVP Leon showing that the event has been planned since October of 2023. AVP Leon had 4 months to write his bill and receive funds constitutionally. The date of the event does not make it immune to SGA rules, which require the senate to pass a bill for funds to be released.*
- *Allegation #3: As a result of this premature spending and promotion AVP Leon forced the Senate to approve Bill 22-23-S.*

(The Judicial Council granted the Executive Cabinet 3 more minutes to present.)

    - *They presented evidence from senators in the 2/6 meeting minutes saying they felt forced to approve the bill and had been stripped of their right to choose.*
- *The Executive Cabinet stated that they would like to do right by the students.*

(The Executive Cabinet rests their case.)

AVP Leon

- *AVP Leon appreciates being able to present his case.*
- *Allegation #1: AVP Leon presented text messages he alleges shows clear acceptance from President Kurtz to spend the funds.*
    - *AVP Leon showed that President Kurtz had "liked" a message regarding expenditures and responded with "sweet" and "bet sounds good".*
    - *AVP Leon holds that he had permission from President Kurtz to spend the funds.*
    - *AVP Leon says he understands that the legislative budget must be approved by the Senate, and he was getting ½ the Preston Center charge refunded.*
- *Allegation #2:*
    - *Presented that Executive members congratulated Director Romanov on his graphic and "liked" the post on Instagram.*
- *Allegation #3:*
    - *AVP Leon informed the Senate in the 2/6 meeting that they did not have to vote to approve Bill 22-23-S.*
    - *He says he had outside funds to cover the legislative budget half if Bill 22-23-S did not pass.*

(The Judicial Council granted AVP Leon 3 more minutes to present.)

- *AVP Leon stated that nowhere in the Constitution does it say he cannot promote an event prior to the passage of a bill.*
- *AVP Leon stated that he did nothing for his own gain and has always been diligent in his record-keeping and budgeting, and that he is disappointed in the accusations against him.*
- *AVP Leon says that the Preston Center rescheduled the event several times and he did not receive full payment or schedule for the event until January.*

(AVP Leon rests his case.)

Deliberation

- *Justice Hardin asked where the graphic was posted.*
    - *AVP Leon stated it was posted on Instagram.*

- *Chief Justice King asked if AVP Leon reached out to EVP Finch regarding approval to spend the executive "projects" funds.*
    - *AVP Leon stated he did not know he needed her approval.*
- *Chief Justice King asked what of the $425 was to come out of the Senate's budget.*
    - *Speaker Denney says there were two invoices that would come at two different times. It all had to be paid before 2/1, and this included funds from the legislative discretionary budget.*
    - *AVP Leon says Charley Pride fully charged the account when it was not supposed to be. Only the executive funds were to be spent prior to passage of Bill 22-23-S.*
    - *Associate Chief Justice Henderson asked if any legislative funds were to be spent before 2/6.*
        - *AVP Leon said no.*
- *Justice Soares asked when the invoice was received and due.*
    - *AVP Leon said probably the first week of school.*
    - *AVP Leon said he took a long time to write his bill because he does not want to overspend funds and wanted his bill on the agenda before the executive projects fund was spent on other things.*
- *Chief Justice King stated that 2.5.4 in the SGA Constitution states funds are not to be spent prior to Senate approval.*
    - *AVP Leon stated he was overcharged and worked to correct the issue.*
- *Chief Justice King asked President Kurtz how many times AVP Leon was asked not to spend any money, including the executive "projects" fund, before the bill was passed.*
    - *He said multiple times.*

(Chief Justice King motioned to close deliberations, and it was seconded.)
Deliberations were closed at this point. The Judicial Council, AVP Leon, Speaker Denney, and President Kurtz remained in the room for closed deliberations.

- *AVP Leon stated that he does not believe anyone in the Executive Cabinet to have called this censure for derogatory reasons.*
- *The Judicial Council and the Executive Cabinet expressed their support for the event planned in Bill 22-23-S.*

(The room was reopened.)

Decision

-6-0 to censure AVP Leon
-Punishment: The Judicial Council recommends no further action after this censure. The Judicial Council does not recommend impeachment of AVP Leon. The Judicial Council encourages all to use this as a learning experience and to grow from it.

Absences and Office Hour Excuse Rulings
No absences.

Announcements

No announcements.

Adjournment

6:38 PM