

UNDERGRADUATE STUDENTS ASSOCIATION  
COUNCIL

Tuesday July 27, 2004  
417 Kerckhoff Hall  
7:30 P.M.

PRESENT: Avila, Chan, Gaulton, Gruenberg, Harbottle, Lee, McLaren, Martinez, Nelson,  
Palma/Saracho, Tuttle, Villarin, Vu, Williams, Wood

ABSENT: Bhuiyan, Kurita, Tripathi, Tseng

GUESTS: Matt Kaczmarek, Brian Neesby, Narges Zohoury

I. A. Call to Order

- Palma/Saracho called the meeting to order at 7:34 P.M.

B. Signing of the Attendance Sheet

- Chan passed around the Attendance Sheet

II. Approval of the Agenda

- Martinez asked if New Business could be moved up on the agenda to be dealt with before Officer and Member Reports because the members of the Budget Review Committee had to leave at 9:00 p.m.
- Palma/Saracho said that this was not possible because the third item of New Business was to be held in closed session and that once the council went into closed session it would not convene again for the night. He then suggested that items A and B be moved up, but leave C for the end since it was to be discussed in closed session.
- Tuttle said that the council could re-convene after going into closed session, and he asked that he be allowed to make a Point of Order before the council went into closed session to discuss why it was going into closed session.
- Palma/Saracho granted Tuttle this point of order.
- Martinez moved and Lee seconded to approve the agenda as amended.
- Palma/Saracho asked if there was any discussion. There being none, he asked if there were any objections to approval by consent. There being none, the agenda was approved, as amended, by consent.

III. Approval of the Minutes

**July 13, 2004**

- Tuttle asked that on the minutes for July 13<sup>th</sup>, page 5, eighth line from the top, the words "Legislative Advocate" be added after the words "University of California". He added that this was an important distinction.
- Lee moved and Gruenberg seconded to approve the minutes as amended.
- Palma/Saracho asked if there was any discussion. There being none, he asked if there were any objections to approval by consent. There being none, the minutes of July 13, 2004 were approved, as amended, by consent.

IV. Special Presentations

- There were no Special Presentations this week.

V. Appointments

-There were no Appointments this week

- Nelson asked when they expected to appoint alternates to the CAC and the CPC.
- Palma/Saracho said that he would forward nominees to Chan after tonight's meeting.

#### VI. Fund Allocations

- Harbottle said that she was presenting a total of seven recommendations to Council, five of which she had approved through the discretionary authorization granted to her under the 2003-2004 Finance Committee Guidelines.
- Harbottle said that everyone gets a detailed summary of each Contingency request and the recommended allocations. She said further that the agenda packets that are posted for public review each contain a copy of all the back-up documents that accompany each Contingency request. She said she also has all the back-up documents which are available for anyone who wants to see them. She closed by saying that there was an error in her summary for Dance Marathon, and that the recommended allocation should be \$100 rather than \$450.
- Lee moved and Martinez seconded to approve the Contingency Fund Allocation Recommendations.
- Palma/Saracho asked if there was any discussion. There being none, he asked if there were any objections to approval by consent. There being none, the Contingency Fund Allocation Recommendations were approved by consent.

#### QC - Theta Chi Fraternity

**Requested:                 \$1,800.00**

**Recommended:           \$ 600.00**

In compliance with the discretionary authorization granted to her in the 2003-2004 Finance Committee Guidelines, Harbottle recommended the allocation of \$600 for the partial cost of Registration for The School of Fraternity Practices and Anniversary Convention of Theta Chi Fraternity to be held from July 21st to July 25th.

#### BQP - Beta Theta Pi Fraternity

**Requested:                 \$408.00**

**Recommended:           \$408.00**

In compliance with the discretionary authorization granted to her in the 2003-2004 Finance Committee Guidelines, Harbottle recommended the allocation of \$408 to pay for Transportation to the Undergraduate Inter-Fraternity Institute (UIFI) to be held from July 21st to July 25th.

#### SLG - Sigma Lambda Gamma Sorority, DG - Delta Gamma Chapter

**Requested:                 \$2,276.00**

**Recommended:           \$ 600.00**

In compliance with the discretionary authorization granted to her in the 2003-2004 Finance Committee Guidelines, Harbottle recommended the allocation of \$600 for the partial cost of Registration for the Sigma Lambda Gamma National Convention to be held from July 29th to August 1st.

#### Best Buddies UCLA

**Requested:                 \$620.44**

**Recommended:           \$450.00**

In compliance with the discretionary authorization granted to her in the 2003-2004 Finance Committee Guidelines, Harbottle recommended the allocation of \$450.00 for the partial cost of Programming for the Summer Staff Retreat to be held August 7th and 8th.

#### Nikkei Student Union

**Requested:                 \$97.50**

**Recommended:           \$97.50**

In compliance with the discretionary authorization granted to her in the 2003-2004 Finance Committee Guidelines, Harbottle recommended the allocation of \$97.50 for the cost of Programming for the Summer Staff Retreat to be held on August 7th and 8th.

#### **Dance Marathon**

**Requested: \$100.00**

**Recommended: \$100.00**

The Finance Committee recommended the allocation of \$100 for the partial cost of Graphics for the Summer Orientation Freshmen Fairs to be held intermittently from July 12th to August 25th.

#### **SAM - Sigma Alpha Mu**

**Requested: \$450.00**

**Recommended: \$450.00**

The Finance Committee recommended the allocation of \$450.00 for the partial cost of Registration for the Leadership Convention in Washington D.C. to be held from July 13th to July 15th.

### VII. New Business

#### A. \*Resolution in Support of Naming the Chicano Studies Department in Honor of Cesar E. Chavez

- Martinez told council that this resolution was in the agenda packet. He told them that the Chicano Studies Department would continue to operate as a department, only under a new name. He said that it would be the first to use Cesar Chavez's name, and that this idea had been approved by the UC Regents. He said that when the idea was first brought up there was an issue amongst the faculty because of a rule that no department could be named after an individual person. Martinez said that he thought this to be a weak argument because the department has been named after Chavez since long before that rule came into effect. Martinez asked that council approve this resolution to show their support.
- Palma/Saracho said that the Chicano Studies Department has been named after Chavez for years, and that it was brought up only recently that this presented a problem. He added that the ideas and goals of Chavez coincided with those of the department, and thus the connection was appropriate. Palma/Saracho pointed out that Chavez was not a donor like Bunche or Samueli, but these donors had graduate school *buildings* named after them, so the rule in question should not apply in this scenario. Palma/Saracho concluded by saying that the department has been operating under Chavez's name since 1993, and thus the resolution should be approved.
- Gruenberg asked what would happen in the event that the Chancellor did not approve this naming.
- Martinez said that this would not hinder the departmentalization.
- Palma/Saracho said that this resolution would officially signify to the Chancellor USAC supports this idea.
- Tuttle remarked that there had been some disagreement about this matter when the department first indicated their desire to be named after Chavez, there was some disagreement but, in the end, the naming went through.
- Martinez said that the name was first brought about after the whole community participated in a hunger strike, and that to deny this naming would be to disrespect their memory.
- Lee moved and Gruenberg seconded to approve the resolution.
- Palma/Saracho asked if there was any discussion. There being none, he asked if there were any objections to approval by consent. There being none, the Resolution in Support of Naming the Chicano Studies Department in Honor of Cesar E. Chavez was approved by consent.
- Nelson said that he was proud of the council's decision, as he had met Chavez and was very impressed by him.
- Harbottle asked if this resolution was to be published in the Daily Bruin.

- Palma/Saracho said he thought that, instead of publishing the Resolution in the Daily Bruin, it might be more effective to send a letter to the Chancellor regarding Council's support for naming the department in honor of Chavez. He said he was hopeful that this action would ensure that department gets the name it wants.

B. Approval of Transferring Funds from the Academic Success Referendum to the Student Initiated Outreach Committee (SIOC).

- Martinez told council that outreach programs had taken a tremendous cut in the last year. He said that Student Initiated Outreach didn't receive any funding from the university. Martinez wondered how they were expected to function with so little funding, and recommended the transfer of \$10,000 in funds from the Academic Success Referendum to the SIOC.
- Vu moved and Villarín seconded to approve the transfer of funds from the Academic Success Referendum to the Student Initiated Outreach Committee.
- Palma/Saracho said council should consider giving this money on the basis of the incredible cutbacks that SIOC had taken in the past years. He said that Student Initiated Outreach was a great program and that it helped 50-200 students every week.
- Gruenberg asked if this would be enough funding to bring SIOC back to being where they had been before the cuts.
- Martinez said that this was not the case, but that it would certainly give them a helping hand.
- Palma/Saracho said that this money would be able to pay for materials and supplies used by SIOC.
- Avila asked where the money would go otherwise.
- Martinez said that it might go into USAC surplus for capital items.
- Gruenberg asked what the budget for capital items would be.
- Martinez said that this was not yet set but that it would be determined soon.
- Palma/Saracho said that Student Government Accounting was determining this right now.
- Palma/Saracho said that he thought council should also consider transferring some funds from the USAC Surplus to the SIOC.
- Palma/Saracho asked if there were any objections to approval by consent. There being none, the transfer of \$10,000 from the Academic Success Referendum to the Student Initiated Outreach Committee was approved by consent.

C. Proposed Litigation (to be held in closed session)

- Tuttle made his point of order as granted earlier and asked why this item was going to be held in a closed session. He said that according to the Brown Act, this action was legal, but that it went against the spirit of the Brown Act. He added that closed session was usually reserved for personnel issues, particularly when a reputation was at risk. Tuttle said that once the council is gathered, it is inappropriate to then hold part of the meeting in a closed session.
- Palma/Saracho said he felt that it was appropriate to hold a closed session because the issues involved in this pending litigation could ultimately translate into serious personnel issues.
- Tuttle said that personnel issues should be more narrowly defined, and that, in the spirit of the Brown Act, council should ask themselves whether or not this was a valid issue for a closed session. Tuttle reminded council that they were public officers, who were elected to serve their constituents, and said he believed that their actions should not be taken secretly.. Tuttle finished by saying that a closed session was impractical anyway, as information was always leaked.
- Palma/Saracho said that the issues to be discussed were sensitive, and he felt that the press should not be privy to this discussion.
- Nelson suggested that council go into closed session to discuss whether or not a closed-session was appropriate, and then re-open the meeting if the issue did not dictate the need for a closed session.

- Vu moved and Martinez seconded to go into closed session.
- Vu asked that McLaren and Kaczmarek be allowed to remain in the room during the closed session.
- Palma/Saracho asked if there were any objections to approval by consent. There being none, the council went into closed session.
  
- *Council went into closed session at 8:15 P.M.*
- *Let it be noted that Daily Bruin Assistant Editor Narges Zohoury, another Daily Bruin reporter, Brian Neesby and the Minutes Taker, Michael Keesle, were asked to leave the room.*
  
- *Council returned to open session at 8:59 P.M.*
  
- Vu said that he had two motions to present to council.
- Vu moved and Martinez seconded to formally request USAC President, Allende Palma/Saracho to send a letter to UC President Dynes expressing USAC's grievances on the errors and incorrect assumptions he made regarding the 2004 Student Voice Referendum.
- Vu moved and Villarín seconded that USAC approve payment of USSA's Membership Fee of \$24,100 out of the 2004 Student Voice Referendum fee line item in the USA Budget due to pending income and that, if the fee is not collected, then USAC will revisit this issue to determine how to fund the expenditure.
- Tuttle said that President Dynes' letter says that the 2004 Student Voice Referendum has not been approved. Tuttle said further that Dynes had also notified ASUCLA that the language of the Referendum had not been approved by the University. Tuttle added that the record should clearly state there was a problem about the closed session that just took place.
- Gruenberg said he felt that, because of President Dynes' position, this issue would have to be revisited.
- Kaczmarek said this would not be the case if Dynes reversed his position.
- Tuttle recommended that, assuming this motion passed, the money not be spent until a further discussion took place.
- Gruenberg asked if there were any other ramifications about taking this course of action.
- Kaczmarek said that other than having to revisit the issue, there were none.
- Williams asked if council could even vote to spend this money.
- Kaczmarek said that this has been expected, so SGA should be able to cut the check at this point.
- Gruenberg asked if USAC would pay now and then be reimbursed.
- Williams pointed out that ASUCLA and USAC might be in violation of the Statement of Understanding if the fees were misused.
- Kaczmarek said that this course of action was doable. He said that the only question was whether or not the fees would be collected.
- Tuttle made the point that, since the funds in question would be coming from a line item, he thought that nobody should be surprised later if the funds were not released.
- Villarín said that the motion was merely to pay the USSA fees, and said she thought that council had the ability to go against what Dynes had said.
- Martinez called the question.
- Palma/Saracho asked if there were any objections to calling the question.
- Gruenberg objected to the calling of the question.
- Palma/Saracho asked council to vote on whether or not to call the question. Council voted to call the question with 8 votes in favor, 1 vote opposed, and 0 abstentions.
- Palma/Saracho asked council to vote on the two motions brought to the table by Vu. Council voted to approve Vu's motions with 9 votes in favor, 0 opposed, and 0 abstentions.

- Palma/Saracho called for a 2-minute recess and excused the members of the Budget Review Committee from the meeting so they could begin their Base Budget hearings.
- *Council went to recess at 9:10 P.M.*
- *Council went back into session at 9:17 P.M.*

### VIII. Officer and Member Reports

#### Administrative Representative - Berky Nelson

- Nelson said that a number of students from independent groups had been coming in to sign the non-discrimination statement. He said, however, that a religious organization on campus had refused to sign the statement because they only wanted people of their own faith to be members and leaders in their group. Nelson said that groups who do not sign the non-discrimination statement would not qualify for base-budget funding from USAC. Nelson said that he wanted to make Council aware of this situation because he believed it was important for them to make the decision on how they wanted to handle the matter rather than for him to make the decision.
- Gruenberg asked if it was possible that the group was unaware of this stipulation when they applied for base budget funding.
- Nelson said he felt that Dr. Tuttle had made this very clear when he called the groups.
- Gruenberg still thought this might have been the case and said that he would talk to the Budget Review Committee about this, and other similar situations.
- Nelson said that with all the effort put forward, if the group was unaware of this, they were perhaps trying to ignore the information.
- Gruenberg asked if the BRC would be willing to allow groups to add a signed non-discrimination statement to their funding application after the fact if their proposal had been turned in by the deadline.
- Nelson said that if the problem lay with the document, then the group should still be processed under the assumption that the group will sign the statement. This would also show that USAC was putting in the extra effort for the religious group, so maybe they would be more willing to sign the statement.

#### External Vice President

- Vu said that he had gone to the UCSA retreat with other UCLA delegates, and that he had met with Regents. He said that the eligibility date had been pushed to August or September. He said that there had also been a discussion about the Los Alamos Labs, but that this information was confidential, so he couldn't share it with Council. Vu announced that next year there would be two Regents meetings at UCLA, one on March 16th and 17th, and one on November 17th and 18th. He said that there would also be one at Berkeley the following year on November 16th and 17th. Vu said that he and nine other delegates would be going to the USSA Conference in Pittsburgh from July 31st to August 6th. Lastly Vu said that the state's budget had come out today and that outreach had been given \$23.9 million, \$12 million had gone to enrollment growth, \$20 million went to UC Merced, and that the budgets for the labor centers were nearly reinstated with \$3.8 million dollars.

#### Internal Vice President

- Chan said that, after the discussion council had last week about his Internship proposal, his committee has been reviewing council's suggestions, and that he would be bringing a final draft of his proposal to the next meeting.

#### President

- Palma/Saracho said that he had met with the Director of the Labor Center, Ken Wong and also with Larry Frank to discuss co-sponsoring voter-registration programs. Palma/Saracho said they also spoke of plans for October, perhaps working together on

the USAC internship program. Also, he said the USAC internship program would be on an intensive scale this year with weekly mandatory workshops. He said there would also be fewer students in the program. Palma/Saracho said that there had been a Labor Conference with regard to Wal-Mart and its implications as an expansive enterprise. He said that jobs offered by Wal-Mart are at minimum wage with no benefits and there is not even a union for its employees. Palma/Saracho also said that on Tuesday he and Vu talked to the Youth Democracy Project, and they are interested in working with USAC for contacts in voter programs. The emphasis would be on swing states, not California, but they would still be appreciative of any help USAC could offer. H esaid that Council may be working with them later, as they have resources that could be beneficial to council and the UCLA community. Palma/Saracho said that he would be joining Vu this weekend at the USSA Conference in Pittsburgh where he hopes to make connections with other leaders to work with UCLA in lobbying and other endeavors. Palma/Saracho said he would make a full presentation on this at the next meeting.

IX. Old Business

-There was no Old Business this week

X. Announcements

- Wood said that she had looked into the possibility of holding USAC's retreat at a beach house and had learned that it would be too expensive. She said that Lake Arrowhead was looking like the place to go.
- Palma/Saracho said that the budget was \$1500 and that the retreat was planned for August 27th to August 29th.
- McLaren said that, in past years, everyone attending the retreat shared in the cost of the food.
- Wood said that the two options at Arrowhead were an \$800 cabin for three nights or a \$900 cabin for three nights.

XI. Signing of the Attendance Sheet

- Harbottle passed around the attendance sheet.

XII. Adjournment

- Gruenberg moved and Avila seconded to adjourn.
- Palma/Saracho asked if there was any discussion. There being none, he asked if there were any objections to approve the motion to adjourn by consent. There being none, the motion to adjourn was approved by consent, and the meeting was adjourned at 9:42pm.

Respectfully Submitted,  
Michael Keesler  
USAC Minutes Taker