



# JUDICIAL BOARD

UCLA UNDERGRADUATE STUDENTS ASSOCIATION

## PETITION FOR CONSIDERATION

Petitioner: Sam Roth / Bruin Republicans

v.

Respondent: USAC Council

## I. Jurisdiction

Select All That Apply:

UCLA USA Constitution Article VI, Section B, Clause I:

“The Judicial Board shall rule upon the Constitutionality of legislation and official actions of elected or appointed officials at the request of the Council or any other members of the Association.”

UCLA USA Constitution Article VI, Section B, Clause II:

“The Judicial Board may also question, comment, or rule upon other matters at the request of the Council or any member of the Association.”

UCLA USA Constitution Article VI, Section B, Clause III:

“The Judicial Board shall serve as a board of appeals to decisions of the Elections Board.”

UCLA USA Constitution Article VI, Section B, Clause IV:

“The Judicial Board shall have other powers and responsibilities as may be delegated to it by the Chancellor of the University of California Los Angeles.”

## II. Violations

Please provide a detailed account of the alleged violation(s) along with **all** relevant provisions. Additionally, please demonstrate the direct relationship between the violation(s) in question and the action(s) of the respondent. Lastly, the Judicial Board will not consider violations not explicitly enumerated in this section, and retains discretion regarding what violations it will consider (Article I, Section IV, Clause D of the Official Rules of the Judicial Board).

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Appeal filed under the USAC Bylaws: Section C: 6.d “Procedure for Appeal to the Judicial Board”

Statement of grievance:

Our organization applied for Contingency Funds for CPAC 2021 on January 10, 2021. Our application was approved by FiCom and an allocation suggestion was made to USAC Council. The allocation vote failed during the Jan. 19 Council meeting by a vote of 0-13-0. The Council rejected our application because it is an in-person event, a basis for rejection that is not in the guidelines of the USA Contingency Fund (guidelines at time of submission attached below). The council also suggested that by attending an in-person event that members of our organization would be breaking health guidelines (a baseless assumption). In the USAC Council Meeting recording on YouTube (1/19/21 34:25) , a councilmember asked the question if they could even reject funding "given that [funding in-person events or not] is not currently in the guidelines." This statement is an admission that the Council voted against the resolution with a jurisdiction outside of the USA Contingency Guidelines. Our club provided FiCom with the reasonable safety precautions that organizers (CPAC) and our club is taking to ensure public health is protected and FiCom stated that they were “reasonably safe enough to grant [our club] funding. (28:25)”

In Fall 2020, we also applied for the USA Contingency Fund for an in-person conference in Florida. The allocation was approved by council with a vote of 13-0-0 without any discussion during the USAC Council Meeting (12/8/2020). This approval was made without any questions on health guidelines at the event. Given that this was an in-person conference and the January Contingency application was also an in-person

conference, the Council has made up grounds for the rejection of our most recent application.

We are submitting this appeal due to the following reasons:

1. There is no risk to the UCLA community as all classes of our attending members are virtual at the conclusion of the conference. Any students that may need to visit UCLA in-person after returning from the conference will self-quarantine after travel in accordance with all applicable local policies. In addition, no members live on campus and thus, there is no risk to the UCLA community.
2. This does not violate University or local policy. University policy does not prohibit student travel. LA County law does not prohibit travel either. The CPAC conference is abiding by all applicable health guidelines and recommendations as already articulated in the mitigation plan. The students traveling to and from the conference will abide by all state and local policies regarding self-quarantining after traveling and other safety guidelines. Thus, funding the request would not violate state, LA, or University policy.
3. It would not violate any policy or pose any risk to the community, thus banning the use of fees for in-person events limits students' choices more strictly than the University or County, and is unreasonable. Even with social distancing and other health precautions, there is value gained by in-person interactions at CPAC that will be forever lost if students have to simply view it online. Interacting and viewing are not the same. It is also unreasonable for the committee to enact stricter policies than the county or University after having already approved an allocation for the Bruin Republicans over two months ago before coming up with this new post-hoc policy. If this was the policy then, they could have said so two months ago and given our club more time to fundraise independently.

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### III. Ramifications

Please provide an account of the effects and magnitude of the alleged violation(s).

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Remedy which is sought by the organization:

We are proposing that the initial vote be overturned to approve the allocation made to our club in the amount of \$2,130.00 (an allocation was approved in part at the USAC 2/2/2021 meeting, if our petition is granted please deduct that amount). This decision would be in adherence with University and local policy, which does not prohibit travel. Also, the Council is encouraged to consider the fact that all safety precautions will be adhered to and our leadership, as well as CPAC organizers, will take every step necessary to ensure the safety of students to the fullest extent. Under these circumstances, we are confident that there is no discrepancy between what our organization is asking and the policies at the time of the submission of our initial application.

The magnitude of this decision means that the decisions are not being made in a fair manner by USAC. The decisions are not viewpoint-neutral as is required by California law. This is because they are using justifications outside of the USA Finance Committee guidelines (attached in our email) as a reason for voting against the allocation. This clearly violates the way in which University funds are mandated to be allocated.

For them to have approved an in-person conference at an earlier time point and then reject our application solely because it is in-person is not congruent with their past decisions.

Our club was expecting to receive an allocation to cover over half the costs of attending this event. Because they have rejected it, we have been trying to find other sources of funding. However, because of the unexpected rejection, our members who are interested

in going, who are all UCLA students, may not be able to because of the financial burden associated with flying to and attending the event.

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## IV. Remedy Sought

Please detail your desired remedy to redress the alleged injury or injuries. Please note that the Judicial Board retains the authority to reject your remedy if considered unreasonable or unworkable. In such a situation, the Judicial Board will decide on an appropriate remedy to be included in its final verdict (Article X, Section I, Clause A of the Official Rules of the Judicial Board).

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## VI. Information

### Involved Parties

Only members of the UCLA Undergraduate Students Association are eligible to be involved as parties before the Judicial Board (Article I, Section IV, Clause E of the Official Rules of the Judicial Board). Any petition not in accordance with the aforementioned is subject to automatic denial. If a violation is discovered following the petition's acceptance, the petition will be immediately withdrawn with a default judgement against the offending party.

Petitioner: Sam Roth

Email: BruinGOP@gmail.com

Counsel for Petitioner: [Your representative before the Judicial Board, you may choose to represent yourself if desired]

Email:

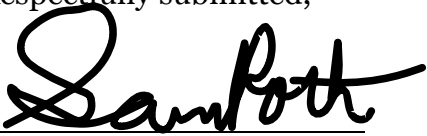
Respondent: USAC Council

Email: [If unknown, leave blank]

Statement of Authenticity

By electronically signing below, I hereby attest that the above information is true to the best of my knowledge. Additionally, I understand that the falsification of any aspect of this Petition will result in its denial, or withdrawal if discovered post-approval, and a default judgement in favor of the respondent.

Respectfully submitted,



Petitioner

2/3/2021

Date

\_\_\_\_\_  
Counsel for Petitioner

\_\_\_\_\_  
Date

Additional Information:

All petitions must adhere to the following guidelines for consideration:

1. Petitions must be typed in 12-point Georgia font with one-inch margins.
2. The document must not exceed twenty pages in length.
3. Petitions must be dated with electronic signatures where indicated.



Once verified to be in conformance with the above guidelines, an electronic copy of this document must be emailed to [uclajudicialboard@gmail.com](mailto:uclajudicialboard@gmail.com). Your petition will not be considered received until you receive a confirmation email from the Chief Justice or Associate Chief Justice.

Please Note:

1. The Judicial Board will only receive and take action on petitions during the fall, winter, and spring quarters on weekdays between 9:00 AM and 9:00 PM (PST), excluding university holidays.
2. Upon formal receipt, as indicated by confirmation from the Chief Justice or Associate Chief Justice, the Judicial Board will have three days to grant or deny your petition.
3. Per Article II, Section II, Clause A of the Official Rules of the Judicial Board, “During an election, the Judicial Board may accelerate the hearing process by a majority vote of the Judicial Board. If the process is accelerated, minimum timeframes for appointment of representative, the Preliminary Hearing, and the Hearing itself shall no longer apply.”

For Judicial Board Use Only

Chief Justice

So Jeong (Ellen) Park

Petition No.

21-1

Petition Granted

Petition Denied

Notes: