

UNDERGRADUATE STUDENTS ASSOCIATION  
COUNCIL

Tuesday October 21, 2003  
417 Kerckhoff Hall  
7:00pm

MINUTES

PRESENT: Chen, Chiang, Gaulton, Husse-Jerome, Kaczmarek, Lam, Lawson, McKesey, McLaren, Nelson, Nguyen, Palma/Saracho, Saldaña, Schreiber, Tuttle, Wynn

ABSENT: Eastman, Grace, Kozak

GUESTS: Menaka Fernando, Michael Cox, Thuy Huynh, Makhai Tran, Lawrence Chan, Karuna Kaumarkar, Brian Neesby, Christopher Neal

I. A. Call to Order  
-McKesey called the meeting to order at 7:10pm.

B. Signing of the Attendance Sheet  
-Chen passed the Attendance Sheet around.

II. Approval of the Agenda  
-Palma/Saracho said that the new business items on Bylaw amendments are in Article VI, not Article IV.  
-Schreiber, Gaulton and Chiang asked to be added to the Officer and Member Reports.  
-Saldaña asked to add the Minutes from September 23<sup>rd</sup> to the Agenda.  
-Palma/Saracho said that Michael Cox was present to make a Special Presentation.  
-Schreiber moved and Saldaña seconded to approve the Agenda, as amended.  
-McKesey asked if there was any discussion. There being none, Council voted to approve the Agenda, as amended, with 9 votes in favor, 0 against and 0 abstentions.

III. Approval of the Minutes  
**\*August 26, 2003**  
-Kaczmarek said that on page 6 it should read that "Cox sought to put together a student initiated class on ethical issues."  
-Kozak said that she does not sit on the Student Retention Center committee, as stated on page 5.  
-Lawson said that Brian Neesby's name is misspelled on page 5.  
-Saldaña moved and Wynn seconded to approve the August 26, 2003 Minutes, as amended.  
Council voted to approve the motion with 9 votes in favor, 0 against, and 0 abstentions.

**\*September 23, 2003**  
-Schreiber said that he would like some more time to review the minutes before voting on them.  
-Schreiber moved and Husse-Jerome seconded to table the Minutes of September 23, 2003 until the next meeting. Council voted to approve the motion with 10 votes in favor, 0 against, and 1 abstention.

IV. Special Presentations

**Represent Your Vote. Your Voice. Your Power. - Michael Cox**

-Cox said that this Friday from 2:00 to 6:00 pm at the Hammer Museum there would be an event on the Attack on Access: Education Under Fire. He said that there would be speakers and

bands at the event. He said that the people who come should register to vote and he said that those who are already registered should bring someone who is not registered.

V. Appointments

-There were no Appointments this week.

VII. Fund Allocations

**\*Contingency**

-Chen said that there were three requests this week.

-Kaczmarek moved and Nguyen seconded to approve the Fund Allocations.

-McKesey asked if there was any discussion. There being none, Council voted to approve motion with 10 votes in favor, 0 against and 1 abstention.

**Campus Events Commission**

**Requested: \$500.00**

**Recommended: \$100.00**

FiCom recommended the allocation of \$100.00 for the partial cost of Honorarium for the 88 Concert on October 14<sup>th</sup>.

**Campus Events Commission**

**Requested: \$500.00**

**Recommended: \$100.00**

FiCom recommended the allocation of \$100.00 for the partial cost of Print Rental for the Best of LA Shorts Fest Screening on October 21<sup>st</sup>.

**Campus Events Commission**

**Requested: \$1,141.00**

**Recommended: \$266.00**

FiCom recommended the allocation of \$266.00 for the full costs of Advertising and Shipping for the Finding Nemo Screening on October 16<sup>th</sup> and 17<sup>th</sup>.

**UCLA Women's Soccer Club**

**Requested: \$350.00**

**Recommended: \$175.00**

FiCom recommended the allocation of \$175.00 for the partial cost of the entrance fee for the NIRSA Region 6 Regionals Tournament.

VIII. Officer and Member Reports

**Student Welfare Commissioner**

-Chiang said that people could register for the UCLA Run/Walk Basketball Tournament during 7<sup>th</sup> week. She said that the CPR schedule has been finalized. She also said that the SWC got a new file cabinet.

-McKesey asked what the CPR training was.

-Chiang said that it was a set of classes during a single day to train people in CPR and give them their CPR certificate.

**Campus Events Commission**

-Gaulton said that tonight between 8:00 and 9:00 the Best of LA Shorts Fest would be showing. She said that Thursday and Friday they would be showing Pirates of the Caribbean from 7:00 to 9:30. He said that he would be meeting with the President of the IFC and others about doing the UCLA vs. USC bonfire together.

-Schreiber asked if Rally Committee was included.

-Gaulton said that they did not want to be included at this juncture.

**Community Service Commissioner**

-Schreiber said that there would be a budget workshop this Friday. He said that they would be talking about the Funding Resource library and applying for grants. He said that the CSC is having a Films Beyond Vietnam film festival on Saturday night. He said that there would be a fundraiser afterwards.

**General Representative – Joshua Lawson**

- Lawson said that he was passing around a proposal that his office wrote to apply for a television show on Channel 29.
- Lam asked when the TV show would air.
- Lawson said that would be decided on at a staff meeting on Thursday. He said that this is a medium for USAC to become involved in student media. He said that the issues discussed will not be inherently political. He said that they will talk about where UCLA has come from.
- Chiang asked who is involved in the project.
- Lawson said that the proposal was created by his office. He said that Christina Wong from Bruin News would also be helping with it.
- Chiang asked if the rest of USAC could be involved.
- Lawson said that his office would not be representing USAC. He said that they would love the involvement of the other officers. He said that they want to take different aspects of UCLA and examine its history through them.

**Financial Supports Commissioner**

-Husse-Jerome said that the CRC is finishing up summer evaluations of groups. She said that it was great to be involved. She said that she had a meeting with Rob Thompson about how student fees are allocated on campus. She said that her office would be doing a book drive at Grad Bar for the Book Lending Program. She said that people would get a free drink for bringing a book.

**External Vice President**

-Kaczmarek said that he also met with Rob Thompson last week. He said that UCSA met this weekend. He said that each year the UCSA has a Students of Color Conference and that UCSD will be hosting it this year. He said that this year the theme will be "Borders are Drawn in Color". He said that the controversy at Berkeley is still going on. He said that he testified before the State Senate Committee on Higher Education. He said that this week the California State Wide Affirmative Action Coalition would be meeting.

**Internal Vice President**

-Palma/Saracho said that he would be going to USC this Thursday, where UC Regent Dolores Huerta will be recognized. He said that the IVP staff retreat would be this weekend.

**President**

-McKesey said that she sent out a few emails this week. She said that one was about World AIDS Day. She said that they are going to have their first sub-committee meeting next week. She said that she would also like to bring in entertainers. She said that there will also be a petition campaign to hold Bush accountable to promises he made. She said that tomorrow is the student leader networking night. She said that it would be at the Alumni Center at 6:00 pm. She said that the interns would be assigned to Council members' offices soon. She said that the interns would be taken on the Progressive Tour of Campus this Thursday at 6:00 pm.

## IX. Old Business

**\*UCLA Dance Marathon**

- McKesey said that Council had a presentation from Dance Marathon last week. She said that the question before Council tonight is whether Dance Marathon it to become a USAC sponsored group. She said that would require a 2/3 vote of Council for approval.
- Chiang said that she had questions for Dance Marathon. She said that there are two types of sponsorship in the Bylaws. She said that one is the Student Advocacy Group sponsorship and that the other form is commission sponsored groups. She said that she thinks that Dance Marathon would like to break away from the Student Welfare Commission. She said that she wonders what they have to gain from that action. She said that they are not at this meeting she cannot ask them these questions.
- Wynn said that she also has questions for Dance Marathon. She said that she needs more information on their plans.
- Lawson moved and Nguyen seconded to table the sponsorship of UCLA Dance Marathon until the next meeting.
- Chiang said that Dance Marathon started up two years ago because they saw Dance Marathons meeting success on other campuses. She said that they were brought to SWC through their advisor. She said that the SWC has a lot of rules for the structure of their committees. She said that Dance Marathon came into SWC having prepared a structure for their group already. She said that they were made an affiliated group during their second year because they didn't fit well into the SWC. She said that they still use the SWC's copiers and office space. She said that they are working on moving them out of the office.
- Tuttle asked if there is a lot of money flowing through the group.
- Chiang said that there is.
- McKesey said that she also has the same sentiment.
- McKesey asked if there was any discussion. There being none, Council approved the motion to table with 11 votes in favor, 0 against and 0 abstentions.

X. New Business

**Proposed USAC By-law Amendments: Article VI, Section C.; Article VI, Section D.**

- Lawson said that he and Brian Neesby would be giving a presentation on the Rosenberger and Southworth decisions.
- Neesby said that because of recent events at Berkeley he and Lawson wanted to look into the idea of funding independent student groups. He said that he would go over the Rosenberger and Southworth cases. He said that the Southworth case established that student fees could be used to fund student speech as long as the process is viewpoint neutral. He said that preferential funding cannot be justified by majority vote of the school or of the council. He said that this still begs the question of what viewpoint neutrality is. He said that Southworth lays out that there must be a public forum and that all groups should have access to this public forum. He said that the Rosenberger decision was based on funds that were given to a religious newspaper. He said that the funds were taken back and that the newspaper sued. He said that two points were decided in the case: content discrimination and viewpoint discrimination. He said that content discrimination is discrimination that excludes certain types of content, such as religious content. He said that viewpoint discrimination excludes certain views. He said that it was ruled that both forms of discrimination are illegal. He said that the argument is that if you discriminate against religious viewpoints you limit the public expression of many viewpoints.
- Lawson said that USAC has been in violation of the rulings for several years. He said that this is a free speech issue. He said that if USAC discriminates against a group based on its name it is carrying out a *priori* discrimination. He said that it is important that USAC speaks about this issue. He said that it is a major problem.
- Tuttle said that there are statewide regulations on this issue moving forward from the UC Office of the President UCOP. He said that the final draft will be out this spring.
- Chen said that the fact of the matter is that the UCOP guidelines on this issue have not come down yet.

- Nelson said that the university has decided to maintain the distinction between Officially Recognized (OR) Student Organization and Independent groups because UCOP has not yet told them not to. He said that he thinks that UCOP is dragging its feet because of the Smith case at Berkeley, in which student fees were used to engage in a mayoral race. He said that that case was lost. He said that his understanding is that UCLA is the only campus that still makes the distinction between Officially Recognized and Independent groups.
- Kaczmarek said that UCSA is negotiating with UCOP on these policies. He said that he thinks it would be better to wait until Spring, when the UCOP guidelines have come down, before making changes to the bylaws.
- Neesby said that the guidelines that USAC has now allow USAC to fund these independent groups already. He said that funding them with or without the new guidelines would not be a violation of any guidelines already in effect. He said that USAC is already funding political speech and that they still could be culpable.
- Lawson said that last year everyone thought that the UCOP guidelines would come down by the end of the year. He said that last years Council waited and they never came. He said that USAC still stands in violation of a Supreme Court decision. He said that Council has been stringent in the past in deciding who it gives money too. He said that many of these decisions have been based on politics. He said that he thinks that they need to uphold the Supreme Court's decision.
- Husse-Jerome said that waiting for UCOP to hand down guidelines is odd. She said that this Council is not the type to wait for others.
- Ngyen said that she thinks that it is hasty to amend the bylaws when UCOP is not done with its interpretation of the court cases.
- Schreiber said that they require that all USAC sponsored groups follow USAC guidelines.
- Wynn said that in order for other groups to register with CSP they must agree to be content neutral.
- Wynn moved and Nguyen seconded to table the discussion of the Proposed USAC By-law Amendment: Article VI. Section C.; Article VI. Section D. until UCOP comes down with guidelines on the subject.
- Tuttle said that the UCOP decision would likely come down during the life of this Council but maybe not. He said that Article I Section D of the Constitution says that USAC cannot associate with any group that practices discrimination. He said that this also applies to money. He said that independent groups are not required to prove that they do not discriminate. He said that that is something to consider in the discussion.
- Chen asked where the accountability is for independent groups. She said that it would create a whole new set of rules.
- McKesey said that she thanks that the members of Council have brought up several important points. She said that she thinks that at some point Council would have to address all of these issues.
- Lawson said that the Southworth case addresses overseeing groups. He said that overseeing groups would be limiting free speech. He said that fixing USAC's discussion to the parameters of UCOP would not be a good precedent. He said that this is a critical issue for a lot of students on campus. He said that to not vote on this would be saying that those students are not important to Council.
- Chiang said that if a group of people have not made a decision in five years she doesn't understand how USAC can in one night. She said that she also does not think that the discussion of this item should be postponed indefinitely. She said that she does not, however, have enough information on this issue to vote now.
- Neesby said that Southworth agrees that Council can force object criteria, such as a discrimination clause, on groups. He said that Council cannot discriminate based on content though.

- Kaczmarek made a friendly amendment, which Wynn accepted, that Council wait until the second round draft of the UCOP guidelines come down before Council makes its decision on this matter.
- Wynn said that she wants to make an informed opinion on this.
- Chiang made a friendly amendment, which Wynn accepted, that Council wait until the second round draft of the UCOP guidelines come down or until Winter Quarter 2004, whichever comes first, before Council makes its decision on this matter.
- McKesey asked if there was any discussion. There being none, Council voted to approve the motion with 9 votes in favor, 2 against and 0 abstentions.

**\*USAC Website**

- Nguyen said that she spoke with McLaren about the current website. She said that she found that they are already in the process of revamping the website. She said that USAC will not need to take action to get a new domain.
- Kaczmarek asked if Council approves the layout of the website.
- McLaren said that the current design was established years ago. She said that at that time there was input from the Facilities Commissioner. She said that over the years the main frustration was that Council members did not use the space allocated to them to create pages for their offices. She said that the site never completely gelled because of this. She said that the main function of the USAC homepage is to contain the guiding documents and links to Council office's homepages.
- McKesey said that it is important that Council have a means of getting information to the student body in a quick and easy manner.

XI. Announcements

- Chen said that SGA would be having an open house on Thursday from 12:00 to 3:00 pm. She also said that six groups applied to the USAC Programming Fund.

XII. Signing of the Attendance Sheet

- Chen passed around the Attendance Sheet.

XIII. Adjournment

- Palma/Saracho moved and Saldaña seconded to adjourn the meeting.
- Lam called for adjournment by acclamation, there being no objection to acclamation the meeting was adjourned at 9:18 pm

XIV. Good and Welfare

Respectfully Submitted,

Stephen Araiza  
USAC Minutes Taker