

UNDERGRADUATE STUDENTS ASSOCIATION  
COUNCIL

Tuesday February 23, 2010  
417 Kerckhoff Hall  
7:00 p.m.

PRESENT: Flores, Bawa, Li, Banani, Wu, Nguyen, Lin, Farmer, Faelnar, Mullins, Tengco, Huddy, Tep, Tan, Geller, Casillas, Zimmerman

ABSENT: Nelson, Tressel, Williams

GUESTS: Lydia Mazuryk, Tereza Yenmyan, Kris Kau Palolo, Erienne Overlie, Mona Razani, Shoshee Jah, Melissa Samson, Yannina Casillas, Nader Nasr, Omar Zarka, Tarik Takkesh, David Bocarsly, Coreen Weintraub, Ross Berner, Sharon Wu, Anneliese Mondorf, Dianne Tanjuquio, Dennis Mabasa, Pablo Quintero, Kelly Osajima, Ushma Vyas, Emily Cheung, Frania Mendoza, Jenna Le, Francesca de la Fuente, Marisol Valencia, Jesse Teseda, Randi Burley, Samantha Schaeffer, Joelle Gamble, Zeyad Zarky, Michelle Luna Reynoso, Afnan Shukry, Mohammad Humkar, Beeta Baghoolizadeh, Freda Frid, Nabeel Najmuddin, Sharona Daneshrad, Jarrold Goldberg, Nim Nahum, Jonathan Gilbert, Myles Hamby, Omar Zarka, Lobna Hindi, Jesse Tejeda, Zafir Shaiq, Salmon Hussein, Yannina Casillas.

I. A. Call to Order

*- Flores called the meeting to order at 7:04pm.*

B. Signing of the Attendance Sheet

*The attendance sheet was passed around.*

II. Approval of the Agenda

- Tep asked to strike reports for the Academic Success Referendum Fund and Academic Affairs Mini-grant.
- Mullins added a special presentation on the UC Irvine incident to be handled by Nguyen and himself.
- Bawa asked to strike the approval of Hector Lucero for Election Board Chair.
- Li asked to strike the report for the EVP Travel Grant.
- Bawa asked to formally add the "Resolution in Support of Free Speech at the University of California" to the agenda.
- Faelnar asked to strike the report for the Cultural Affairs Mini-Grant.
- Mullins moved and Faelnar seconded to approve the agenda, as amended.
- Flores called for Acclamation. Flores asked if there were any objections to approval by Acclamation. There being none, the agenda was approved, as amended.

III. Approval of the Minutes

A. \*2/16/2010

- Nguyen moved and Faelnar seconded to approve the minutes for February 16, 2010, as presented.
- Flores called for Acclamation. Flores asked if there were any objections to approval by Acclamation. There being none, the minutes were approved, as amended.

IV. Public Comments

**Tereza Yimyan**

Teresa visited the council on behalf of the Armenian National Union and to discuss House resolution 252. She called the upcoming vote a crucial step toward recognizing an important issue for a group of

communities and individuals throughout Los Angeles, and the nation. She referred to the legislation as a human rights bill, and a call to recognize present and past genocides. She also acknowledged the opportunity to set a precedent toward recognizing patterns and conditions of genocide. She said that it is imperative to bring more attention to passing this resolution, and asked council to sign a sheet of paper showing support for the cause. She thanked the council for their time.

#### **Coreen Weintraub—CALPIRG**

Weintraub said that CALPIRG will be hosting a charitable Dodge ball tournament to aid with relief efforts in Haiti. The organization has planned the event for Monday, March 7<sup>th</sup> at 1P.M. CALPIRG hopes to raise thousands of dollars to offer direct and immediate aid in the wake of the massive earthquake that recently struck the country. She asked council to assist in providing outreach for the event, and thanked members for their time.

#### **Mona Razani—Bruin Democrats**

Mona said that the Bruin Democrats decided to endorse the resolution on the table. She said that while all members have different viewpoints toward the overall situation, the organization came to a consensus that all students have the right to assembly, and the right to protest peacefully. She said that students being punished for peacefully protesting could set a dangerous precedent, briefly mentioning the events that occurred in November at the UC Regents meeting, held on the UCLA campus.

#### **Lydia Mazuryk—Bruin Republicans**

Lydia said that Bruin Republicans strongly urges the council to vote in the negative on the resolution, as presented. She said that the students at UC Irvine breached the limitations of free speech by impeding upon another individual's right to speak freely. She said that the organizing of an event to disrupt Michael Oren's speech was a clear plan to impede upon his rights.

#### **Jonathan Gilbert**

Gilbert said that he feels the resolution on the table is not regarding free speech, and said that organizers of the said event were aware that disruptions were planned. He said that while individuals possess the right to assemble peacefully, it is also important to assure that multiple viewpoints are respected and heard.

#### **Jarrod Goldberg—Vice President of Bruins for Israel**

Goldberg attended the meeting on behalf of the organization, and announced that the main issue that Bruins for Israel has with the resolution is their opinion that it is a very divisive issue. He said that the organization also feels that bringing the issue to UCLA separates campus groups. The opinions of Bruins for Israel is to focus energy on issues that they feel are more pertinent to this campus; in particular sustainability issues, construction, and adjusting to budget cuts across the board.

#### **Nader Nasr—Vice President of the Muslim Students Association**

Nasr said that Michael Oren was originally scheduled to speak for 45 minutes, and that with multiple interruptions, he still managed to complete his speech. Nasr refuted claims that the resolution is a Palestine-Israel dispute, and argued that the intention is to argue for the importance of free speech. He said that students are at risk if the precedent is not set ensuring free speech for all students. He said that permitting or allowing violations of freedom of speech could prevent dangerous situations for students in the future. He said that Mark Yudof's decision to endorse UC Irvine's actions made the issue a UC level, one that affects all students. He concluded by mentioning that the protesters did not violate the rights of Oren to free speech.

**Zeyad Zasky**

Zasky said that the students mentioned have been punished through legal means, and said that they left voluntarily when asked by law enforcement. His opinion is that the expulsion of the students would be far too harsh of a punishment.

**Michelle Luna Reynoso—MECHA**

Reynoso said that the resolution is important to her, as a member of a marginalized community. She said that there should always be a place for students to speak their opinions. She feels that the proposed harsh punishment is completely unacceptable, and asked council to take all students place on campus and in society into consideration when placing votes.

**Afnan Shukry—United Arab Society**

Shukry agrees that expulsion is too harsh of a punishment, and discussed a similar event that occurred on the UC Irvine campus three years ago, adding that the punishment administered was far less severe.

**Mohammad Humkar—Rebuilding Afghanistan**

Humkar feels that the art of disrupting events is what attracts people to movements. He discussed actions and intentions of the founding fathers, and said that their intention was to assure that all individuals would be guaranteed their own freedom of speech. Humkar then offered support for the resolution.

**Freda Frid**

Frid said that she is concerned because students were not asked not to speak, adding that students spoke outside of the 45 minute allotted period. She then said that dialogue brings change, while speaking and disrespecting each other does nothing—arguing that the fundamental message of the students was trapped in yells and screams of individuals. She said that yelling within a speech hinders the ability and right of all audience members to hear and respect messages, and also a chance to understand where people are coming from. She feels that the students blocked Oren's freedom of speech by irresponsibly blocking the words of another individual, and added that if individuals are permitted the right and time to express ideas, there is still a need to respect the time of others.

**Nabeel Najmuddin—UMMA Volunteer Project**

Najmuddin said that as the representative of his Organization, UMMA Volunteer Project endorses the resolution. He mentioned that the students in question were punished adequately by being arrested, and stated that further punishment is unnecessary. He also said that expelling the students would go against the values of universities across the nation.

**Sharona Dahneshrad—BRI/Hillel**

Dahneshrad said that the meeting has seen a significant public turnout, with many differing opinions. She asked the council to consider the weight of passing a resolution that supports only one side, in her opinion. She said that every student pays the same amount to attend UCLA, which she argued is enough justification for the council to support all, while avoiding the possibility of alienating a group of students. She said that students were warned that action would be taken to calm the situation down, but freedom of speech was still honored. She said that in her opinion, UC Irvine has particularly anti-Semitic and Anti-Israel sentiments, and she asked to see solidarity and unity come from the council table.

**Nim Nahum—Bruins for Israel**

Nahum said that council should look at what he feels are the true intentions of the resolution, which he argued is not to ensure freedom of speech for all UC students. He said that the intention of the group of students was to destroy the event, which is not something that should be accepted on this campus.

**Omar Zarka—Muslim Students Association (MSA)**

Zarka said that residents of the United States grow up learning that the rights of individuals are to be respected. He said that the US is a nation which prides itself on an equal platform, and discussed a series of events that occurred the same night as the Oren speech, and argued that no similar form of action was taken. He said that there were no repercussions faced by participants of those events. He asked council to not allow another UC campus to selectively apply a form of punishment to a group of students. He said that the actions taken by the District Attorney should be enough, and that the university should not pursue further punishment.

**Lobna Hindi—Lebanese Social Club**

Hindi said that the students being discussed attend UC Irvine to receive a higher education, and now that right is being threatened by the university. He said that UC Students' share a fundamental right to speak their minds and to attain education. He feels that the law took care of the students, and argues that the students are now facing double jeopardy, in a certain sense. He concluded by mentioning that UC Students should not be in a place to deny freedoms and liberties to any body of people.

**Jesse Tejada—MECHA de UCLA**

Tejada stated that MECHA de UCLA supports the resolution.

**Zafir Shaiq—Muslim Students Association**

Shaiq shared his opinion that the resolution is not making any judgment on the actions of the students, but that the intention is to push forth the idea that the eleven students are peers of UCLA students, and that all students should have the right to engage in peaceful discourse. He said that he would be appalled if students at this campus faced similar consequences for expressing opinions that differ from his own.

**Salmon Hossein—United Afghan Club**

Hossein said that this Friday there will be a fundraising banquet to benefit efforts to supply wells in Afghanistan; the dinner will be followed by a fashion show, as well as some performances by authors and musicians. Hossein then focused his statement toward the UC Irvine incident. He said that the eleven protesters are UC students, and asked members of the public present would be offering the same arguments if different groups of people were involved. He said that being in disagreement with the students does not warrant the repercussions they are now facing. He too discussed considerable events that have taken place in the past, and compared and contrasted the events with the most recent at UC Irvine. He asked the council to remove politics from the discussion.

**Joelle Gamble—Roosevelt Institute at UCLA**

Gamble said that she attended the meeting having little knowledge of the actions of the students, or the event itself. She stated that after hearing the multiple arguments and opinions, she too felt that the true issue at hand was the treatment that the students were receiving at the hands of UC Irvine Administration. She feels that that expulsion is a rather harsh punishment.

**Beeta Baghoolizadeh**

Baghoolizadeh closed the public comment period by asserting that people have the right to freedom of speech, and acknowledged that the students who overstepped the bounds of another individual's own freedom of speech were punished by the law. She said that she is not present to argue on their behalf, and said that the issue at hand is whether or not expulsion is an excessive punishment. She argued that doing so could set a very dangerous precedent, and that it would also violate the constitutionality of the issue at hand.

V. Special Presentations

**Mullins and Nguyen—Presentation on events at UC Irvine**

- Mullins mentioned that both council members have strong opinions, but will be saving opinions for the discussion period. The two council members shared a video of the actions taken at the UC Irvine campus.
- Nguyen said that the point was to provide council with some direct insight of the event.
- Li asked who edited the video.
- Nguyen responded that he was not certain who edited the video, but that he and Mullins presented this particular short clip to avoid having the meeting run any longer than necessary.

VI. Appointments

**A. \* Ross Bernet (Campus Sustainability Committee)**

- Bawa said that Bernet received a unanimous recommendation of 3-0-0. He is an Environmental Science major, and Bawa credited him with having a very broad understanding of sustainability issues.
- Bawa moved and Farmer seconded to approve the appointment of Bernet to the Campus Sustainability Committee.
- Farmer asked what actions he has taken to promote sustainability on campus.
- Bernet is the co-leader for an action research team that has a specific focus on Sustainability, on which he has been working to get more plants native to the Southern California area on campus. He is also a member of the Chancellor's sustainability committee, and sits on the landscaping Sub-Committee.
- Huddy asked how serving on this committee will allow him to continue with his work and to take his actions a step further.
- Bernet said that he has already worked on the issue on an administrative level, and he has been able to interact with many policy makers and administrators on campus. He said that a position on the campus committee will allow his efforts to continue, and to become even more significant.
- Nguyen asked to elaborate more on what he feels are the most significant sustainability matters facing the UCLA campus.
- One of Bernet's main concerns is with waste on campus; he said that some of his other primary concerns are regarding landscaping and water efficiency on campus.
- Geller asked which year of studies Bernet is currently in.
- Bernet is a third year undergraduate student.
- Banani moved and Mullins seconded to call the motion on the table to question.
- Bernet was unanimously approved to his position.

VII. Fund Allocations

**A. Academic Success Referendum Fund**

*There was no business for the Academic Success Referendum Fund.*

**B. Academic Affairs Mini-Grant**

*There was no business for the Academic Affairs Mini-Grant this week.*

**C. EVP Travel Grant**

*There was no business for the EVP Travel Grant this week.*

**D. Cultural Affairs Mini-Grant**

*There was no business for the Cultural Affairs Mini-Grant this week.*

#### **E. \*Contingency Allocations**

-Tan said that a total of \$5384.25 was requested from Contingency; of that, a total of \$1450.00 is recommended for allocation for this week. The groups requesting funding were the Chi Alpha Christian Fellowship, Thai Smakom, the American Indian Student Association, and the office of the General Representative 1.

-Nguyen moved and Mullins seconded to approve the Contingency Allocations as presented by Tan.

-Flores called for Acclamation. Flores asked if there were any objections to approval by Acclamation. There being none, the Contingency Allocations recommending \$1450.00 were approved, as amended.

#### VIII. Officer and Member Reports

##### **President – Cinthia Flores**

Flores said that she met with Janina Montero to discuss the future of the deferred payment plan, and the two are looking to launch the plan over the summer. She will be discussing the use of excessive force with the Chief of Police to devise a list of alternative ways to deal with students in the future. She said that some of the ideas being considered are to possibly hold diversity training sessions with officers, or the possibility of restricting the use of tasers at all future events. California Assembly Majority Leader Albert Torrico will be visiting UCLA to discuss the status of AB540 students on campus. Flores attended the UCLA Alumni Association Board of Directors meeting, and mentioned that the committee passed a bylaw allowing the Alumni Association to take official stances on issues regarding students. The Association has adopted a plan on how to formally receive proposals from students, and the procedure behind endorsing stances of student groups.

##### **Internal Vice President – Shahida Bawa**

Bawa said that her office hosted free TB testing this week, which was open to all participants with a valid current student status. She said that the “Enough is Enough” program will be taking place on April 7<sup>th</sup> in Bruin Plaza. The event is being held in reaction to violence that has taken place on campuses throughout the nation. Her office has also been working on logistics behind the Afghan Fundraiser scheduled to be held this Friday, particularly on well drive. She announced that auditions will take place during the first week of spring for student commencement speakers. Students will be asked to submit an online thesis and outline of their speech and two students will be selected from the pool of applicants to deliver speeches at the College of Letters and Science ceremony. She also said that there will be three rounds of judging to decide upon two student singers for the commencement ceremonies; one of which will deliver the national anthem, and the other will perform the alma mater.

##### **External Vice President- Susan Li**

-Li was at UC Riverside over the past weekend, and is now trying to arrange buses or students attend protests at UCSD against the Compton Cookout event. She is also currently working on plans to schedule an event to register to vote. Li will be attending the Student Lobby Conference over the upcoming weekend. She is also working to bus students to bus students to the mayor’s office for a rally in conjunction with Cal State Los Angeles and Los Angeles Community College. She also discussed the concept of differential fees email which she sent out to council, and asked all students to sign the petition.

-Geller asked Li if she had knowledge of any student planned events for the action date on the March Day of Action.

-Li said that she has some ideas, but added that no solid plans have been set. She will discuss all plans with Geller as soon as those are finalized.

##### **Academic Affairs Commissioner—Layhannara Tep**

Tep said that the writing program will be taking place week 10, and will be called “Write here, Write Now”. She has met with representatives from Kaplan to begin plans to hold test prep programs next quarter. The Reaccreditation team will be on campus this week, and she said that students will have a specific time to meet with the committee. She will also attend the Student Lobby Conference this weekend with Li.

#### **Debra Geller—Administrative Representative**

Geller said there will be a simultaneous cast event held in the LATC Club House to give interested students an opportunity to see the proceedings at UCSD. She said that interested students can talk to Tony Sandoval to inquire into the amount of space.

#### IX. Old Business

*There was no Old Business this week.*

#### X. New Business

##### **A. Resolution in Support of Free Speech at the University of California**

-In order to open discussion on the floor, Bawa moved and Tep seconded to approve the original drafted resolution, as presented below:

*Whereas, all people within the boundaries of the United States of America enjoy the right to free speech, guaranteed under the first amendment to the Constitution of the United States of America,*

*Whereas, the University has traditionally been an institution dedicated to the free expression of ideas and an institution protecting the right to political expression,*

*Whereas, the students, staff, and faculty at a public university hold a variety of political beliefs and are protected in such by the American rights delineated in our nation’s Constitution,*

*Whereas, a student's academic life (grades, enrollment status, etc.) should not depend on the political beliefs and/or actions of the student, nuanced and outlined by the vanguard of academic freedom,*

*Whereas, no student should have to fear academic consequences for speaking out on an issue that has personally affected them, their family, or friends or of which they hold strong convictions,*

*Whereas, no campus administrators should make academic threats towards non-violent members of the university*

*Whereas, on 9 February 2010 during a public event at the University of California, Irvine by Michael Oren, Israeli Ambassador to the United States, eleven undergraduate students verbally disrupted his speech and were voluntarily escorted from the event, \**

*Whereas, despite interruptions, Oren was able to finish his speech and presentation, thus permitting his very own freedom of speech as well.*

*Whereas, the administration of the University of California, Irvine is now threatening students involved with the possibility of academic repercussions including the possibility of expulsion, \*\**

*Whereas, according to Cohen v. California, "the State may not, consistently with the First and Fourteenth Amendments, make [a] simple public display..." a criminal offense, \*\*\**

*Whereas, as a public university of the state of California we ought to follow through with this precedent— withholding judgment on the efficiency of public displays, merely acknowledging their right to exist.*

*Whereas, the students who were asked to remove themselves from the premises at police request did in fact do so, did not resist arrest, nor react violently in any manner.*

*Whereas, the aforementioned case reads, "to many, the immediate consequence of this freedom may often appear to be only verbal tumult, discord, and even offensive utterance. These are, however, within established limits, in truth necessary side effects of the broader enduring values which the process of open debate permits us to achieve."\*\**

*Be it resolved, the Undergraduate Student Association Council of the University of California Los Angeles, stands in opposition to the threat of academic repercussions based upon any nonviolent protest activity at the University of California,*

*Be it further resolved, the Undergraduate Student Association Council of the University of California Los Angeles demands that threats of academic charges levied against the students in question, pertaining to these protests be dropped.*

*Be it further resolved, the Undergraduate Student Association Council of the University of California Los Angeles stands in solidarity and in support of students' right to exercise their inalienable civic rights such as the freedom of speech, right to assembly, civil disobedience, and peaceful protest.*

-Bawa moved, and Tep seconded to approve the following resolution, with friendly amendments bolded:

### **Resolution in Support of the Right of Assembly and Protest at the University of California**

*Whereas, all people within the boundaries of the United States of America enjoy the right to **assembly**, guaranteed under the first amendment to the Constitution of the United States of America,*

*Whereas, the University has traditionally been an institution dedicated to the free expression of ideas and an institution protecting the right to political expression,*

*Whereas, a student's academic life (grades, enrollment status, etc.) should not depend on the political beliefs and/or actions of the student, nuanced and outlined by the vanguard of academic freedom,*

*Whereas, no student should have to fear academic consequences for **protesting on an issue of which they hold strong convictions**,*

*Whereas, no campus administrators should make academic threats towards non-violent members of the university.*

*Whereas, on 9 February 2010 during a public event at the University of California, Irvine by Michael Oren, **Israeli Ambassador to the United States (DELETE)**, eleven undergraduate students verbally disrupted his speech and were voluntarily escorted from the event, \**

***Whereas, despite interruptions, Oren was able to finish his speech and presentation.***

*Whereas, the administration of the University of California, Irvine is now threatening students involved with the possibility of academic repercussions including the possibility of expulsion, \*\**

*Whereas, according to Cohen v. California, "the State may not, consistently with the First and Fourteenth Amendments, make [a] simple public display..." a criminal offense, \*\*\**

*Whereas, as a public university of the state of California we ought to follow through with this precedent—  
withholding judgment on the efficiency of public displays, merely acknowledging their right to exist.*

***Whereas, in the history of the UC, students have exercised their rights as aforementioned in which their political activity earned arrests, but not academic consequences such as expulsion.***

***Whereas, students protesting the Vietnam War have been arrested on the UCLA campus and across the state, but have not suffered hindrance of their academic status due to these respective actions.***

***Whereas, students arrested at the UC Regents protests in November of 2009 have not faced University charges for their actions.***

*Whereas, the students who were asked to remove themselves from the premises at police request did in fact do so, did not resist arrest, nor react violently in any manner.*

*Whereas, the aforementioned case reads, "to many, the immediate consequence of this freedom may often appear to be only verbal tumult, discord, and even offensive utterance. These are, however, within established limits, in truth necessary side effects of the broader enduring values which the process of open debate permits us to achieve."\*\**

*Be it resolved, the Undergraduate Student Association Council of the University of California Los Angeles, stands in opposition to the threat of academic repercussions based upon any nonviolent protest activity at the University of California,*

***Be it further resolved, the Undergraduate Student Association Council of the University of California Los Angeles demands that threats of academic charges levied against the students in question, pertaining to these protests, be dropped as they are disproportionate to the actions of the eleven students.***

***Be it further resolved that according to the 4<sup>th</sup> amendment of the United States Constitution citizens are protected from cruel and unusual punishment of which we can not limit to the physical torture, but also the psychological and mental detriment caused when a public institution such as the University of California expels a student unwarrantedly- destroying potentiality for their future pursuit of happiness.***

*Be it further resolved, the Undergraduate Student Association Council of the University of California Los Angeles stands in solidarity and in support of students' right to exercise their inalienable civic rights such as the right to assembly, civil disobedience, and peaceful protest.*

-Bawa mentioned that there seventeen student organizations have endorsed this resolution. Bawa moved and Li seconded to add the proposed friendly amendments to the resolution. She opened the floor for discussion.

-Lin said that from a programming point of view, it is important to ensure that the visitor is treated with respect. Her committee has worked to make certain that people address their opinions in a respective way. While she is not opposed to the methods taken by police, she will be abstaining from the vote because she truly does not feel that the resolution is about freedom of speech.

-Huddy said that many people attended the event at UC Irvine to become educated, but eleven people stood up to state that those individuals in attendance would not be able to be educated. He said that the fee that the university paid to have Michael Oren paid is an somewhere between an estimated \$40,000 and

\$100,000 dollars, and said that the fees were wasted. While he agrees that expulsion is a harsh punishment, he said that linking free speech with the events is his reason for not supporting the resolution.

-Farmer said that the specific amendments added to the resolution have broader implications, and asked how it is fair or responsible of members of this campus to not acknowledge the situation at hand in Irvine. He said that the council needs to vote not based on politics, but on the potentiality of similar events taking place here on campus.

-Tep said that academic expulsion is the most serious punishment that can be offered, and said that with the amendments on the table, the resolution is not about freedom of speech but about the repercussions that students will face. She said that this is her reason for supporting the resolution.

-Mullins said that the context of the resolution is very much aimed at freedom of speech. He said that the University Police were in no way trying to shut down the viewpoints of the MSA at Irvine, but noted that there are appropriate times and places to issue opinions. He said the group deliberately went in and attempted to silence Oren. He said that the resolution tacks on the repercussions that students will be facing to mask one of the issues at hand. UC Irvine's Law School Dean wrote an editorial arguing that it is not a matter of whether or not the students were allowed their freedom of speech, but that they stepped over the line. He said that the government can impose restrictions on freedom of speech. He feels that if the council wants to author a resolution, the need would arise to not address the UC Irvine as a stifling of freedom of speech, but more to address the event that occurred and to put forth insistence that the university take less strident action upon their academic career. He charged the council to think about the resolution, and how it will be construed, adding that the council represents the entire body of the campus. He said that the issue is contentious, and the members have been receiving emails calling the email very aggressive, which he feels is a sign to not take too strong of a political stance.

-Bawa said that she would like to keep discussion around the resolution on the table. She said that legal matters were handled by law enforcement, but the resolution is aimed at the infrastructure of the university, and the actions taken by the university that have been condoned by UC President Mark Yudof. She said that student activism has been pivotal to the success and structure of both the state and the nation. She said that historically students have faced legal repercussion for their actions but have not faced academic action. She said that two of the most prominent Black Panther students were slaughtered on this campus, but they were embraced by the UCLA higher standards recognition and are still honored for their activism. She also discussed the legal repercussions faced by students engaging in the Vietnam War protest violence with police, and how said groups never faced academic repercussion. She asked how these students will ever be able to advance their education and social capital if their education is denied further.

-Tengco thanked all guests in attendance. He asked how many students in the room believe that those involved should be expelled from the university. There was a consensus from the public that no students should be punished both academically and legally. He referred to the charges of a professor of UC Irvine (in the video presented), and said that academic repercussion is unacceptable. He said that although he does not agree with the way that the students carried their actions, he wishes to protect their right to education, and said that the reason for his affirmative vote is to not ostracize a group on campus. He said that a vote in any form will technically ostracize a group on campus.

-Flores said that the demographics being discussed are those who feel that students should be expelled or not.

-Mullins disagreed with Flores, and said that the resolution is discussing the right to assemble. He asked why the resolution is not further drafted to solely reflect the academic repercussions being faced by the students at Irvine. He said that the language of the resolution does not specifically reference "expulsion" but left the language as reading "academic charge". He said that the resolution will not be construed in the way conveyed in the existing language is left intact. He said that council needs to convey the fact that students need to not disrupt the freedom of speech of others.

-Huddy said that the students who would feel they are being left out on behalf of this resolution are also those students who planned the Michael Oren event at UC Irvine.

-Bawa referred council to the general student code of conduct, which considers expulsion to be the highest form of punishment offered by this university. She yielded the floor to Doctor Geller to explain expulsion.

-Geller said that "Expulsion" is from one campus, and "Dismissal" is from all UC Campuses. The university looks at the circumstances of every individual case. She said that UCLA typically uses dismissal for violations that jeopardizes the safety and wellbeing of one or more member of the campus community, or for serious academic misconduct. She said dismissal itself is not common. She said that sanctions for student conduct violations range from censure, to probation, to various forms of educational sanctions, to

suspension or dismissal. Some examples of educational sanctions mentioned were mandatory attendance at relevant workshops.

-Nguyen said that all who have spoken have made very relevant and eloquent points. He said that his personal opposition is that students are looking at the document from different viewpoints—be it free speech, other issues at hand, or the expulsion itself. He said that the sections regarding the Irvine incident severely alienates a group here on campus. He said that council needs to realize that groups will be offended by the passage and publishing of this resolution, and he urged council members not to abstain. He asked if council wants to be viewed as a body that supports parts of the campus, while ignoring others.

-Mullins said that a “no” vote signifies that those voting do not agree with the document to the extent that they can offer their complete support. He suggested the tabling of the document to further discuss the universality of the language, or offered council to speak their minds and vote on their conscience.

-Farmer said that the discussion on the table is attempting to sway votes, and said that council members are all present to vote on behalf of a student body. He said that there should not be discussion telling others how to vote.

-Faenar said that there may be a sense of urgency due to the academic repercussions potentially being faced by the students at UC Irvine. She said that she would like to know what specific revisions could be made in order to bring council to some form of agreement. She charged her colleagues to offer specific friendly amendments.

-Huddy said that he needs people to tell him how to think, and said that the comments on the table are working toward removing abstentions from the final vote.

-Flores entertained Faenar’s request for others to add their input by offering friendly amendments where they see fit.

-Wu said that she did not know much about the issue before the meeting, and while she agrees that the students should not be expelled, people will be ostracized in either way or form by the passing or denying of the resolution on the table. She said that would be her reason for an abstention.

-Bawa said that she would not want to marginalize any group of students, but asked if condoning or passively observing the restriction of students’ right to academic success is not marginalizing a group as well. She said that she is here as a representative of the Undergraduate student body, and said that she appreciates the variety of opinion and discussions held on table. She said that if no friendly amendments will be proposed, then the only sensible move would be to move forward. With that comment, Bawa moved and Tep seconded to call to question. Banani, Mullins, Nguyen, and Huddy objected to calling the motion on the table to question—Flores acknowledged the objection. The discussion continued.

-Li said that the resolution is time sensitive and asked council to address all concerns on the table.

-Geller said that according to Robert’s Rules, the first vote on the table should be whether or not to accept the friendly amendment, originally presented by Bawa.

-Huddy, as a point of parliamentary inquiry, said that the prior comment would pertain to a first order amendment. Geller asked to withdraw her previous comment.

-Mullins moved and Huddy seconded to strike the previous resolution, and proposed the following resolution in its place:

*Whereas, the University has traditionally been an institution dedicated to the free expression of ideas and an institution protecting the right to political expression,*

*Whereas, the administration of the University of California, Irvine is now threatening students involved in the February 9<sup>th</sup> protests of speaker Michael Oren with the possibility of academic repercussions including the possibility of expulsion,*

*Let it be resolved, the Undergraduate Student Association Council of the University of Los Angeles strongly urges the University of California Irvine not to expel the 11 students involved in the February 9<sup>th</sup> protests of speaker Michael Oren.*

-There were five objections to the friendly amendment, and the proposal was not granted.

-Banani said that he revised the original resolution, and focused on striking out free speech aspects within the resolution. He said that he personally feels the free speech argument is ambiguous and is something that is above the council—stating that it is the duty of the US Court system to determine constitutionality of issues. He said that he refocused the amendment to discuss the need for the students to face legal

repercussion for stepping on the freedom of Michael Oren to express his own ideas, but to not be subject to any additional academic punishment from UC Irvine. With that, Banani proposed the following resolution, with changes struck as noted:

***Resolution in Support of the Right of Assembly and Protest at the University of California***

~~Whereas, all people within the boundaries of the United States of America enjoy the right to assembly, guaranteed under the first amendment to the Constitution of the United States of America,~~

*Whereas, the University has traditionally been an institution dedicated to the free expression of ideas and an institution protecting the right to political expression,*

~~Whereas, the students, staff, and faculty at a public university hold a variety of political beliefs and are protected in such by the American rights delineated in our nation's Constitution, (DELETE)~~

*Whereas, a student's academic life (grades, enrollment status, etc.) should not depend on the political beliefs and/or actions of the student, nuanced and outlined by the vanguard of academic freedom,*

*Whereas, no student should have to fear academic consequences for protesting on an issue of which they hold strong convictions,*

*Whereas, no campus administrators should make academic threats towards non-violent members of the university*

~~Whereas, on 9 February 2010 during a public event at the University of California, Irvine by Michael Oren, Israeli Ambassador to the United States (DELETE), eleven undergraduate students verbally disrupted his speech and were voluntarily escorted from the event,\*~~

~~Whereas, despite interruptions, Oren was able to finish his speech and presentation.~~

*Whereas, the administration of the University of California, Irvine is now threatening students involved with the possibility of academic repercussions including the possibility of expulsion,\*\**

~~Whereas, according to Cohen v. California, "the State may not, consistently with the First and Fourteenth Amendments, make [a] simple public display..." a criminal offense.\*\*\*~~

*Whereas, as a public university of the state of California we ought to follow through with this precedent— withholding judgment on the efficiency of public displays, merely acknowledging their right to exist.*

*Whereas, in the history of the UC, students have exercised their rights as aforementioned in which their political activity earned arrests, but not academic consequences such as expulsion.*

*Whereas, students protesting the Vietnam War have been arrested on UCLA campus and across the state, but have not suffered hindrance of their academic status due to these respective actions.*

*Whereas, students arrested at the UC Regents protests in November of 2009 have not faced University charges for their actions.*

*Whereas, the students who were asked to remove themselves from the premises at police request did in fact do so, did not resist arrest, nor react violently in any manner.*

*Whereas, the aforementioned case reads, "to many, the immediate consequence of this freedom may often appear to be only verbal tumult, discord, and even offensive utterance. These are, however, within established limits, in truth necessary side effects of the broader enduring values which the process of open debate permits us to achieve.\*\*\*"*

*Be it resolved, the Undergraduate Student Association Council of the University of California Los Angeles, stands in opposition to the threat of academic repercussions based upon any nonviolent protest activity at the University of California,*

*Be it finally resolved, the Undergraduate Student Association Council of the University of California Los Angeles demands that threats of academic charges levied against the students in question, pertaining to these protests, be dropped as they are disproportionate to the actions of the eleven students.*

~~*Be it further resolved that according to the 4th amendment of the United States Constitution citizens are protected from cruel and unusual punishment of which we can not limit to the physical torture, but also the psychological and mental detriment caused when a public institution such as the University of California expels a student unwarrantedly destroying potentiality for their future pursuit of happiness.*~~

~~*Be it further resolved, the Undergraduate Student Association Council of the University of California Los Angeles stands in solidarity and in support of students' right to exercise their inalienable civic rights such as the right to assembly, civil disobedience, and peaceful protest.*~~

-Banani moved and Tengco seconded to include the aforementioned resolution as a friendly amendment to the resolution originally presented to council. Huddy and Mullins offered objections, however, the amendment stood as presented.

-Huddy said that his primary concern is the rash nature of the situation, and how council seems to be concentrated solely on getting a document passed.

-Tengco said that he would like to remind council members that the fate of the students is in the hands of administrators of UCI. He said that council really needs to make a statement on behalf of UCLA.

-Wu asked how many students present felt strongly opposed to the friendly amendment. There were a number of the members of the public who expressed opposition.

-Nguyen yielded the floor to any students with objections.

-Jarrod Goldberg acknowledged the importance of the issue, and said that he calls into question the purpose of the council.

-Flores said that the purpose of the resolution to offer a response to the support of UC President Mark Yudof for the actions of the campus administrators—stating that he made a statement on behalf of the entire University system. *Flores granted council a five minute recess to further prepare a resolution.*

**[Council reconvened at 9:21p.m.]**

-Huddy said that he still sees issues with the resolution, in particular that it has a focus on peoples' right to freedom of speech, calling that his only qualm with the resolution.

-Bawa said that ambiguity of action was removed from the original resolution, and feels that this resolution would actually pertain more closely to students. With that closing remark, Bawa moved and Li seconded to call to question, there were two objections. There were not enough objections on the table to halt the vote.

-The Resolution in Support of the Right of Assembly and Protest at the University of California passed with a total of 9 in favor, 2 in opposition, and 1 abstention. The final approved resolution, reads as presented below:

***Resolution in Support of the Right of Assembly and Protest at the University of California***

*Whereas, the University has traditionally been an institution dedicated to the free expression of ideas and an institution protecting the right to political expression,*

*Whereas, a student's academic life (grades, enrollment status, etc.) should not depend on the political beliefs and/or actions of the student, nuanced and outlined by the vanguard of academic freedom,*

*Whereas, no student should have to fear academic consequences for protesting on an issue of which they hold strong convictions,*

*Whereas, no campus administrators should make academic threats towards non-violent members of the university*

*Whereas, the administration of the University of California, Irvine is now threatening students involved with the possibility of academic repercussions including the possibility of expulsion, \*\**

*Whereas, as a public university of the state of California we ought to follow through with this precedent— withholding judgment on the efficiency of public displays, merely acknowledging their right to exist.*

*Whereas, in the history of the UC, students have exercised their rights as aforementioned in which their political activity earned arrests, but not academic consequences such as expulsion.*

*Whereas, students protesting the Vietnam War have been arrested on UCLA campus and across the state, but have not suffered hindrance of their academic status due to these respective actions.*

*Whereas, students arrested at the UC Regents protests in November of 2009 have not faced University charges for their actions.*

*Whereas, the students who were asked to remove themselves from the premises at police request did in fact do so, did not resist arrest, nor react violently in any manner.*

*Whereas, the aforementioned case reads, "to many, the immediate consequence of this freedom may often appear to be only verbal tumult, discord, and even offensive utterance. These are, however, within established limits, in truth necessary side effects of the broader enduring values which the process of open debate permits us to achieve. \*\*\**

*Be it resolved, the Undergraduate Student Association Council of the University of California Los Angeles, stands in opposition to the threat of academic repercussions based upon any nonviolent protest activity at the University of California,*

*Be it finally resolved, the Undergraduate Student Association Council of the University of California Los Angeles demands that threats of academic charges levied against the students in question, pertaining to these protests, be dropped as they are disproportionate to the actions of the eleven students.*

-Flores thanked council members, administrators, and all those in attendance as representatives of the public for their constructive criticism and revisions to the resolution.

#### XI. Announcements

- Huddy reminded students to sign up for Econ 188B
- Lin said that the Hip Hop Explosion Concert featuring E40 and Busta Rhymes is this Thursday evening.
- Nguyen said that his office was successful in adding a link on MyUCLA to the Sustainability web page.
- Wu said that CPR classes will be held this Sunday, and asked council to promote the event to other students. She also brought copies of the newly released Total Wellness Magazine, Sustainability Issue.
- Banani said that a mini-community service day is happening this Saturday; the event has a specific aim towards promoting sustainability.
- Zimmerman said that the TGIF applications will be due soon.
- Farmer said that an AB540/DREAM ACT fundraiser will be held in the Sunset Village area this Thursday.
- Li said that the alliance of dreams is holding a weeklong event focusing on DREAM ACT awareness this week.
- Flores said that Assembly Majority Leader Torrico will be at the Kerckhoff steps next Wednesday.

#### XII. Signing of the Attendance Sheet

*The attendance sheet was passed around.*

#### XIII. Adjournment

- Banani moved and Tep seconded to adjourn the meeting.

- Flores called for Acclamation. Flores asked if there were any objections to approval by Acclamation. There being none, the meeting was adjourned at 9:45p.m. by Acclamation.

XIV. Good and Welfare

Respectfully Submitted,

Joseph Casillas  
USAC Minutes Taker  
2009-2010