

**Per the Supreme Court of the Wichita State University Student  
Government**

***Student Affairs v. Student Senate***

Appeal of the WSU SGA Student Senate's decision to not recognize the  
Wichita State Young Americans for Liberty student organization.

Case: 2017-00005, Decided April 12, 2017

Per Curiam

The Court heard this case submitted by Dr. Teri Hall, Vice President of Student Affairs regarding the decision, or lack thereof, to not recognize the Wichita State University (WSU) chapter of Young American's for Liberty (YAL). This organization is a local student organization forming a chapter under the national association of the same name, one that hosts many university chapters across the nation.

Originally, the student Senate heard the senate bill that would recognize the group as a registered student organization (RSO) on April 5, 2017. The founder of the chapter received and answered questions during the Senate meeting public forum. During the business of the meeting, the bill was presented to the floor. Several senators spoke out against allowing the organization to become registered. The senators cited the speech supported by various groups of the at other universities as being hate speech and it was thus not tolerable to have a group that might support the same types of speech on the WSU campus. While several senators spoke in favor of allowing the group a chance to be a recognized organization on campus the bill ultimately failed with an 8-15-5 vote.

The Court heard from three witnesses during the proceedings of the hearing proceeding: Dr. Hall, Senator Brayden Hosman, and Organization Outreach Committee Chairman Walter Wright. Dr. Hall spoke as the advisor to the Student Government and said she believed that the right decision was not made in this circumstance and spoke to the content of her original letter requesting the Court to hear the case. This letter contained and outlined sections of the Legislative Journal she believed to be in violation. Senator Hosman, spoke to the general conversation and atmosphere of the meeting and provided detail to the Senate meeting minutes that had been taken regarding the debate surrounding the decision. Hosman believed not allowing this organization on campus sets a "dangerous" precedent for future organizations. Chairman Wright was called upon to speak to YAL's

fulfillment of requirements to be recognized as a RSO as set forth by the Legislative Journal. Wright stated that YAL was in complete compliance with the requirements and that he had never seen a senator vote against recognizing a student organization in his time of heading the committee. Wright also pointed out that organizations are on a mandatory year-long probationary status after initial RSO approval by senate that is only lifted after the organization fulfills further requirements. He went further to say there was nothing in the Legislative Journal that would restrict them from becoming an organization.

The Court decided that the decision made by the student senate was indeed unconstitutional. In my opinion, the most obvious sections violated were Article III, Clause 2 of the Student Bill of Rights, which states "Affiliation with an extramural organization itself does not disqualify a student organization from institutional recognition" and Article III, Section 1, Article 1.2, which states "The Association shall not discriminate in its resources, programming, or services on the basis of race, religion, color, national origin, gender, gender identity, gender expression, age, sexual orientation, marital status, political affiliation, status as a veteran, or disability." The latter article is the piece of the Legislative Journal that the Court unanimously voted to explicitly rule that the Senate violated.

The reasoning of the Senate to not recognize a local student organization for alleged actions of other national members of the organization does not give the Senate the power or jurisdiction to deny them RSO status. If this held up, there would be a precedent of evaluating the incidents committed by sister organizations to every other WSU RSO. The Senate chose to deny the rights of those they do not agree with. Regardless of what the Senate thinks, it is illegal to not grant them recognized status having fulfilled all outlined requirements set before them. Groups such as this must still abide by the outline of the WSU Student Code of Conduct. No RSO is unaccountable for their actions.

Give the findings, the Court decided to right this wrong in a unanimous 6-0 vote to overturn the decision of the Senate and to recognize YAL as a RSO at WSU. This decision is to take place effective immediately. YAL shall receive this initial recognition as if they had been approved by Senate. They shall remain on probationary status as outlined by the Legislative Journal until they fulfill the initial recognition requirements as outlined.

**Submitted By:** *Reece Burns*

Reece Burns, Chief Justice

Wichita State University Supreme Court