

The Wichita State University Student Government
Association

IN THE SUPREME COURT OF THE STUDENT
GOVERNMENT ASSOCIATION
Case no. 65-001

Jeff Pulaski for ShiftSpace,
Petitioner,

v.

Elections Commission,
Respondent

Zachary James,
In his capacity as Treasurer of the Association,
Respondent

Wichita, Kansas

April 29, 2022

The above-entitled matter came on for oral
argument before the Supreme Court of the Student
Government Association at 5:00 p.m. on the 28th day
of April, 2022

APPEARANCES:

Jeff Pulaski; on behalf of ShiftSpace.

Abby Ford; on behalf of the Elections Commission.

Zachary James; in his capacity.

Informal and Emergency Response to the formal
request the Appeal

The Majority Ruling for Question #1

Question:

We would like for the court to find that ShiftSpace Gallery did not violate Chapter 5. General Election Regulations and Procedures, Section 6. Activities of Third Parties statute as it is written.

Conclusion: The Court orders that with the evidence presented, the Court finds that ShiftSpace Art Gallery, when having made the post in question, violated the Elections Code. The Court denies the appeal and rules in favor of the Elections Commission.

The Majority Ruling for Question #2

Question:

If the Court finds in our favor on question 1, we would like for the funding for ShiftSpace Gallery to be reinstated for the next academic year. If the Court finds that we did violate the statute, we would like to request that the penalty be reduced to something more reasonable and not so punitive.

Conclusion: The Court orders that with the evidence presented and with the initial ruling on Question #2, the Court finds that while ShiftSpace Art Gallery did indeed violate the Elections Code, the outcome was too harsh and in violation of Article I, Section 4. of the Constitution which states:

The Association, in order that it might perform its duties effectively, shall have the authority to delegate its legislative, executive, and judicial authority to representative bodies. These bodies shall have the authority to... levy reasonable penalties for Statutes;

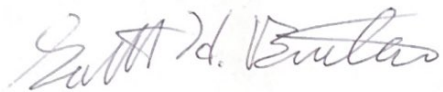
When using the language of S003 Mandatory Student Services Fees Chapter 3. Eligibility for Appropriation, Subsection 4, which states

...Any entity which is not in compliance with the Constitution, Bylaws, Statutes, and/or Resolutions of the Association shall not be eligible to receive Association funds.

The Court ruled that because the decision by the Government was not reasonable the decision to strip funding is

unconstitutional and is hereby overturned, effective immediately.

It is so ordered, on behalf of the Majority,

A handwritten signature in cursive script, appearing to read "Garrett D. Butler".

Garrett Butler, Chief Justice of the Supreme Court