

Opinion of the Court

UNIVERSITY OF MIAMI STUDENT GOVERNMENT SUPREME COURT

ADVISORY ON TRIAL INITIATIVES & PROGRAMS COMMITTEE

ASSOCIATE CHIEF JUSTICE ANTHONY HOFFMAN delivered this opinion of the Court.

At the request of Jason Kaplan, Treasurer of Student Government, the Supreme Court has authored this opinion.

The Trial Initiatives & Programs Committee (TIPAC) is a committee that is responsible for allocating funds to new initiatives from Student Government. Chapter VI, Section 2 of the Student Government Statutes clearly enumerates the powers and duties of TIPAC. Section 2-1.1 reads that “A portion of referendum money, allocated in the budget which is formulated by the Treasurer and approved by the Senate, will be set aside for distribution to start-up projects to be appropriated by” TIPAC. It is clear the duty of TIPAC is to allocate the referendum money set aside in the budget to start-up projects.

The Statutes state that TIPAC funds are to be allocated only to “start-up” initiatives. This begs the question of what qualifies as a “start-up” initiative. While not officially defined, the Court finds it reasonable that a start-up initiative be *any* initiative put forth by members of Student Government that has not been absent from campus for at least three(3) years prior to receiving funding from TIPAC. This could include a start-up project that partners with an organization outside of Student Government, however Student Government should be considered a partner organization.

Section 2-1.2 reads, “Money distributed by the committee includes start-up costs for at most one academic year for trial programs by Student Government members.” Thus, a start-up initiative must come from members of Student Government, and is only eligible to receive

funding from TIPAC for at most one academic year. The Court reasons that a start-up initiative must be absent from campus for 3 years prior to being a start-up to prevent any initiatives occurring every other year from continually receiving additional funding from TIPAC by claiming start-up status each year the initiative be active.

Therefore, the Court finds that TIPAC may allocate funds to any initiative meeting the qualifications of a start-up it sees fit. TIPAC has full discretion as to which start-ups receive funding and which do not.

May all be ADVISED.