

SUA Meeting 11/17/2015

Assembly Members Present: Imari Reynolds (Cowell), Bryna Haugen (Cowell), Tyler Papp (Cowell), Daniel Bernstein (Stevenson), Gema Rodriguez (Stevenson), Kyra Brandt (Stevenson), August Valera (Crown), Tias Webster (Crown), Jane Loughboro (Crown), Lara Loesel (Merrill), Morgan Smith (Merrill), Bianca (B) Moncada-Martin (Merrill), Roxanna Gutierrez (Porter), Amanda Kazden (Porter), Eli Guzman- Martin (Porter), **Alternate** Liza Mednikov (Kresge), Jackie Roger (Kresge), Tara Parcella (Kresge), Tamra Owens (Oakes), Suini Torres (Oakes), Kiana Coleman (Oakes), Wayne Ledgister (Eight), Simba Khadder (Eight), Kaimana Carney (Eight), Rohit Dhar (Nine), Katherine Le (Nine), Anthony Gonzalez (Nine), **Alternate** Kristi Johnston (Ten), Danny Milla (Ten), Tama Semo (Ten), **Alternate** Basheera Ali-El (A/BSA), Theresa Atanoa (APISA), Vanessa Sadsad (QSU), Gilbert Paredes (MEChA), Erica Green (SANAI), Art Motta (Organizing Director), Seamus Howard (Vice President of Academic Affairs), Sauli Colio (Vice President of Diversity and Inclusion), Guillermo Rogel (Vice President of External Affairs), Jabari Brown (Vice President of Internal Affairs), Julie Foster (President).

Assembly Members Absent: Winnie Sidhu (Kresge), Ramneet Bajwa (Ten), Lisa Washington (A/BSA).

Approval of the Agenda:

Tamra: **Motion to approve the agenda.**

Tama: **Second.**

Eli: **Objection. Motion to add 7 minutes before Old Business for a presentation by SJP.**

Gema: **Second.**

Ray: Are there any objections? Seeing none, **motion passes.**

Tamra: **Motion to approve the agenda.**

Eli: **Second.**

Ray: Are there any objections? Seeing none, **motion passes.**

Approval of the Previous Meeting's Minutes:

Eli: **Motion to approve minutes.**

Roxanna: **Second.**

Ray: Are there any objections? Seeing none, **motion passes.**

Viewing of the Community Agreements:

-Ray goes over Community Agreements-

[<http://sua.ucsc.edu/resources/governing-documents/community-agreements.pdf>]

Announcements and Public Comment:

Guillermo: On Thursday morning, the UC board of Regents is proposing their budget for the next operating year. They want to increase enrollment by 10,000 over the next few years. I'll be taking a car for students to talk during public comment. If you're interested, I'm sending out a sign-up sheet. We'll leave at 6 AM for SF. The application of student regents just opened up and it is due in late January.

Art: Our constitution mandates us to appoint several positions, Treasurer, Legislative Liaison, Recording Clerk, Historian, and Media Coordinator. I'd like to introduce the Historian and Media Coordinator now.

Eli: Two things, for Thanksgiving, the Cantu Center is having a Thanksgiving event for those who will not be going home. You need to RSVP and they have it on the Cantu website. Second, one of the groups at the Cantu Center, we are looking for facilitator for a Trans Student of Color Coalition. Please let me know if you have any questions.

Seamus: In week 10, the Office of Academic Affairs is going to be doing some outreach and we will be having food for finals at S&E and McHenry. Monday, Wednesday and Friday, we will be having free coffee and free testing supplies.

Julie: There is a housing forum at Kresge Town Hall this Wednesday at 5:30 PM where different community groups are talking about what they are doing right now and they will be going over the homelessness problem in Santa Cruz.

Erika: SANAI will have a fundraiser in the quarry from 12-2 for Pan Dulce.

Presentations:

Jewish Student Union/Slugs for Israel Presentation:

We are speaking on an appeal for tonight on a resolution from two years ago. There are a couple reasons why this is a mistake. One, it is divestment, and a divisive issue. The amendment that SJP has provided to make this appeal is fairly nontransparent and non-constitutional. The amendment to the constitution was made on the same day as the presentation of the appeal. We haven't even seen the amendment to the constitution yet. There weren't 24 hours in advance notice before their original presentation, which didn't allow senate meetings that were meeting the night before to understand what was happening. The original resolution that was being discussed was brought up at the last meeting of the school year at Merrill. The original 2/3ds

vote didn't pass and there was a vote to reduce majority vote to 50% +1, and then re-voted upon and it was then passed. Supplementary, the community and UC faculty talked to the president and said that the majority reduction shouldn't have occurred and he decided to veto that decision. So we've passed out the violations that we believe that have occurred here. We feel that this should be decided by a judiciary committee and not SUA. You can't pick and choose what rules you choose to follow, especially in the case of voting. The other thing, Robert Rules of Order in Rule 22 say that there are only two ways to suspend the rule, before and during the question is posed. Rule 22 does not allow after it has been voted on. We feel that SUA should create a judicial branch. The second vote that was taken that night is the one that we are referring to because the question had already been answered by a vote and resolved and the second vote was held afterwards. Most of the student government isn't here anymore, so most of the people who are going to be affected by this aren't part of this discussion. We are silencing those who are going to be affected by this on this campus. After this vote occurred, there was a letter sent out by Chancellor Blumenthal condemning how this vote was processed.

Spencer: I respect the way the SJP is going about this, via sticking to the way this was handled and not the resolution, but this is an incredibly decisive bill and it has come to the campus in multiple ways and those have been some of the largest turnouts in an SUA meeting. To talk about this about not being divestment, kind of disillusion the SUA about what they are discussing. They need to understand the full ramifications of what they are discussing. I want to reiterate because we want to see due process of law, but we don't think this is due process because of the way this appeal is being held. At Stanford they passed divestment and there were some social media comments that were harmful. I think that it speaks for itself and that SUA is supposed to hold up the well being of the campus. We don't want a divisive and hurtful thing on campus. There were also some twitter hashtags that are very important. These were tweets that were made around the time of the resolution, this is from the CJP page. There have already been things on campus that are harmful and we don't want to encourage that. I would like to clarify whatever the thoughts of these people aren't the thoughts of everyone, but these are thoughts that could come back to the campus. "It's too bad that there are too many #zionists in general." There was also a collected of surveys that went out towards UC students about antisemitism. The comments regarding BDS and how it has changed campus are also pretty hurtful. This happened at the demonstration that happened at the library while trying to imitate an Israeli checkpoint. There was also a swastika drawn in the McHenry bathroom. The third one is that I've been told as a Jew I don't know what genocide means and people have called me a Jew in a mean way. There have been calls to remove all Zionists on campus. These are all comments from UCSC students that have felt personally attacked on our campus for their pro-Israeli viewpoints. This happened recently, where SJP came to a Slugs for Israeli meeting on campus and they said they wanted to make this uncomfortable for us. I don't think that that is right. This resolution that we are passing by appealing this vote is not representative of what Israelis and Palestinians wants. Bassem Eid, a human rights activist doesn't want divestment. This is a conclusion to our presentation, I've been to Israel a few times and I've been in a town that quarters Gaza. What

many of the old people said there is that they miss their Palestinian friends. We don't want this campus to be another forum for divisive issues and we believe that the SUA should be a tool of the students to engage in dialogue and participate in things that allows them to say their feelings. You can be pro-Israeli and pro-Palestine, people generally call that pro-peace. There is no binary here. We don't want this appeal to be passed because it won't promote peace on campus and the duty of SUA is to make all students feel safe on campus. This resolution makes a lot of students on this campus feel unsafe.

Wayne: Could you please clarify what exactly you said what unconstitutional?

In the handouts, we outlined which constitutional clause that it violates, which was Roberts Rules of Order which is when they suspended the bylaw to vote after it had already been voted on. It is Rule 22 of Robert's Rules of Order, the 2/3rds majority vote may be suspended when no question is pending or while a question is pending. The question in this context is basically the resolution itself being brought to a vote. It was resolved by the vote and when that vote happened after the suspension of bylaws, that was when the illegal part occurred.

Jackie: There was a screenshot of the Facebook event, what was that about?

We wanted to bring up the point that this is divestment and even SJP stated that it was divestment on their FB page.

Simba: Regarding that night when the 2/3rds bylaw was suspended, it says in the SUA bylaws at that SUA is able to suspend portions of the bylaws.

You'd have to suspend the bylaws before the vote took place and the question that Robert's Rules of Order is referring to is the question on the resolution and since this happened after the question, you can't suspend the bylaws after already voting.

Dylan: This is a follow up to the previous speaker. What exactly was the question following the vote that you said disqualified the suspension of the bylaws?

There wasn't a question after that first vote occurred for there to be another suspension of the bylaws.

Dylan: So there was no question after it was voted, so it was able to be suspended?

The bylaws say that you can't suspend the bylaw after the initial vote.

Eli: I have a question, so one of the things that was brought up during this presentation had to do with the administration getting involved especially the chancellor not being happy with the decision that was being made. From my understanding, SUA should not be at the whims of admin. I understand that they are the people in charge of the school, but just because they want us to do something doesn't mean that we should do it.

It was the administration in conjunction with other students in the campus. The dean of students was also involved. The point of bringing that up is to show that this wasn't a decision that the SUA Chair made unilaterally. I don't think admin should be telling us what to do either. The point is that it wasn't just administration.

Gema: A significant portion of your presentation was that you fear if this resolution passes that the campus climate would be harmed, but couldn't the same thing be said if it didn't pass?

We are trying to not promote that kind of stuff on campus and instead create dialogue on campus for the peace of the campus community. You can feel the divisiveness in this room and that should not be felt in this space.

Art: In regards to the letter from the chancellor and I'm wondering where you got this letter from and it doesn't look like something that the chancellor would send out. I just wanted to know where you got this letter from.

After the vote occurred, this was sent out to the commissioners and it was also sent out elsewhere, especially to the Jewish community. I don't have the email on me but I can prove it's from the chancellor. You claim that it wasn't formatted correctly, but people change their formats.

Art: The letter just doesn't seem like it was given to the assembly or posted on the assembly's webpage.

Wayne: The portion of Robert's Rules that you said earlier, you said that there should be no question on the table, but the way I understand it from the minutes, there was a new call for reconsideration, so I don't understand what you say is unconstitutional.

The resolution is the question asked at that moment and the motion for reconsideration was the resolving of that question. So you can't suspend the bylaws after the initial vote.

Daniel: **Motion to extend 10 minutes.**

Roxanna: **Second.**

Sauli: **Objection.**

Vote to extend time:

In favor: **26** | Opposed: **10** | Abstentions **2**, **extension of time.**

Justin: I was on the assembly back then as well and I'm pretty familiar with the campus emails and I checked mine and I did not receive that letter. He did send an email on that same date but there was nothing on that sentiment of the resolution. It also never came up in the subsequent

conversation when we would talk about the suspension of bylaws. If you could just further explain when and where you got this?

This was received two years ago following the vote. I can show you all the information later, but I'm standing here and the Chancellor isn't here to answer those questions. All I can say is that it happened two years ago and I don't have the information at hand to pull up for you now.

Vanessa: A lot of the slides and in your screenshots showed something with hashtag Zionism, I was wondering if you could explain what that is.

Zionism is the Jewish movement for self-determination. It is an ideology that advocated for Jews globally to form a nation state of their own.

Jon: You said that there were some incidents of drawing swastikas, are you accusing the people who put this resolution of drawing those swastikas and that this appeal will increase the amount of swastikas drawn in places on campus?

Yes, to the *second* one, this increased visible antisemitism on campus, on campuses that passed this resolution. We're not saying that members of SJP have directly drawn swastikas, but the ramifications of this bill passing has been shown to increase anti-Semitism. It creates an atmosphere of what might happen.

Simba: During the presentation that you said that "Palestinians don't want this", and you generalized a whole group that you don't even identify with so let's just not do that. Second, I'm still not sure exactly was unconstitutional, so I'm gonna go step by step and please feel free to correct me. First, the resolution didn't pass, so there wasn't anything on the table, and then there was a suspension of bylaws, and then they motioned to reconsider. Was that constitutional?

No, because the question they were bringing up again was a call on the resolution.

Simba: But then suspended the bylaws and then they motioned to reconsider.

Yes and the question that was on the table was already resolved so the motion to reconsider, that question, is not valid. It can't be reconsidered.

Daniel: What should be a judiciary committee?

People who aren't affiliated with SUA or the Jewish community or anything to do with divestment, like SJP.

Eli: Two things, the first one is something that was brought up a lot, that overturning Shaz's decision for that resolution would make people uncomfortable. I have a question about that because in such a divisive issue, anything is going to make people uncomfortable. There won't be one way to make people happy ever. Another thing, correct me if I'm wrong, we can motion to reconsider things.

Ray: Within Robert's Rules you are able to reconsider something as many times as you want.

So the first comment, you feel that talking about this makes people feel uncomfortable, we didn't say uncomfortable, we say that it makes us feel unsafe.

Daniel: **Motion to extend by 15 minutes.**

Wayne: **Second.**

Vanessa: **Objection.**

Vote to extend time:

In favor: **15** | Opposed: **19** | Abstentions: **5**, **motion to extend time fails.**

Gema: **Motion to reconsider for 5 minutes.**

Daniel: **Second.**

Eli: **Objection.** We are going to be having a fairly long discussion when we get into the discussion.

Jackie: **Call to question.**

Vanessa: **Second.**

Vote to reconsider 15 minute motion and reduce to 5 minutes.

In favor: **6** | Opposed: **23** | Abstentions: **9**, **reconsideration fails.**

SJP Presentation:

We just wanted to do some clarifications. The previous group asked some thought provoking questions, such as "will this make campus climate more divisive" and that question was debated two years ago and it was decided that the campus climate will not be more hostile. The divestment supposedly happened two years ago. After divestment, someone screwed with the system and caused us a lot of problems. We came to you and asked if you could consider this on the legal merits. We are asking as SJP to just represent the students and consider the technical procedural part of the appeal. This makes powerful people uncomfortable. We just want to focus on the appeal. We came before your senates and we talked about the appeal process. We don't want to talk about divestment and we are just asking you all to just look at the technicality of it. If you would have voted for the appeal without the divestment, you are saying that that are two sets of rules, one for controversial items and one for non-controversial items. A lot of people were saying that campus climate would change after this, but we have also been threatened and it's two sided.

Wayne: Could you clarify, did the former Chair Shaz state any legal justification within our constitution?

He basically said that he said the wrong bylaw out loud and that since he stated one letter wrong, that it wasn't right, so he vetoed it.

Daniel: You're saying that this is simply an appeal and not divestment. This is an appeal a chairs decision regarding a divestment resolution. If you wanted to bring this up, why didn't you bring this up earlier?

There wasn't an appeal process and it was recently written into the bylaws. This would have passed two years already if the chair had not vetoed this.

Olivia: You all keep saying that this divestment was passed two years ago, and maybe a new bill should be drawn. This appeal needs to be focused on the divestment. If this is just so important, we should create a new resolution.

Gema: **Motion to extend by 10 minutes.**

Daniel: **Second.**

Ray: Are there any objections? Seeing none, **motion passes.**

So just to clarify, the fact that divestment passed shows that it was uncontroversial. Just because people are saying that it is controversial doesn't mean that it is. The most controversial item is that Shaz overstepped his power and did something unconstitutional. Ignoring what Shaz did creates a new precedent of what could possibly happen in the future.

Jon: I wanted to ask what threats you have experienced for your activism I understand that there is a group which has targeted previous students of SJP.

The previous presenters mentioned a checkpoint event in front of the library, and there was a student who started telling us that we should act as Palestinians, and that Palestinians are terrorists who blow themselves up at checkpoints and he yelled Allahu Akbar at us.

Jackie: I wanted to take a moment to ask some questions. I would like for everyone to follow their constitution. Both groups of presenters have felt unsafe. How will going for the appeal minimize this lack of safety?

If divestment does not pass, students will be physically unsafe. Students have said that they have been detained by Israeli military in their home country. We don't want to waste time skirting the issue and we just want to talk about this appeal.

Unknown: I was here all of the times in which we discussed divestment, and I think that it is important that we keep bringing up that the bill is not important. Two years ago we had a

grueling meeting. When SUA passed divestment it wasn't easy and they worked extremely hard for that. By not acknowledging that, we are disrespecting that SUA space.

Spencer: Are you all aware of the bylaw that states that a resolution must be considered in the academic year that it is introduced.

This is not a resolution, divestment is a resolution and this is an appeal.

Ray: (How an appeal process works) – [See <http://sua.ucsc.edu/about/agendas-and-minutes/2014-2015/bylaw-amendments/2015-05-19-appeal-of-chair-decisions.pdf>]

B: Motion to extend time by 2 minutes.

Tamra: **Second.**

Ray: Are there any objections? Seeing none, **motion passes.**

Gema: I think that we should be able to take this back to our colleges and constitutionally we can all agree that someone did overstep their bounds and I think that we should take this back to our colleges.

We did bring this on Tuesday and we have been to the individual college spaces. From what I understand, most of the college governments have already voted on this

Daniel: **Motion to add 10 minutes.**

Kaimana: **Second.**

Vanessa: **Objection.**

Vote to extend time:

In favor: **10** | Opposed: **22** | Abstentions: **7**, **motion to extend time fails.**

Old Business:

Students for Justice in Palestine Appeal of Chair:

Unknown: Something that was brought up during the presentation was about how there was a different set of students that was debating during the initial introduction on this bill. I just want to bring up that we are always voting on things like resolutions and by the logic of that, we should reconsider every single resolution that we have in SUA every time we have a new body.

Simba: We have lots of resolutions that have passed over the year and we're not going to say that they're invalid just because it's a new set of students. Also this should have happened two years ago. College Eight completely voted in unison that what Shaz did was unconstitutional. Another thing, there was a lot of things that were attacking SJP in one of the presentations, but we are

appealing a process. Another thing said was that we're misrepresenting the students, but you have to keep in mind that a lot of people were there. A majority of them voted for this. Those people were completely silenced by that one person and again we are student voice, student action, and I would argue that student voice was completely stifled by one person. Another thing, once we vote on this, would you have voted differently if it was a different resolution? I was there, and I felt very silenced and that's one of the big reasons that I joined SUA is to never be silenced again.

Wayne: My first point is that I can't see what the SUA did that was unconstitutional. I've spoken with people, and it speaks towards the intention of the SUA at the time. As far as what I'm hearing, SUA wasn't given an opportunity because this happened at the end of the year to correct this potential wrong even though the intentions were clear. I feel that as a body we need to rectify what Shaz did. My second point is that I do understand that the campus changes, and student government changes. As SUA we represent all students on campus. My personal feelings should be separated from what is unjust and what is just. **Motion to grant the appeal.**

Lara: **Second.**

Gema: **Objection.**

Discussion of Granting an Appeal

Daniel: First, I am concerned for passing this appeal, and alarmed at the process that any constituents can appeal any decision that they don't like. Secondly, SJP has said that this is not about divestment but this appeal would allow the resolution to pass. I have been told to abstain from this vote because of my "Jewish Agenda". I am being personally discriminated.

Simba: I just wanted to reiterate that people were silenced that day. SUA said something as a body and it was passed, and someone decided to not have it passed. This was a perfect time to appeal the chair. He basically acted as if the SUA voice didn't matter. Most people who are against this have already admitted that this was unconstitutional. This decision should be appealed but what actually happened in history should be corrected and then we should move on from there. We should remain legal.

Tias: There are two issues that have blended into one, which are the appeal and the divestment. Given the emotions and ideas and thoughts that are represented in this room, I'm not sure if we are in a place to make a decision.

August: I'm still not entirely convinced that this was unconstitutional because there are two sides that both said different things. I want to discuss the constitutionality of this. First off, I want to talk about the fact that a past SUA chair vetoed a resolution that was passed because of a technicality. According to the bylaw of an appeal process, it says that an officer is able to rule on things according to parliamentary procedure. Whether or not something was unconstitutional, in

the first presentation, there is a reference to rule 22 in Robert's Rules of Order which says that you can suspend bylaws while a question is pending, and you can't suspend the bylaws for a question which has already been decided, but I understand that there was a motion to reconsider after the suspension of the bylaws. Does the suspension of the bylaws apply to a motion that happened in the past?

Guillermo: Roberts Rules is there to fill in any gaps in our bylaws. However our bylaws supersede what is in Robert's Rules of Orders.

Imari: Reserve my right to make a motion, we've heard a lot of sentiments from a lot of people. But the main thing that I've been hearing is that this motion passed and then it was vetoed by the president, so are we discussing not following our constitution to have something pass? With that, **I call to question.**

Jackie: **Second.**

August: **Objection.**

Vote to vote:

In favor: **28** | Opposed: **4** | Abstentions: **7**, **call to question passes.**

Vote on appeal:

Daniel: **Call for a roll call vote.**

Imari Reynolds (Cowell) **Yes**, Bryna Haugen (Cowell) **Yes**, Tyler Papp (Cowell) **Yes**, Daniel Bernstein (Stevenson) **No**, Gema Rodriguez (Stevenson) **No**, Kyra Brandt (Stevenson) **No**, August Valera (Crown) **Yes**, Tias Webster (Crown) **Abstain**, Jane Loughboro (Crown) **No**, Lara Loesel (Merrill) **Yes**, Morgan Smith (Merrill) **Yes**, Bianca (B) Moncada-Martin (Merrill) **Yes**, Roxanna Gutierrez (Porter) **Yes**, Amanda Kazden (Porter) **Yes**, Eli Guzman- Martin (Porter) **Yes**, **Alternate** Liza Mednikov (Kresge) **No**, Jackie Roger (Kresge) **Abstain**, Tara Parcella (Kresge) **Yes**, Tamra Owens (Oakes) **Yes**, Suini Torres (Oakes) **Abstain**, Kiana Coleman (Oakes) **Yes**, Wayne Ledgister (Eight) **Yes**, Simba Khadder (Eight) **Yes**, Kaimana Carney (Eight) **Yes**, Rohit Dhar (Nine) **Abstain**, Katherine Le (Nine) **Abstain**, Anthony Gonzalez (Nine) **Yes**, **Alternate** Kristi Johnston (Ten) **Yes**, Danny Milla (Ten) **Yes**, Tama Semo (Ten) **Yes**, **Alternate** Basheera Ali-El (A/BSA) **Not Present**, Theresa Atanoa (APISA) **Abstain**, Vanessa Sadsad (QSU) **Yes**, Gilbert Paredes (MEChA) **Yes**, Erica Green (SANAI) **Yes**, Art Motta (Organizing Director) **Yes**, Seamus Howard (Vice President of Academic Affairs) **Abstain**, Sauli Colio (Vice President of Diversity and Inclusion) **Yes**, Guillermo Rogel (Vice President of External Affairs) **Yes**, Jabari Brown (Vice President of Internal Affairs) **Yes**, Julie Foster (President) **Yes**.

In favor: **28** | Opposed: **5** | Abstentions: **7**, **appeal granted.**

Wayne: Before I posed the original motion, I asked for clarification that if it did pass, if we could actually reconsider the initial resolution.

Ray: We looked into the rules. Resolutions can only be considered in that year.

Gema: Wayne was also under the same impression that I was, because he motioned and he wasn't able to rescind. Could you repeat how we would reconsider?

Ray: There is a bylaw that says you can't reconsider resolutions in a different academic year than they are introduced. But you could suspend the bylaw of that and then motion to reconsider.

Art: **Move to end discussion and move on.**

Eli: **Second.**

Daniel: **Objection.** There is stack and this needs to still be talked about.

Vanessa: **Call to question.**

Roxanna: **Second.**

Daniel: **Objection.**

Vote to vote:

In favor: **21** | Opposed: **9** | Abstentions: **9**, **call to question passes.**

Vote to move onto next agenda item:

In favor: **19** | Opposed: **11** | Abstentions: **10**, **moving onto next agenda item.**

Gema: **Motion to amend the agenda to add 10 minutes at the end of the meeting to continue discuss the appeal of the Chair's decision.**

Daniel: **Second.**

Eli: **Objection.**

In favor: **7** | Opposed: **20** | Abstentions: **12**, **motion fails.**

Confirmation of the Treasurer – CLOSED SESSION

Ad Hoc Presidential Budget Deliberation

Sauli: **Motion to adjourn.**

Vanessa: **Second.**

Guillermo: **Objection.**

Vote to Adjourn:

In favor: **22** | Opposed: **12** | Abstentions: **2**, **adjournment.**