

UNDERGRADUATE STUDENTS ASSOCIATION  
COUNCIL

Tuesday October 1, 2002  
417 Kerckhoff Hall  
7:00pm

MINUTES

- PRESENT: Cordero, Clark, Dahle, Diaz, Grace, Harmetz, LaFlamme, Lam, Leyco, McLaren, Neal, Styczynski, Wilson, Yu
- ABSENT: McElwain
- GUESTS: Daniel Eliav, Samina Khaliq, Fizzah Raza, Zayneb Shaikley, Mariam Jukaku, Becki Kammerling, Pedro A. Gomez, Ahmad Hussain, Muizz Rafique, Justin Dirote, Tarek Abdallah, Ehaab Gharabah, Muneer Adhavi, Jewelle Francisco, Michael Filipiak, Owen Paun, Thai–Anthony Lam, Robert Salonga, Ryan Hickman, Wendi Lehman, Amy Lucas, Matt Patterson, Joshua Lawson, Justin Levi, Joseph Vardner, Gideon Baum.
- I. A. Call to Order  
-Dahle called the meeting to Order at 7:13pm.
- B. Signing of the Attendance Sheet  
-DerManuelian passed the Attendance Sheet around.
- II. Approval of the Agenda  
-Dahle asked if there were any changes or edits to the Agenda.  
-Wilson, Harmetz, Clark, LaFlamme, and Eastman all said they would like to be added to the list of Officer and Member reports.  
-DerManuelian said that Contingency should not be an Action Item because everything he is presenting tonight falls within his discretionary authorization and does not require a vote from Council.  
- Dahle said he would like to move the Election Calendar up to be dealt with prior to the Special Presentation.  
-Cordero moved and Diaz seconded to approve the Agenda as amended. Council voted to approve the Agenda, as amended, with a vote of 8 in favor, 0 opposed, and 0 abstentions.
- III. Approval of the Minute  
-There were no minutes to be considered at this meeting.
- XI. New Business  
**\*Election Calendar and Related Issues for Fall Quarter Special Election**  
- Dahle distributed copies of the proposed Election Calendar and the language for the student fee referendum which would appear on the ballot on October 30 and 31, 2002.  
- Chris Abraham, Election Board Chairperson, recommended that Council review the proposed language and be prepared to approve it at next week's meeting so it could be forwarded to the Chancellor for his approval, after which USAC could publicize it.  
- Neal asked if having October 31, Halloween, as one of the days for the election would be a problem.  
- Wilson said he originally had concerns about that date, as well, but decided it might be advantageous.  
- Abraham concurred with Wilson.  
- Lam asked why voting would begin at 6:00am since it must be over a two-day span.

- Clark asked if there would need to be any changes made to the Election Code.
- Harmetz asked about the 15 day lead time requirement.
- Abraham said he had met with Mike Cohn, USAC's Election Board Advisor, who told him the proposed calendar meets the requirements. He said further that he did not think they needed to make any changes to the Election Code.
- Cordero asked if next week's meeting would be the latest date USAC could approve the language, to which Abraham replied, "yes".
- LaFlamme asked if there was any flexibility in that start time of 6:00am because, if there was, he would prefer to see voting begin at 7:00am and go beyond midnight.
- Abraham said he would check on whether there was any flexibility in the time line.
- Dahle thanked Abraham for his efforts on the upcoming Special Election.

#### IV. Special Presentation

##### **BruinGo! – Joseph Vardner, Transportation Services Advisory Board**

Joseph Vardner, USAC's appointee to the Transportation Services Advisory Board, presented an overview of the BruinGo! transportation option that was initiated by UCLA in September 2000. He said that, because data for the first year of the pilot project were inconclusive, the University agreed to extend the pilot for the year 2001-2002 to allow for a more comprehensive analysis. Vardner said that after the second year of the program, there was a question as to how it would be funded if it were to be continued. He said that by the end of this year, a sustainable source of funds must be found. He said that the Chancellor does not think that Parking Services should pay for this because it would be an unfair burden. Vardner said that the reason for the Chancellor's position ties in with the impact of Tidal Wave II and the master plan for student housing. Vardner said that continuation of the program is contingent on the availability of funding, and that some of the options being considered were (a) self-imposed student fees via the referendum process; (b) user fees; and (c) potential grant funding from external agencies, or some combination of these three options. Vardner said that the Guiding Principles for identifying a funding source, or sources, are that they must be sustainable, attainable, appropriate, and effective. (A complete copy of Vardner's presentation and analysis of funding options accompanies these minutes).

After completing his presentation, Vardner said he would be happy to answer any questions that USAC members and guests might have.

- Dahle asked if Transportation Services has looked for other funding.
- Vardner replied that their staff member has been searching for alternatives but had no success.
- Neal asked if other schools had public transportation systems that students pay for.
- Vardner replied that Cal has a \$30 per semester per student fee for such services.
- Diaz asked how the ridership was determined.
- Vardner said it was determined by the number of swipes on the Bruin ID card.
- Diaz then asked if this was the most cost-effective method.
- Vardner said Transportation Services has considered removing some of its shuttles that are used infrequently, but they won't remove them unless the students request them to do that.
- Diaz asked about the Vanpool program.
- Vardner said that Transportation Services has revamped it every year to maximize ridership.
- Nelson asked how many students use BruinGo!
- Vardner said that based on current numbers, 10-15% of students use BruinGo regularly. 20% of faculty and staff also use the program. Vardner said that 15,000 students are now housed on campus within a radius that is close to Lot 4. He said that he thought that any expansion of public transit would definitely benefit students.
- Harmetz asked if any alternatives to BruinGo were being considered by Transportation Services, for example, shuttles.
- Vardner replied that Transportation Services is actually going the other direction and has outsourced the shuttles to the Big Blue Bus.
- Neal commented that students were moving farther away from campus because of increased housing costs, and said he thought the financial burden of the BruinGo! Program should be shared.

- In response to Neal's comment, Vardner said he realized he had left out an important detail in his general presentation, and that Transportation Services would absorb 12%-15% of the costs if the decision is made to continue the program.
- Eastman asked about usage vis a vis undergraduates and graduates. Vardner said the ratio was estimated to be 72% undergraduates and 28% graduates.
- Tuttle asked if they would outsource to save money. Vardner replied they would.
- Tuttle asked further what amount they could expect to save by outsourcing. Vardner said it was too early to tell. He said the rate per rider was still at sixty cents, but is still being negotiated for the coming year. He said further that it's a one-year contract.
- LaFlamme asked if Transportation Services pays a flat fee to the bus company. Vardner replied that the Big Blue Bus doesn't want to give a flat rate, and that they assess sixty cents per ride. Vardner said further that payment is made at the beginning of the year based on projections of ridership. He said that, if there's a shortfall, Transportation Services would not let the burden fall on the students.
- LaFlamme asked if there was any other unit on campus, besides Transportation Services, that would support the BruinGo! Program. Vardner replied there were none that he knew of.
- Neal suggested that Vardner consider all the questions that have been raised by Council at this meeting, plus some other questions that Neal will submit to him, and then return to Council at a subsequent meeting with an update.
- Cordero asked if the Transportation Services Advisory Board has been active in obtaining funding other than from students. Vardner referred Cordero to the section in his written report entitled, "Alternatives", and said that the Advisory Board has been very active in this regard.
- Tuttle asked if there was any information on how many people have moved from riding cars to riding buses. Vardner replied that two reports have been written, but they are in direct conflict with each other. He said further that an outside contractor's report says that very few switched from cars, but some switched from riding bikes to taking the bus.
- Grace said it's hard to evaluate whether the program is worthwhile if there's no accurate information on it. He said he thinks that UCLA needs to come up with programs which will reduce car transportation to campus. He also said he believes it's the University's responsibility to shoulder the burden of important programs which would be funded on a permanent basis by the Chancellor's office. He suggested that the students be more proactive by getting together with the Faculty and Staff to gain support for transportation programs that would reduce the volume of cars coming to the campus.
- Diaz asked Vardner if he could provide some proposed changes in his next report to Council. Vardner said he would appreciate input and guidance from Council regarding questions such as which shuttles to eliminate, etc.
- Diaz said he thought the Transportation Services Advisory Board should present all the options and indicate which are the most cost effective.
- Dahle agreed with Diaz, and said he would like to see changes in the variables, but would not like to eliminate any critical lines. He asked if Vardner could bring that information to Council within the next two to three weeks.

#### V. Appointments

##### **\*Campus Programs Committee (CPC) and Student Conduct Committee**

-The Appointments Review Committee distributed their recommendations for the above two positions. Cordero said that Vanessa Portillo, the nominee for CPC, was very experienced and that she currently sits on the Board of one of the campus organizations. When interviewed, Portillo told the ARC that she would abstain from voting if her group came to the Campus Programs Committee for funding. The ARC gave Portillo two votes of approval, with no disapprovals and no abstentions.

- For Owen Paun, the nominee to the Student Conduct Committee, the ARC voted 2 in favor, 0 opposed, and 1 abstention. Regarding Paun's nomination, Dahle commented that he had originally brought Paun forward for the Judicial Board but, when Paun was not appointed to that committee, Dahle asked him if he would like to serve on the Student Conduct Committee. Dahle

commented further that the Student Conduct Committee deals with similar issues to those that J-Board deals with.

-LaFlamme asked why there were only two votes for Portillo and three for Paun. The ARC Chair replied that one of the members had arrived too late to vote for Portillo, but was able to vote for Paun. Cordero explained further that DerManuelian sits on ARC Ex Officio, but does not have a vote.

-Harmetz moved, and Lam seconded, the approval of Vanessa Portillo as the alternate member to the Campus Programs Committee, and Owen Paun to the Student Conduct Committee. The motion was approved with a vote of 11 in favor, 0 opposed and 0 abstentions.

#### VI. Fund Allocations - Contingency

- DerManuelian reported that he had made two allocations under his discretionary authorization. He said the first was an allocation of \$300 to the Student Welfare Commission for a Welcome Week Carnival SWC was co-sponsoring with the Community Service Commission on Tuesday, October 1, 2002 at DeNeve Plaza. The \$300 was for honorarium.
- DerManuelian reported that the second allocation under his discretionary authorization had been made to the United Cambodian Students. He said that he had allocated \$300 for the United Cambodian Students retreat to be held October 11 through October 13 in Oxnard.
- Because both allocations were discretionary, it was not necessary for Council to vote on them.

#### VII. Officer and Member Reports

##### **President**

- Dahle said that he and Diaz had completed a report they had been working on together regarding a potential change from the quarter system to the semester system, and that he had sent it to Vice Provost Judith Smith for inclusion in the master report. He said he would be bringing a copy of the report to Council at a subsequent meeting. On another matter, Dahle said he was very happy to report that a lot of first year students had come by to meet with him about USAC, and he was glad to see that some of them were at tonight's meeting.

##### **Internal Vice President**

- Cordero thanked the Go Solar representatives for all their hard work, and said that the Go Solar Resolution would be on Council's Agenda for approval at the meeting of October 8. He said his office was busy planning for the year, and was focusing on issues such as transportation and housing.

##### **External Vice President**

- Neal said that next Wednesday through Sunday he would be attending a USSA meeting in Washington, D.C. He said the following week he would be attending a UCSA meeting in Santa Barbara. He asked that anyone who wanted to attend the UCSA meeting should let him know. On another matter, Neal said that he was working on the E-Vote and that next Tuesday at 5:00pm, location to be announced, there would be a meeting regarding the Get Out The Vote (GOTV) campaign.

##### **Campus Events Commissioner**

- Wilson said there were a lot of events during the next two weeks.

- "Red Dragon" sneak
- Jason Wiebly in the Coop
- "Minority Report" on Friday, 7:30-9pm \$2
- Friday noon in Westwood Plaza, Apples 'n Stereo
- Monday, October 7, at noon, Blackalicious
- Film calendars will be out Wednesday, October 2
- Next sneak, October 9 in AGB – "About a Boy"
- October 15 sneak – "Rodger Dodger"
- Oct. 17 – Sunday's Best

- Third week, one week after Coming Out Week, screening “Kissing Jessica Stein”
  - Oct. 18, at noon in AGB, Janet Fitch, author of White Oleander. Fitch’s books will be in the ASUCLA Bookstore for signing.
- Wilson announced that Campus Events, in collaboration with Slave Labor Graphics, is sponsoring the IPEX Annual Comic Book Convention on Saturday, October 26 in the Ackerman Grand Ballroom. He said the event will be free for UCLA students. Exhibitors will be charged a small fee to have a table at the event, and UCLA student exhibitors will receive a discounted price.

#### **General Representative #1 - Harmetz**

- Harmetz said that his Chief of Staff, Fritz Schirmers, is planning an internship program. He said that the plan for the internship program is to create inter-office cooperation.
- He also said that he is currently working on three reports: one on the Quarter System vs. Semester system; one on Tidal Wave II Overcrowding; and one on the upcoming referendum.
- He said that his office is dedicating 50 “campaign hours” for passage of the referendum.
- He said he is visiting OCHC to explain the referendum in person and hopefully work with Campus Relations.
- Diaz asked when it was decided that Harmetz would produce a report on the Quarter vs. Semester system.
- Harmetz replied that a student who volunteered for the internship program wanted to work on that issue. Harmetz said that he would like to talk with Diaz further on this matter and that he did not want to step on anyone’s toes.

#### **Cultural Affairs Commissioner**

- Clark said that she wanted to get some feedback from Council about USAC’s Open House which was originally scheduled for Thursday, October 3<sup>rd</sup> from 11am – 2pm. She asked if Council still wanted to hold the event on that date or would they like to push it back.
- Dahle said that he was somewhat concerned that since there was no ad being run about the Open House, the turnout might be very low.
- Neal suggested that they tie it with the USAC meeting and agreed with Dahle that there should be some advertising of the event.
- DerManuelian also said that the event needed to be advertised ahead of time.
- Wilson suggested that they could hold it on Tuesday, October 8, and that Campus Events could promote it at their concert on Monday. He also said that there may be time to run another ad in the Daily Bruin before then.
- DerManuelian asked where the money for the ad would come from.
- Cordero suggested that Council could probably approve funding tonight because, as he said, “It’s our money.”
- After discussing the issue of funding an ad, Council members agreed that they could allocate \$350 from the Contingency fund towards a half page ad.
- Dahle said that his office would make up the difference between the \$350 and \$462.
- Diaz asked who would take responsibility for creating the ad and the fliers.
- Harmetz said he would volunteer to work on the ad and Cordero said he would work on the fliers.
- Becki Kammerling, CalPirg Chairperson, said that CalPirg makes announcements in Poli. Sci. classes about their events. She said they get about 40 professors to agree to this and they make announcements once a quarter. She said it is a cheaper way to advertise events than running ads in the student newspapers.
- Dahle asked who would distribute fliers on Bruin Walk.
- Diaz suggested that they e-mail student groups about the Open House.
- After council members finished discussing the USAC Open House, Clark said she wanted to give a report on upcoming events her office was sponsoring.
- Tuesday, October 8, there will be a 2-hour concert in Westwood Plaza.
- She said there will be an art exhibit in the Kerckhoff Hall Art Gallery next week.

**Financial Supports Commissioner**

- LaFlamme said that he has been giving out books through the Book Lending Program. He said that applicants must be on financial aid to qualify for books through this program.
- He reported that he is looking for a web designer to create a page on housing opportunities.

**Administrative Representative - Nelson**

- Nelson had no report for this meeting

**Administrative Representative Alternate - Tuttle**

- Tuttle reported that at noon on October 11, twenty members of the British House of Parliament would be available at Bradley International Hall to meet and talk to UCLA students.

**Alumni Representative - Grace**

- Dahle introduced Bobby Grace to other council members as their new Alumni Representative. He said that Grace had served as USAC President in 1982. After introducing Grace, Dahle welcomed him and said he would provide added wisdom to the student members.
- Tuttle commented that Grace had been an outstanding student body President.
- Grace thanked council members and said he was happy to be participating as the Alumni Representative. He said he would try to be as helpful as his predecessors had been.

**ASUCLA Executive Director – Eastman**

- Eastman said that council members probably already knew that negotiations have been concluded on the AFSCME matter.
- Eastman stated that ASUCLA hired 80 individuals who had been working in ASUCLA's Maintenance and Food Service Divisions through an employment agency. These people were hired on August 5, 2002 after ASUCLA negotiated the recognition agreement with the Union. Eastman said the negotiations went very smoothly and that they had three sessions to work out equity and parity for the workers. Regarding the job classification for these individuals, the Union thought ASUCLA misclassified thirteen of them. ASUCLA concurred on twelve and settled on the 13<sup>th</sup> person. Another issue that had to be worked out concerned the wage rate, specifically to determine how to recognize years of service the workers had through the employment agency. Eastman said the decision was made to hire them at the bottom level and then work with the Union regarding the years of service issue. As a result, the employees were able to work out a wage rate to give parity with like-employees. She said she used the resident halls employees' entry level rate and factored in merit increases they would have received based on their years of service. Eastman was delighted they were able to work that out. She said that pay increases retroactive to August 5 would be on the employees' next paycheck. She said that the matter of the withholding of the union dues was not worked out yet. AFSCME wants the union dues to be paid retroactively.
- Cordero asked if there were any significant changes in the duties for the workers.
- Eastman said that ASUCLA's commitment was that the employees would be brought in at the same level they were at now. As an example, if they were working 1,500 hours per year, they would be brought in at that level, not less. She said that fluctuations in the academic calendar might make it seem as though they were making less. Eastman said that 18 employees are not on the list because they had not been working a specified number of hours. If any vacancies occur in the 80 jobs, people from the group of 18 will be able to move up. With regard to benefits, Eastman said that the university cannot pay benefits retroactively. She gave as an example a situation where Coach Wooden didn't get service credit for his years earned at ASUCLA before the Athletics department was moved to the University. Eastman ended her remarks by thanking the students for their support during this process.

**VIII. Old Business**

- There was no Old Business before Council at this meeting.

## IX. New Business

**\*2002-2003 Base Budget Appeal**

- T. J. Cordero, Internal Vice President, introduced the item by stating that there would be a 10-15 minute presentation by the Muslim Student Association (MSA), followed by a Question and Answer period.

- A member of the MSA Board thanked Council for allowing them to present their appeal. He then stated that MSA feels that the Base Budget allocation they received was unfair and inconsistent with the Budget Review Committee's (BRC) process. He said they felt it was unfair because the BRC process was flawed, specifically with regard to the tier system that was established through "size and scope." Based on this system, the BRC placed MSA into the third tier. MSA believes that this system was not objective because it wasn't mentioned to the organizations before or during their hearing. In fact, the MSA representative declared, the criteria, "size and scope" was not determined until the BRC deliberated. As a result, he said, the organizations didn't have a chance to address "size and scope", or provide related information in their hearing. He said that, when the BRC members were asked about "size and scope", they were confused about these criteria. He said that, even if the process was fair, its application was not fair because MSA was placed into the third tier. He stated that, with regard to size, MSA has 450 active members and four continuing projects, all of which are open to everyone on campus. He then delineated the four projects, as follows: (1) Incarcerated Youth; (2) Al Talib; (3) Free Clinic, which serves 5,000 patients in South Central Los Angeles and is rated as one of the best volunteer projects in the nation; and MAPS. With regard to scope, he cited numerous on campus projects and programs which raised the amount of dialogue and critical thinking during a time when there was a lot of apathy. Among these, he mentioned MSA's College Day Conference in which more than 300 students participated. He asked USAC to compare MSA's programs with the programs of other student organizations. He continued by stating that, nowhere in the BRC's process was there any question raised about the needs of the students. He said that the period following 9/11 was particularly hard on MSA, and that they did everything they could to provide a safe environment for students during that time. He said that MSA strives to continue providing such an environment for the students, but that the needs of the students were never mentioned by the BRC. Overall, he said MSA believes that the process was inconsistent and that the remedy for this would be to redo the entire process or, if the process remains in place, to reconsider MSA's budget allocation.
- Following MSA's opening statement, Dahle said he had several questions. He also opened the floor for questions from other Council Members.
- Dahle began by asking whether the four programs cited by MSA received funding from other sources on campus. The MSA representative replied "yes", but said that it falls to MSA to bring in all the students and to direct them. He said that the Directors of all the projects come from within MSA.
- Dahle asked, "is it fair to say that those programs don't need funding to function?" The MSA representative replied that they didn't need funding because of their relationship to the Mother Organizations. He reiterated that MSA funnels all the people to the programs.
- DerManuelian asked how many people serve on the MSA Board. The MSA representative replied that there were twelve. DerManuelian asked further if the programs are run by the national MSA or by the UCLA MSA. The MSA representative replied that all four programs were run locally.
- Neal commented that base budget funds were used for a welcoming banquet which introduces new students to MSA. He said that the banquet, which serves approximately 400 students, is open to everyone on campus, and its purpose is to build community.
- Yu asked if the four programs MSA referenced were registered. The MSA representative said they were not officially accountable to MSA but that MSA is responsible for them.

- Neal asked if there are organizations in Tier 3 that have similar projects to those cited by MSA. The MSA representative replied that most organizations that have similar projects are in Tier 1.
- Dahle asked the members of the BRC what the differences were between the groups in Tier 1 and the groups in Tier 3.
- Clark replied that she gave ratings to MSA that were similar to the ratings she gave to groups that were in Tier 1.
- LaFlamme said he had ranked them by size and scope, and then averaged them.
- Clark said she gave a few more points to groups that had more projects than other groups had.
- Neal asked if BRC took into account all groups whether or not they had links to SIOC.
- LaFlamme said he took into consideration only what was in each proposal.
- Levi said he took the number of projects into account and adjusted the numbers accordingly.
- Yu said that very few groups in the Third Tier have projects the size and scope of MSA.
- Cordero asked how a program's need was taken into account.
- Levi said that a group could theoretically request a million dollars, but should a group be given extra funding just because they asked for it.
- Neal asked, based on the amount MSA asked for, how they stacked up against other groups.
- Levi replied that he'd have to refer to his notes to be able to answer Neal's question.
- LaFlamme said that, where need comes into play, it's problematic to establish "need" based on the amount of money they requested. He said he felt that "need" should be based on the size and scope of a group.
- Neal asked how the BRC factored in the needs of the campus.
- LaFlamme said the overriding issue was to get the funds to groups that were providing programs that would get to the students who paid mandatory fees. He said it was the duty of the BRC, and of the Council, to get the money back to as many students as possible through programs and other student services. He said further that he thought "other funding" had to be taken into consideration.
- The MSA representative said there was no concrete way to prove size. He said he thought the criteria were very subjective.
- LaFlamme disagreed, stating that size and scope allowed the BRC to evaluate the programs and the number of students served.
- The MSA representative asked how the BRC could judge that without actually going to the programs that each group sponsored.
- LaFlamme replied that the members of the BRC are representative of different campus communities.
- The MSA representative said he thought that LaFlamme's judgment was subjective, and that the allocations were based on the whim of BRC members because size and scope had not been spelled out. He said he thought that the process BRC used for size and scope could have also been decided by speculation.
- Cordero asked if all the hearings were juxtaposed, would MSA be comparable to the other groups in the Third Tier.
- DerManuelian referred Council to the figures in the August 5 agenda item, stating that there was not a great deal of variation and that MSA's collective ratings put them into Tier Three.
- Levi stated that MSA was placed in Tier Three because their ratings were comparable to other groups in that tier.
- Neal asked, since this was a new system, could BRC review MSA's ranking based on the information before them.
- DerManuelian said it wouldn't change the numbers, and that he thought the system the BRC agreed upon was a fair one.
- Levi said he stood behind the system the BRC created and by the numbers they came up with.
- LaFlamme agreed with Levi.
- Yu said she thought the system worked and that it was the best way to represent every member's evaluation and scoring. She said she would not change anything now, and that she did not see any better way to do it.



- Clark said she thought that, in general, size and scope were what defined the tier. She said there weren't any separate criteria. She said she thought that, at the cut-off points (for example, 11.8 and 12.5), there might be a better method for deciding which tier to place a group in.
- Neal said that, when a group makes an appeal, he thought Council should consider whether the appellant is providing any new information that wasn't already presented to the BRC. He said he was concerned that the BRC members that are being questioned are being forced to go on the defensive regarding their actions. He suggested giving time to pause and reflect before voting, and said these were his observations for now and for the future.
- Wilson said he was not exactly clear on the guidelines for approval of an appeal.
- Cordero said it would take a three-fourths vote of Council to overturn the BRC's decision.
- Wilson said he thought he heard someone say that the whole Base Budget process should be redone.
- The MSA representative said if the process used by BRC was accepted, they wanted to be placed in a higher tier. He said there were other groups that claimed a smaller size and scope than MSA did, but were placed in a higher tier.
- Diaz said he thought it was not realistic to redo the entire process. He asked if MSA's proposed remedy was for MSA to be placed in the first tier.
- The MSA representative replied "yes."
- Wilson asked further if MSA's remedy would include retroactive funding in Tier One.
- DerManuelian stated that, if Council approved MSA's appeal under such a remedy, it could set a bad precedent because adjusting MSA's budget would have a negative effect on the budget of another group or groups.
- Styczynski asked if MSA had consulted with any other groups about their requested remedy.
- The MSA representative said they had not done so because they did not feel it was necessary. He said they had filed an appeal because they thought MSA was wronged. He said they felt that, if the process could be redone, MSA should be placed in a higher tier based on size and scope.
- LaFlammed said the question should not be whether it was realistic to fund retroactively, but whether MSA's appeal has merit.
- Cordero said the question is whether Council believes the decision of the BRC regarding MSA should be overturned.
- Neal raised the question as to whether the information from MSA caused Council to feel that mistakes had been made and whether the BRC members would be willing to reconsider.
- Grace said if the budget process that was used for all groups that applied for funding was flawed, that should be reviewed by Council later. He said that the issue before Council tonight is whether MSA's appeal has merit which warrants overturning BRC's decision on their allocation.
- Tuttle said he recalled that Council had approved the budgeting process that was used by the BRC. He said he recognized MSA's right to appeal, but agreed with Grace that Council must now decide on whether MSA's appeal has merit.
- Thai Lam, who identified himself as a former Finance Officer with UC Berkeley's Associated Students, said he felt that if Council overturned the BRC's decision on MSA, it would open up a huge can of worms and would set a very bad precedent.
- Neal said he did not think that overturning the BRC's decision would set a bad precedent. He said that, while the budget process was not necessarily flawed, he thought mistakes might have been made. He said he thought Council should be talking about the merits of MSA. He said that he had attended many MSA events, and specifically cited Muslim Awareness Week. He asked of the BRC had taken into account the importance of MSA on campus post-9/11.
- Diaz said he thought the discussion was going off on a tangent. He said he felt there were so many questions being raised that Council members needed to do more research before they could make a decision on MSA's appeal. He suggested that they might want to table the matter.
- DerManuelian said that MSA had presented no new information and he strongly recommended against Council tabling the matter, or voting to overturn the BRC decision. He

- said further that, if Council did vote in favor of MSA, funds would have to be pulled from other groups.
- LaFlamme also said he was opposed to tabling the matter. He said that the information presented at this meeting by MSA included nothing new. He said that Council needed to vote on the merit of MSA's appeal. He said that, if Council votes in favor of MSA, then they should decide how to handle reallocation of funds.
  - Tuttle paid his respects to MSA for presenting their appeal under the established appeals process. He then said that Council Members are paid to make the judgment call in such matters, and encouraged them to take action at this meeting rather than postponing their decision.
  - Dahle said he thought it was best for Council to vote at this meeting rather than delaying.
  - Lam said that, even if Council voted to uphold the BRC decision, this would not be the end of the line for MSA. She pointed out that there were other sources of funding, especially if the Student Fee Referendum is approved.
  - Diaz said he felt that Article VI.C.6.b.(2) of the USAC Bylaws was relevant to MSA's appeal. (*Article VI.C.6.b.(2) states, "A procedural error or discrepancy that caused a proposal to be substantially disadvantaged before the funding committee or body."*) He said he thought there was a flaw in the budget process because of the BRC's inconsistent handling of size and scope. He said that MSA had provided information at this meeting which convinced him that the size and scope definition was not clear.
  - Dahle said that he respectfully disagreed with Diaz. He said that, since no group knew beforehand that size and scope was a consideration, no group was disadvantaged.
  - Neal said that Dahle had just made a very important point, which was that if no group knew about size and scope, that proves that the process was unfair.
  - Dahle said his point was that the process was consistent.
  - Diaz said that Dahle's statement proved that there was a procedural error.
  - The MSA representative reiterated his position that, even if the process was valid, MSA was treated inconsistently within that process.
  - LaFlamme said that the question of size and scope was included on everyone's application form and was addressed by all groups.
  - Harmetz asked MSA whether they believed they were treated differently than other groups in the process.
  - The MSA representative replied "yes."
  - Harmetz asked if there was any experience that made MSA feel mistreated. He also asked if MSA went through the same process as every other group.
  - The MSA representative said MSA believed that the application of the process was not the same for them as it was for other groups.
  - LaFlamme moved, and Styczynski seconded, that Council vote on the merit of the Muslim Student Association's appeal.
  - Harmetz asked the Chair to state the significance of a "yes" vote.
  - Dahle replied that a "yes" vote would mean that you agree with the claims of the Muslim Student Association, and are voting in favor of their appeal and their requested remedy.
  - With regard to the vote, the Chair ruled that three-fourths of those present and voting in the affirmative would be required to approve MSA's appeal. In other words, to approve the appeal, nine Council members would have to vote "yes."
  - Neal said he thought the Chair should be counted as a voting member.
  - Tuttle agreed with Neal's statement.
  - Grace said the Chair might want to rule on whether the appealing group can determine their own remedy. He said further that Council might take a stance that MSA deserves some consideration because they were the only group that took time to compile the information to appeal the process. He said that, in the interest of honoring the appeals process, Council might decide that the appeal has merit. Regarding a remedy, Grace said that Council might need more time to evaluate the options. He said he felt it was unclear as to who would decide the remedy if Council vote to approve the appeal.

- LaFlamme amended his motion regarding action on MSA's appeal by specifying that the vote would determine only the merit of the appeal, but not the remedy if the appeal is approved. Styczynski seconded LaFlamme's amended motion.
- Dahle said that, if the appeal is approved, the remedy would be determined later by Council. Dahle said further that he thought he should not vote because the USAC Bylaws state that he is not to vote unless there is a tie. As a result, Dahle said he would not be counted in the total, and would not vote, which meant that a three-fourths affirmative vote of the 11 members voting would be required to approve MSA's appeal for reconsideration.
- Styczynski asked for a Point of Clarification on the motion. Dahle replied that a "yes" vote means that the voter agrees with MSA.
- Tuttle further clarified that the vote is only on the issue of approving MSA's appeal, and is not a vote on a remedy if the appeal is approved.
- The motion to approve the appeal of the Muslim Student Association for reconsideration of their Base Budget allocation failed by a vote of six (6) in favor, five (5) opposed, and one abstention.
- Dahle thanked everyone who attended the meeting and voiced their opinion about the funding process. He said he felt the lengthy discussion had been very productive. He expressed his appreciation to members of MSA for the time and effort they took to compile the information for their appeal.
- MSA members thanked Council members for their time.

## X. Announcements

- Cordero asked that each USAC officer and commissioner email him their goals for the rest of the year so he could include them in the next newsletter.

## XI. Signing of the Attendance Sheet

- DerManuelian passed around the Attendance Sheet.

## XII. Adjournment

- Diaz moved and Cordero seconded to adjourn the meeting. There being no further discussion, Council unanimously approved the motion to adjourn the meeting with 11 in favor, 0 opposed and 0 abstentions. The meeting was adjourned at 10:30pm.

## XIII. Good and Welfare