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**Senate Agenda**

Associated Students

21 October 2020

Zoom Minutes/Actions recorded by: Maggie Boyle

**CALL TO ORDER** by Tianna White, INTERNAL VICE PRESIDENT  **at 6:38PM**

**A) MEETING BUSINESS**

We ask you to join us in acknowledging the Chumash Peoples, their Elders, both past and present, as well as their future generations.

We would like to take this opportunity for us all to reflect on how the work we do here today, in our search for knowledge, our opportunities to teach, and every day, in our chosen fields, affects these lands and the peoples of these lands that we work with and research to protect.

We acknowledge that this University system was founded upon exclusions and erasures of many Indigenous peoples, including those on whose lands this institution is located, the villages and unceded lands of the Chumash people. This UCSB Administration has failed to faithfully and dutifully support the traditional custodians of these lands, Chumash people and Indigenous students, through their continued support of Mauna Kea.

As we work together to prevent further damage to these lands and waters that support not only our livelihoods, recreation, lifestyles, research, and education, we remember that the Chumash peoples of this area have been separated from these lands, unable to maintain livelihoods as they should, unable to recreate traditionally, unable to maintain their traditional lifeways freely, and unable to have the same access to their lands that we are provided, to do their own traditional research and educate their future generations.

The Chumash people are comprised of the descendants of Indigenous peoples removed from their Island of origin Limuw (Santa Cruz), Anyapac (Anacapa), Wima (Santa Rosa) and Tuqan (San Miguel), subjugated by 5 missions during Spanish colonization of the Central Coast, from Malibu to Morro Bay and inland to Bakersfield. The Villages, upon which this University sits, were a safe haven for maritime travelers. A place alive with trading, hospitality, and abundance. A place where knowledge of and from the surrounding areas, far and wide, was shared with all people of this place and its many visitors. A traditional place of sharing knowledge and education. A tradition this University has an obligation to remember.

Many of the projects and research conducted by this University are within the traditional territory of the Chumash Peoples, and/or affect other Indigenous peoples in their territories and in spite of all of this, each Tribe, Council, Clan, and Band is working diligently to restore and continue their traditional stewardship practices on these lands and heal from this historical trauma.

The damage that has been done and continues to be done by not sharing the true history and legacy in this place and others, and by the exploitation of the Natural Cultural Resources of these areas, can never be erased, there is no mitigation or research project that can make their communities whole again. But we can do better!

As educators, friends, and allies, together, we can acknowledge the mistakes and atrocities of the past and move forward in remembrance and relationship with the local Chumash peoples and other Indigenous peoples, to facilitate their process of healing by making sure that our processes here make room for their Chumash and Indigenous voices to be heard, their Traditional Ecological Knowledge of these territories to be listened to and their peoples to be a part of the healing of these lands and waters, as well as themselves.

This acknowledgment, though brief and in no way complete, demonstrates a commitment by this institution and their educators, to begin the process of creating a relationship with the local Chumash and Indigenous Communities and work to dismantle the ongoing legacies of settler colonialism.

We come together today to acknowledge, stand up for, and give voice to, the unceded lands and waters of the Chumash and all their peoples

**A-1) Roll Call**

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| --- | --- | --- | --- |
| **Name** | **Note:**absent (excused/not excused)arrived late (time)departed early (time)proxy (full name) | **Name** | **Note:**absent (excused/not excused)arrived late (time)departed early (time)proxy (full name) |
| Adam Bagul |  Present | Gurleen Pabla |  Present |
| Yuval Cohen |  Present | Surya Pugal |  Present |
| Angel Diaz |  Present | Esmeralda Quintero-Cubillan |  Present |
| Catherine Flaherty | Present | Emanuel Roman | Present |
| Anusikha Halder |  Present | Bee Schaefer |  Present |
| Karsten Kolbe |  Present | Hayley Slater |  Present |
| Nathan Le |  Present | Shva Star |  Present |
| Dylan Martinez |  Present | Taylor Tait |  Present |
| Daniel Mitchell | Present | Jackson Tofft | Present |
| Ahura Nezhad |  Present | Eileen Tran |  Present |
| Fabian Oseguera |  Present | Aimee Wang |  Absent (Excused until 8PM)  |
|  |   |  |   |
|  |  |  |  |

**A-2) Excused Absences**

**A-3) Acceptance of Proxies**

**B) External Reports**

**B-1) Chancellor’s Representative**-

**B-2) UCPD Representative**-

**B-3) GSA Representative**-

**B-4) University Center Governance Board Representative**-

**B-5) IVCSD Representative-**

**C) New Business**

**IVP**

* Before we go into new business, I need to announce there was a judicial council case filed today
* There has been a notice of injunction from judicial council they are filing an injunction on the place senate consideration of the fall special election ballot section on the AS President recall question
* The vote on the recall petition and the special election ballot has been taken off of the agenda because of this injunction
* Raymond Alonso, the chair of judicial council will be talking on the injunction, clarifications and questions you may have during public forum

102120-42 A Resolution in Support of the Armenian People in Regards to Another Attempted Genocide With the Intention of Pan-Turkism

 Quintero-Cubillan-Nezhad

**Quintero-Cubillan**

* Designate my time to the student sponsors of Melissa and Arpy

**Nezhad**

* I would like to point out that this is not a resolution regarding a conflict but it’s a resolution in order to stand with the Indigenous population in the republic of Artsakh and what they are going through, and I will yield my time to student sponsors

**Arpy Assadourian (Student Sponsor)**

* I’m part of the Armenian student association
* I don’t know if you are aware of what’s going on in Artsakh, which is a sovereign state in between Armenia and Azerbaijan
* On September 27th an attack was launched by the Azerbaijani government to Artsakh
* The people who are inhabit Artsakh are Indigenous Armenians
* Bit of history
	+ During the USSR, Stalin gave Artsakh to Azerbaijan he had the power and ever since this there have been a lot of attacks, trials, and ethnic cleansing of Armenians
* Lots of violations since then- most recent one was when Azerbaijan launched an attack on September 27th
* Signed a humanitarian truce it’s a good step but it still leaves us and our existence at threat
* With the help of two senators we drafted a resolution for AS to recognize what is going on and take a stance in condemning the Azerbaijani government and what they are doing
* After 1915 the genocide, this is a second attempt at completing the Armenian genocide
* Heartbreaking to see our community, our friends, people we live with not speaking up about this
* This has taken over our lives and the same could be said for so many other Armenians
* It sucks because we don’t really see support it’s like us against everyone at this point
* Emailed some professors but I’ve had negative help from them
* It really sucks because we just need that support because our entire existence is under threat right now and it’s just really draining
* If y’all have questions, please reach out
* Another thing is that people in America (at least) think that this doesn’t affect us but I want everyone to know that our government allots 100 million dollars to fund Azerbaijan it’s your tax money to literally fund the ethnic cleansing of Armenians it’s something to think about it
* This is not something easy to deal with it

**Melissa Stepanian (Student Sponsor)**

* I wanted to bring some awareness to how it relates to today
* Some people say ‘what does this have to do with you, this is happening in the middle east you’re in in Los Angeles, you’re good’ Um we are not good the population in Armenia 2.8 million, Azerbaijan 10 million, and Turkey is heavily involved despite what would internationally like to be recognized are at 80 million
* We have to undergo this cyber war if I post one thing like information or anything that is happening, we are combated by others online who are Pro-Azerbaijan attacking us saying it’s a lie
* The responsibility is on our hands, we have been doing things like driving to Bakersfield to LA, we are going everywhere in the country
* Sitting in front of CBS because they poorly reported on the situation there are biases
* Yesterday and tomorrow protests at Mercury Public Affairs a law firm that handles the big and international companies, accepting money to fund this genocide
* Us as a country are funding a lot of the terrorism that is going on in the Middle East
* We are very much involved even though we aren’t physically there
* We have had zero focus and sleep
* We have anyone doing anything they can like protesting and donating
* It affects the students of UCSB who are Armenian
* Prior to the current commotion, the response I’ve gotten from professors has been disheartening
* Attacks happened in September, but the mobilization happened earlier in summer
* There isnt enough education how severe genocide is and the threat of having to do it again the fear of it and the generational trauma that we are going to is very real and it isn’t taken as seriously as it should be
* On social media all the disgusting posts that we come across we have reported it, but it’s come to the result that these social media platforms won’t take some posts down because it doesn’t violate any community guidelines when it clearly does

*MOTION/SECOND: Star/Diaz*

*Motion language: motion to move this resolution into immediate consideration*

*ACTION: Vote: CONSENT*

*Vote Taken:  7:00 PM*

**\*Moved here at 11:03PM\***

*MOTION/SECOND: Tofft/Nezhad*

*Motion language: motion to add the ASUCSB President Recall Petition into new business*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:03 PM*

*MOTION/SECOND: Quintero-Cubillan/Slater*

*Motion language: motion to add Recall Question on the Fall Special Election Ballot into new business*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:04 PM*

*MOTION/SECOND: Quintero-Cubillan/Slater*

*Motion language: motion to add the Fall Special Election Ballot into New Business/*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:05 PM*

ASUCSB President Recall Petition

*MOTION/SECOND: Schaefer/Diaz*

*Motion language: motion to move ASUCSB President Recall Petition into immediate consideration*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:06 PM*

Recall Question on the Fall Special Election Ballot

*MOTION/SECOND: Tofft/Schaefer*

*Motion language: motion to move the Recall Question on the Fall Special Election Ballot into immediate consideration*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:06 PM*

Fall Special Election Ballot

*MOTION/SECOND: Roman/Tran*

*Motion language: motion to the Fall Special Election Ballot into immediate consideration*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:07 PM*

*MOTION/SECOND: Quintero-Cubillan/Roman*

*Motion language: motion to resume orders of the day and move to acceptance of the agenda*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:07 PM*

**D) PUBLIC FORUM**-

**Quintero-Cubillan**

* I would like to motion for us to go into closed session possibly with Raymond Alonso to discuss the injunction
* **IVP Response**
	+ Ray has to go at 7:15PM so what I’m going to do is I’ll let the public forum speakers speak and at that time if we would like to go into closed session when everyone has had a chance to speak at public forum we may is that ok?
	+ **Quintero-Cubillan Response**
		- Yes

**Raymond Alonso**

* I’m the chair of judicial council
* This afternoon we received a petition that relates to the petition that was involved in the recall election
* The petition that the students signed and that was then presented to Elections Board and Senate a recall election to move forward
* Received a petition regarding that and the language on the ballot pertaining the recall elections
* Approved hearing the case that doesn’t take that we have taken a stance one way or another
* Willing to investigate the subject
* Time sensitivity involved so we have to file an injunction on this to settle this
* The recall election can more forward if there were no errors found
* Not entirely sure the exact specifics of the case are confidential however I did send an injunction to Tianna and all that information I can dive into that
* Make sure everyone understands what’s going on that way there is no confusion
* Here for accessibility
* **Star**
	+ What exactly is an injunction and what does that mean?
	+ **Raymond Response**
		- An injunction in this context is a hold, we are saying that the ballot language as it pertains to the recall election for now needs to be put on hold because we are discussing whether the procedures and the wording could have violated legal code
* **Roman**
	+ To your knowledge, do you know how long this injunction is going to be?
	+ **Raymond Response**
		- Fastest turn-around we’ve had for a judicial council case. We scheduled the hearing for next Thursday at 2:30PM
		- Can write an opinion in the next few days after that. Thinking late next week so end of the month or early November I can’t give guarantees because it can be a longer process
	+ In terms of legal code, the injunction there are certain limitations that we can do about voting and when the petition needs to be presented so would this mean the recall is not going to be voted on this quarter
	+ **Raymond Response**
		- I don’t think the recall will be voted for next week. Not sure the regulations Andrew can shed some light on this. I believe it won’t be considered next week it, but it is possible if the petitioner withdraws their petition
	+ If the petitioner doesn’t withdrawal their petition we are only allowed to hold one special election per quarter and if we don’t get it by week 5 then we have to vote it on it next quarter which does not mean (if petition goes forward and the recall happens) we would vote for a replacement until spring quarter, so is judicial board looking at the petition and so has Elections Board, are they able to see the restrictions and limitations that this petition has and the effect of it?
	+ **Raymond Response**
		- There is a limitation for one special election this is speculation I don’t know if there are distinctions in legal code between special elections and recall elections so that is speculation, I have not done research on that
		- Also, the question regarding the petitions doesn’t pertain the language of the petition it is regarding the distribution of the petition. The language itself is not under question but rather it’s the distribution of the petition
		- I really struggle with things like this because injunctions are rare and it’s very hard I understand there are rules in our legal code that limit actions and its difficult for me to say there’s an injunction because I know there are restrictions but I have an obligation to file injunctions when they are mandated for the circumstances and we made sure that this injunction didn’t affect the sag election
		- Because of the position I’m in it would be a violation in my charge of office if I didn’t file an injunction
	+ Have y’all filed an injunction before based on the distribution of a petition is there a precedent of that in legal code?
		- Article 11 section 4 of the constitution discusses recall election who can participate a petition and who can sign a petition for this matter, that’s the basis for that, there is no precedent for a judicial council case on this and no otherwise stated procedures in legal code as a whole that talks about this
	+ I’m trying to see why was this filed as a distribution I understand that this is student government but the Supreme court doesn’t read every case and if a case is presented that doesn’t make sense because to me it was distributed in a typical way like the regularly election was in what grounds does this file a legal and rightful petition that then stalls the other petition?
	+ **Raymond Response**
		- There are a few things I think I should say that might be unpopular there are legal code violations that happen every day I can’t say whether previous petitions were or weren’t violations in legal code. Specifically asking about this petition who it was circulated to. The petition may or may not be legal code legal we haven’t taken a stance. There is an accusation and its worth hearing. We haven’t taken a stance we are saying there is an accusation. This is important and this is something worth hearing because as it relates the AS President of UCSB. The other members of judicial council we have denied many cases before to say this petition is legal code legal is something I can’t do because we haven’t done the hearing
* **Mitchell**
	+ Can you go into detail on what cause you all to put an injunction?
	+ **Raymond Response**
		- The injunction itself put this on hold,
		- Petition made statements that petitioner believes there is language on the ballot that is incorrect and violates legal code
		- The language on the petition was fine what is being filed against is the distribution of the petition, it was the method of circulation
		- The specifics why we filed an injunction I can’t go in detail because its case sensitive, but they become public at the hearing
		- The case alleges that Elections Board violated only members of the voting constituency can signed the petition
	+ How long will it take for the judicial council to verify whether this petition will be able to go on the next ballot
	+ **Raymond Response**
		- Hearing itself is on October 29th 2:30PM like to come as a spectator email me please judicial1@as.ucsb.edu
		- Anticipate having something out before November 1st hopefully maybe a couple days after no sooner than October 30th to have the final opinion
* **Quintero-Cubillan**
	+ Few concerns so first Elections Board threw out previous petitions now they restarted the effort and mandated the process and constructed the confines in which how everything proceeded now we are having issue with distribution if this was an issue with distribution why wasn’t it mandated in advance that distribution had to happen in a certain manner? I understand that you aren’t on Elections Board and I won’t hold you accountable but that should be addressed
	+ My real question is who is the respondent of the petition and who filed it?
	+ **Raymond Response**
		- The process is mandated the respondent is Elections board and the petitioner is the President, Daevionne is arguing that Elections bord violated legal code
		- The idea is that Elections board messed up
		- It’s not the fault of the people who brought up the petition
		- Question is of whether Elections board messed up as an entity
		- No precedent on a case like this being filed but as with all thing’s precedent has to be set somewhere
		- Legal code is fairly clear on how distribution needs to be, need to go to members of the voting constituency of the last election and not to additional or other individuals that’s the question here
	+ The petitioner is Daevionne the recall is for Daevionne you don’t see a conflict of interest there? You don’t see an issue with someone potentially losing their position then filing that? I’m concerned about your judgement if you don’t see one
	+ **Raymond Response**
		- Daevionne has an interest of not being removed 100% he also has a right to file cases with judicial council because he is also a student
		- My only interest is that legal code wasn’t broken I don’t have an opinion as to whether or not Elections board violated legal code yes this is a petition about the recall election of Daevionne but even if he wasn’t president as a normal member of AS they have the right to file a case
* **Quintero-Cubillan**
	+ *Reserve my right* Knowing that students have been aware of this issue for so long and deserve the right to vote on it I motion to override the judicial council injunction that has no legal code basis on the question of recall election and the recall election ballot
	+ **IVP**
		- Judicial council is part of the third branch, being the judicial, of AS so I believe the Senate does not have the right to vote on this, Raymond do you have anything
		- **Raymond Response**
			* Article 7 of the bylaws section 6 subsection B subsection 6 specifically grants judicial council the right to file an injunction
			* I don’t think Senate can override it
	+ **IVP**
		- Promoted Attorney General as a panelist so Tyler do you have a direct answer and/or Holly, if Senate can overturn an injunction made by judicial council
		- **Tyler Barth Response**
			* Off of the top of my head I don’t think that is something prescribed in legal code but to my knowledge Senate is not permitted to override judicial council
	+ **IVP**
		- Senator Quintero-Cubillan for the time being I’m not going to entertain that motion if you would like you can ask one more follow-up question to Raymond
* **Quintero-Cubillan**
	+ I dont see anything that explicitly says that senate cannot override an injunction in legal code I am on page 113 that directly mentions an injunctions and there is nothing. Just thought I should mention that
	+ Raymond, I want to hear your lasting thoughts on how yes Daevionne has a right to defend himself and file this petition, but you don’t see an issue with this ? The issue being arguably this powerful exec is able to prevent their own removal
	+ **IVP**
	+ Senator, please a reminder to everyone to refrain from leading questions could you rephrase that?
	+ Raymond, do you see an issue with an elected officer filing a petition against their own removal?
	+ **Raymond Response**
		- Personally, that there might be an issue with someone petitioning against their own removal. My job in AS is to do what my job tells me to do if he ends up recalled or not or not even elected president in the first place
		- He has the right to file this I’m not sure when he was made aware of this ballot
		- At the end of the day I received the petition today and that’s all I can act on
* **Pugal**
	+ Thanks for coming so it was pointed out that petition was held up once the voter threshold distribution amend legal code to help use draft a bill or resolution?
	+ **Raymond Response**
		- I have no right to amend legal code. I will be able to help for any bill I don’t think there are ambiguities not that the legal code is unclear but what actions should have been taken
* **Star**
	+ Question on Elections board and not necessarily the recall
	+ Do you think this is administrative oversight?
	+ **Raymond Response**
		- Can you define what you mean by administrative oversight just so we’re on the same page.
	+ The issue at hand is the language of the distribution use and currently we don’t have legal code explicitly written mandating distribution rules so this up to interpretation up to no basis. So the issue with Elections board is kind of administrative oversight, administrators within Elections board were giving mandates not completely were not within their frameworks of our legal code therefore it is now in question so my question is does this even have to do with the recall or does it have to do with administrative oversight which could be handled internally?
	+ **Raymond Response**
		- I’m sure that I believe its administrative oversight given that elections board is granted a lot of authority, to draft language, handle procedures and the oversight of them is Judicial council.
		- Elections board may or not have messed up. But the check is Judicial council. The challenge here is whether legal code is unclear. Legal code grants Elections board a lot of powers like distributing the petition to the voter constituency who can participate in this petition
		- The issue here isnt failure of legal code this is a failure of Elections board in theory we don’t have an opinion yet Judicial council needs to step in and right that wrong
	+ It’s basically Elections Board’s fault?
	+ **Raymond Response**
		- Not stating that we will though very much up in the air. If the petitioner wins the case, then yes it would be their fault.
* **Roman**
	+ When talking about the injunction and the petition, based on your being a board member and seeing the timing of the petition and the petitioner and you’ve said that judicial board is allowed to hear the case or not, is there a coincidence with this petition going against the other petition, do you see any violation?
	+ **Raymond Response**
		- Ultimately my opinion on these matters like timing and morality that doesn’t particularly matters I don’t think it’s a coincidence that doesn’t change my obligations as chair to treat it
	+ Your allowed to choose the case?
	+ **Raymond Response**
		- We chose the case on the basis if there was a violation of legal code and if we should investigate this, for myself and other members this came up that it’s important to leave your biases and moral opinions to settle this objectively, I need to leave that at the door otherwise there are biases and conflicts of interests
* **IVP**
	+ Going to let Tyler speak about legal code because judicial council is independent the Senate can override is executive orders and presidential vetoes only thing that would give the Senate the power to override the injunction is a Judicial council case in which the ruling said that the Senate can override an injunction
* **Tyler Barth**
	+ Kind of what I was going to say, legal code is silent on the topic doesn’t exist if its silent then a challenge has would be a conflict of interest that would require an appeals court to adjudicate that would be the best to resolve this problem but tonight Senate cant override the injunction because it’s not on legal code, can be resolved through a Judicial council case

**IVP**

* Going to recognize Tyler as the speaker since he is already here so Senator Star you can ask your question.
* **Star**
	+ Technically if there is an absence of legal code it has to explicitly be stated or we would have to right something to go into place?
	+ **Tyler Response**
		- Yes
	+ If there is an absence or ambiguity and we clarify it in legal code, and we pass a bill would it go into effect from that meeting forward?
	+ **IVP Response**
		- Bills don’t go into effect until the following year
	+ How about resolutions or amendments?
	+ **IVP Response**
		- No those wouldn’t go into affect until the following year either.
	+ So, there would be no way to amend legal code for ambiguity?
	+ **IVP Response**
		- Prescribing senate new powers have to written in the constitution prescribe constitutional amendments accept by senate go voting during spring general because senate powers are not in the by laws and explicit in the constitution
* **Quintero-Cubillan**
	+ Judicial council is not elected there are 3 appointed folks who sit in their entire time of UCSB don’t have an official role in elections
	+ Where does it factor in that Judicial council is ruling on that they have no control over they don’t get to dictate elections so now if we are going by legal code, it doesn’t state that you can’t control elections so now a question for Marisela and Holly is this something we can override?
	+ **Raymond Response**
		- We are not controlling the election
		- Elections code in the bylaws is clear that all decisions made by Elections board like a fine for social media infraction everything they do can be appealed by Judicial council
		- There is precedent that affirmed that Judicial council can hear all matters of Elections board and it says directly in legal code we are the appellate body of Elections board we don’t have control over elections instead if someone believed Elections board messed up we can try to resolve that matter, the way we are appointed to avoid conflicts of interest there is no biases because I’m not tied to Hue (AS President who appointed me), shorter terms might leave it open for reappointment and trying to win the popular vote these things minimize biases in their decisions
	+ Your position is to prevent conflict of interest but here we are with a conflict of interest so where is your position going to actually enforce that?
	+ **Raymond Response**
		- A conflict of interest would be if I were or a member were best friends with Daevionne which we aren’t if decisions maker has a bias in favor of Elections board or Daevionne.
		- He has reasons that he submitted it only be a conflict of interest if Judicial council had a bias toward Elections board or Daevionne.
		- The appointment process prevents us from conflicts of interests not for us to make moral judgements on why they submitted a petition
	+ Can you determine if bias Judicial council has bias?
	+ **Raymond Response**
		- That’s a good point but we have gone through implicit bias training. People are fallible though.
		- I think my record would reflect that I’m sticking to the case, people are. I try to stay out of this sphere, so I don’t have conflicts of interests
* **Roman**
	+ So, my question is according to legal code can an elected official due to the ambiguity of legal code can they prevent them being recalled
	+ **Raymond Response**
		- That’s a speculative question, without doing research in legal code I am speculating without a case in front of me I am speculating, Senate can if they wish pass part of bylaws or amendment on constitution on not allowing an elected official to

**Andrew Yan & Wessal Esber**

* Representatives from AS Elections Board
* Had a presentation prepared for today which is not fully relevant anymore because of the injunction that was filed a little over an hour before this meeting, so this was super last minute
* Give a response to that injunction so I don’t want to repeat everything that Raymond already said
* That complaint was filed against AS Elections board not filed against anyone else
* Complaint alleges that the board has not interpreted/followed legal code correctly when validating the signatures
* We understand that Judicial council has followed procedure by placing an injunction on the recall petition until a ruling can be made
* The Fall special election ballot cannot legally be approved today in its current form as of now
* AS Elections board strongly disagrees with the initial compliant
* It is true that it effectively blocks the recall for now we recognize the effort that has been done with the whole petition process like the student sponsor, AS career staff who spent time validating these signatures
* The petitioner has followed the legal process correctly and has successfully collected 565 signatures and it validate as it stands
* We disagree with the initial complaint, but we respect Judicial council because they are following the legal process of this institution
* The injunction does block the approval of the recall question, but it does still allow Senate to approve the ballot about the SAG election
* The Judicial council has said that the SAG question is up to Senate discussion
* The recall election is what is blocked by the injunction, but Elections board stands by their prior decisions
* What happens next? I don’t know the board hasn’t had the chance to meet to discuss the injunction
* Board will be holding a town hall about the recall election because members of the association may have some questions about this. It would be a good opportunity to bring up concerns relating to the Fall special election
* When I have a daytime and link, I will post it on our face book as elections board Facebook it’s a public link don’t need a Facebook page
* Hope you all understand that we I might not have all these answers, I am here as a single rep, and everything has been discussed by the board a lot of suggestions need to bring up to the board
* **Mitchell**
	+ Is it possible to respect you mention the petitioners followed proper channel of legal code to deal a special election at all so it is still in fall quarter but it can accommodate after October 29th when there is a hearing from what I know Judicial council are not taking away the injunction
	+ **Andrew Response**
		- It can be possible but there are certain rules for legal code there can be only one special election every quarter when it comes to moving dates should be brough up to the board
	+ **Wessal Response**
		- Our legal code does state open vacancy of exec position if it becomes before week 5 the election has to be held that quarter, and if its vacant after week 5 then it would have to be filled by week 4 winter quarter and since SAG was vacant before week 5 of this quarter we need to fill that position, if SAG wasn’t involved then we could have done it
	+ Have special election when it’s supposed SAG or sag on special election would happen winter quarter for SAG and the recall
	+ **Wessal Response**
		- Yes, it is all up to you all. We have 12 candidates for SAG needs a position filled because it’s a big thing
	+ **Andrew Response**
		- 12 candidates that have been campaigning
		- Office of the Student Advocate needs a SAG so that is something to keep in mind it is important to many people especially to the students who rely on OSA
* **Quintero-Cubillan**
	+ I’m personally frustrated because our only real options are have the SAG election because we need one but then we are forcibility having to ignore our constituencies who have multiple times voiced their concern with the elected official at hand and we should take in mind that we are ignoring our constituencies
	+ Do you see an issue with the distribution when you not only had the petition being redone either the first time or the second time?
	+ **Andrew Response**
		- I share a similar feeling because it was something very last minute, we weren’t expecting this to address your question did we receive any issue or complaints about the petition before?
	+ No, it was if the board saw any issues on the distribution of the petition?
	+ **Andrew Response**
		- No issues were brought to our attention
	+ **Wessal Response**
		- The first petition it is in our minutes, we found an issue with the first petition that’s why we redid it to be able to verify the signatures
		- The second petition that we set up with accordance with Sean that we found no issue with
	+ I read your minutes from last meeting and saw the discussion on abstention. That discussion said, ‘a vote to abstain is to say that I thoroughly understand the importance of this issue, but I choose not to vote that’s essentially a no vote’ and someone else says ‘I don’t think it’ll pass is concerning to me
	+ **Andrew Response**
		- No vote thing you talked about want to make it clear that an abstention is not a no vote
		- Brought up because if this recall question were on the ballot and a student was voting there are four options yes, no, abstentions, or hit the next button to skip
		- If you abstain you understand the validity comes into play when talking about that 20% threshold
		- The abstention option help and makes it more likely that the recall question if it were on the ballot that it reaches that 20% threshold
	+ **Wessal Response**
		- Amendments on our minutes and we did discuss that, as far as an abstention goes, we do define that further that has been approved on our minutes, if injunction we redefined what that meant
		- With the 20% threshold goes it’s a technical issue talked to Sean who is in charge of everything technology in AS
		- There is no way to unclick the option if you chose not to vote so that is another reason why abstention was added
* **Pugal**
	+ In a recent Daily Nexus article is points out that elections board advisor and another as staffer were responsible for verify student signatures can you elaborate on that process.
	+ **Andrew Response**
		- AS career staff responsible to verify looked for : did a person enter their name correctly (if small typo then that was fine), perm number, name and perm number had to match, the staff members have seen the actual name they are responsible because the verification is only able to be done with AS staff nothing that any UCSB student is qualified to do
		- When the AS staff started the verification process there were 637 signatures on that petition and of those 637, 565 were valid that met the requirement of 532 signature needed
	+ How did you oversee the distribution process?
	+ **Andrew Response**
		- The distribution process is not in jurisdiction of Elections board. We do not campaign for or against anything. Provided with the petitioner with university portal.
* Did you verify distribution so did you verify it was in accordance with policy?
	+ **Wessal Response**
		- Basically, what we do as a board we provide the means to do what you want to do, and the biggest ones are what would this look like on campus and make as close as possible as it would look like.
		- When it comes to distribution, we don’t put this on the AS door and why we didn’t nonpartisan as possible. Petitioner they are able to control what that looks like because their goal is to get it out for their cause. I think there are some confusion about the JC case is about. It is about us and not based on how a link was distributed
* **Star**
	+ So, Elections board because it must remain nonpartisan has no jurisdiction over distribution?
	+ **Wessal Response**
		- Yes

**Wessal Esber**

* The process we followed and why we followed it.
* I want to emphasize we stand by the process we went through make sure it follows code, our code and constitution. We outlined to process and reference legal code in that graphic, we don’t take a side based on the recall election. We are not for either side. We facilitate that process, it’s not just us 6 but we make sure AS staff, our advisor, that its precedented and partnered
* We respect the process of the judicial council since its within their jurisdiction to do that
* We stand by what we did we verified it, but it is now out of our hands

**Andrew Yan**

* We don’t stand for or against the recall
* But we do stand with that the recall election question should be on the ballot today
* **IVP**
	+ To be clear because of the injunction the ballot as it stands today including the recall question cannot be voted on by the senate however the injunction and Elections board has delegated the power to the Senate to alter the ballot so it just contains the question of the SAG
	+ **Wessal Response**
		- Judicial council has given them that right, I would say you could follow what they say but we did not in any way say that we gave that out
	+ Recommend a 5-minute recess

*MOTION/SECOND: Mitchell/Kolbe*

*Motion language: motion to suspend the orders of the day and go into a 5-minutes recess*

*ACTION: Vote: CONSENT*

*Vote Taken:  8:32 PM*

**\*Moved back here at 8:37PM\***

**Aaron Jones**

**For PowerPoint presentation, see Exhibit A**

* Important for you all to know that the $40,000 we went through it really quickly the textbook and supplies it jumped up is we found students need support with getting laptops to exist in the technological learning environment
* In the process of receiving grant applications that are COVID related flexibility to its related to the impact
* The resolution concluded with last year’s Senate, the department allowed for AS Admin/EOP the flexibility to have a COVID related or catastrophe related to give us the ability to fund more students because we are still getting students who aren’t relating to the categories in that are set in place
* Amending bylaws to allow the event of a catastrophe how can we best position ourselves to give these funds more broadly and address them before they come up not after it comes up we already been able to grant half of the allocated projected budget for this year ask you to consider if you would like put additional funds in the grant
* Start getting this discourse going and get something produced within the next few senate meetings
* **Quintero-Cubillan**
	+ If we’ve gone through all of the dire expenses for the year, is there plan or remedy if students do need a $2,000 allotment is there something we can use as a stop gap for that?
	+ **Aaron Response**
		- Quite frankly we abide by what the body of the Senate has prescribed in the bylaws
		- We can’t do anything in terms of the dire
		- If you want to it’s a suggestion, last year’s Senate gave us the ability to be able allow for exceptions as it related to COVID one example- everyone is in their home part of criteria for getting the laptop grant we have to get an estimate of repair costs to give us a sense if its repairable but we had 2-3 students where the computer shop was closed so they literally were not able to finish that process so we would use that dire
		- If you want to for this fiscal year create some other criteria
		- In the long term in the past 7 years, it’s a matter of time before something else comes up unexpected.
		- Suggesting on creating language that will allow fiscal stewardship and respond more quickly to say something is unprecedented and mold accordingly to the situation
* **Schaefer**
	+ Let senate know that me and Senator Star are already working on a bill for legal code regarding this if any other senator would like to jump on this project
* **Pugal**
	+ Given amount of interest in place of working group in place
	+ **IVP Response**
		- That was internal committee you can put on the agenda you can just message Schaefer
* **Schaefer**
	+ Internal Affairs Committee meets tomorrow at 2PM we can put it on agenda and work on it immediately tomorrow

**Alan Ulloa**

* Hello, I'm a third year UCSB student and I am a sexual assault survivor and today I will be speaking, and I will be speaking on behalf of another survivor on the topic of the recall of the current AS President
* \*Trigger Warning discussion of Sexual Assault\*
* As from the other survivor
	+ I have decided not to release my name because I am scared of retaliation I
	+ should not have to feel this way but that is what happens when sexual assailants are put in positions of power
	+ All sexual assault survivors live in fear I have been at UCSB for what feels like too many years now and in my many years I have seen numerous sexual assailants occupy positions of power in various organizations including AS
	+ I have seen these sexual assailants occupy various positions from president to support staff behind the scenes of AS and never once have I seen any of these sexual assailants be held accountable for their actions the closest I've seen is a sexual assailant stepping down of their own position and even then they were not held accountable for that
	+ This is an opportunity for officials who are invested in the interest and safety of your constituency to end pattern enforcing enforce accountability
	+ I’ve personally seen Daevionne’s behavior up close and while I don't think much of it at the time other than being slightly uncomfortable when survivors started coming forward things started to make sense especially one of those survivors that came forward was someone close to me
	+ I felt a sense of guilt that I didn't speak up or do anything sooner I still feel guilty and sometimes but this is me trying to do better this is me doing whatever I can to make sure that he is held accountable and it won't cause any more harm especially in position of immense power
	+ You can say that you are you care about survivors as much as you want but you what really matters is action taking actual steps, solutions for survivors and to protect us
	+ A good place to start is recalling the current AS president look into the multiple survivors that have come forward about their experiences
	+ In my many years at UCSB the administration even my own student government has shown me they don't care about me, a sexual assault survivor
	+ I have been shown that my safety does not matter so I implore you to take a moment to do to be better to show that I do matter and that you actually care and want to protect us to show that your support for survivors isn’t just empty words please actually do something and recall the current AS president
* These next words are my own I am no longer speaking on the behalf of another survivor
	+ I’m disgusted by the amount of time that we had spent on this recall and the time that its been pushed to the sidelines
	+ The 71st Senate and the judicial council have proved that the needs safety and well-being of UCSB survivors are not important
	+ I have sat through hours of meeting since the announcement of the AS president in attempt to follow the recall and I was extremely to stand with UCSB survivors in solidarity
	+ I understand that legal code is important to AS, but I asked you all for one second take a step back and think about the emotions that survivors are facing
	+ Is now being preceding by a multi-time accused sexual assailant
	+ Their position in power is a slap in the face to survivors
	+ Causing direct harm to constituents I'd like you all to try to understand that this is my life this is the life of survivors it is our immediate academic community
	+ Spent months trying to be heard and push this recall only for an injunction to be filed by the person at hand to file one hour before this meeting to pause any action for their removal
	+ Understand the pain and frustration
	+ Thank you to Senators who have constantly been working with survivors in mind I thank you and implore you to continue your amazing work and for the rest of you I asked you take me talking here in the testing of so many other survivors into account stop allowing the sidelining for the recall this president

**Eric Moon**

* Like to speak on the topic of office hours like to thank the senators who sent me their office hours by the end of last week
* Not everyone has submitted information to me inform you I already sent out an email on this topic and implore those people to follow this email Thursday night
* I take this matter quite seriously
* In favor of the resolution on the
	+ Growing up close to Glendale I have seen first-hand the community solidarity in the face of historical and present trauma
	+ I would like to thank the other student sponsors that have spoken tonight and the senators that worked on this resolution
	+ Arpy and Melissa have spoken about what
	+ I believe it is more important to stand beside fellow Armenian students

**IVP**

* These deadlines like sending office hours and meeting attendance are there and if not met they can affect your Senator honoraria. I don’t want to deduct from your honoraria so please make these deadlines

**Alia Sky**

* I will be speaking as myself tonight and as the EVPSA
* I want to preface this comment with the fact that I am absolutely appalled and disgusted by the actions of this meeting of AS judicial council, the attorney general, and action of the AS president in regard to him filing this judicial case
* Obvious that there's a conflict of interest here obvious that students have made their voices hear and want to a recall of the AS president
* As an AS executive officer, I have to meet with AS executives and Marisela everything week
* Want you want to be aware that at the beginning of my term I met with Marisela because I was completely and utterly uncomfortable meeting with Daevionne Beasley due to his actions, lack of action to the repair the damage he has done to an entire community and the fact that I am a survivor and advocate for survivors
* Marisela gave me two options one I can come to these meetings and get access to a support system through CARE to deal with my trauma from these meetings or two I did not attend these meetings and she will communicate what happens in the meetings to me but I won't have a say during the live meetings
* My options became relinquish all my power to have to stay within executive officer meetings or subject myself to trauma by going to these meetings
* I chose the option of going to these meetings I now meet with the trauma informed therapist every week to process my feelings around this but I can no longer hold back the disappointment and sadness I feel as a survivor in regards to AS specifically in regards to the AS president for these reasons I will no longer be communicating with the AS president or my office to his office ever again
* I will no longer be attending AS executive meetings that involved the AS president and will not be working with AS president or his office ever again this is both for my own mental health and my respect and love for the survivor community which is my community
* I will still be reporting my offices work every week to Marisela and I'm happy to attend meetings with the other AS executive officers which do not involve the AS president
* I encourage others to follow my lead and disengage completely from working with communicating with and meeting with the AS president and his office
* Has become clear at this meeting that AS in general has no interest in actually standing with survivors will do everything in their power to block survivors wishes and has no loyalty to my community thus, I have no loyalty to them

**Alexandra Leahy**

* Here today as a survivor and express my support for the recall of the AS president
* It is imperative that the AS government holds itself to a standard that is not harm survivors and or invalidate their experience
* Being that petition was made by students and has hundreds of signatures it is essential that your constituent’s concerns must be heard for your duties are to represent the student body and student voices
* Here in solidarity with survivors and urge for a recall in order to ensure safety of students and integrity of AS

**Isabel Mitchell**

* Senators today I'm speaking to you as the chair of UCSB Public Safety Commission additionally as the president of Gauchos for Transparency
* Yesterday we finally passed this petition it is extremely disappointing to hear that we the associated student body has allowed for someone who has allegations against them to prevent a petition that has known received over 1300 signatures both petitions
* Associated Students with a budget comprised of $15,000,000 as a nonprofit today has said the following things today
	+ Associated students have said that they do not want to inform their voters of the situation today
	+ Have said they don't care about survivors
	+ They have just said that sexual assault is an ongoing conversation on campus we have seen the oldest associated student body has done continuously is continue to prevent this petition from even coming into light
* I personally started the first petition, let's go to the timeline of events over the past couple of months
* First time that I have the petition over the Google form it was approved by Elections board
* Once it received over 500 signatures I was told and wasn't valid
* Forward to a couple months now I restarted a petition after it received over 700 signatures and now, I'm being told that we allowed someone to file a petition an hour before this decision was supposed to be made after this has been an ongoing conversation since May 2020
* One of the biggest issues I have is with elections board and judicial council and Senate is that Elections board has continually failed to invite me to their public meetings even when explicitly asked
* The other day I asked to be included into the official meeting and what did they send me to? Their office hours
* Seeing that I’m a BCU chair now I am allowed to be attending these public meetings
* Additionally, Elections board in their minutes has said that they do not believe that they have to inform the voters about the situation
* Also in their meeting minutes it was said that don't think that this is going to pass and let me also remind everyone who's listening on this call that Elections board actually called a meeting with president Daevionne Beasley before letting known to the public that this petition is now verified that this petition is now going to be up for vote in Senate
* Additionally, with executives of AS they also asked for the executives to offer support to our president did AS ever consider how survivors feel
* Did AS ever ask themselves should we consider the voices of 700 students?
* Started Gaucho for Transparency because there was a lack of transparency in AS and lack of transparency and accountability in every aspect of UCSB
* Well there is debate whether or not you can abstain from this choosing not to make a decision on this is simply saying we don't care about survivors as my friends Allana has said also:
	+ How many more survivors do you need to come forward to explain to you how they feel about this?
	+ How many more students do you need to hear to explain it they don't feel comfortable with the AS president who has multiple allegations of sexual assault who has subverted democracy of Associated Students alongside judicial council for allowing a petition to be submitted one hour before the meeting
* I implore you to ask yourselves elected officials how do you truly feel about this
* You know no one can actually understand what survivors go through without being a survivor themselves and it is a completely selfish decision to allow this to continue and be quiet about it
* I thank Alia who I work with in the EVPSA office
* I thank all these senators who questioned judicial council because I am not sure how this is an Associated student body
* I question the integrity of this student body
* I question whether or not you all deserve your positioning because today you have demonstrated as a student elected leaders
* Judicial council themselves are at fault for allowing this to happen before the meeting you’re telling me Elections Board didn't have any notice when they told Daevionne Beasley right before everyone else before I was told I should have been the first one actually to be notified that this petition was verified but I wasn't the first one
* I was not because Daevionne Beasley was notified first the person who is supposed to be recalled, the person you're supposed to be recalled has been an insider to this whole situation. Ask yourselves is that fair? is that a conflict of interest? is that acceptable? What we're seeing in this associated students is a reflective of national politics some of you come to this meeting and figure playing a game you act like this is House of cards or scandal this is not a TV show this is not fiction this is real life and you as leaders of this institution have decided that this organization but you as leaders appointed leaders of associated students appointed leaders of the UC Santa Barbara representatives of UC Santa Barbara have spoken for 24,000 students saying we're just going to sit back here and allow this
* **Star**
	+ Wanted to know were you explicitly told how to distribute this petition?
	+ **Izzy Response**
		- Asked Elections board if they were able to put it on their website, they said they couldn’t because of they are not able to distribute the petition
		- Any means I could distribute this petition no regulation to distribute the petition, they would not assist me at all confused what this judicial council petition is since Elections board did not assist me at all with this petition
* **Schaefer**
	+ Wanted to say to Alia, Izzy, and Alana thank you all for speaking I hear everything you all are saying
	+ What steps would you like to see senators take or what do you think can we do that our constituents voices are heard
	+ **Izzy Response**
		- I was promised accountability, communication with Elections board I was promised all these things and you know to me actions really do speak louder than words
		- Anything that the Senate can say to me means nothing means until I see it happen
		- I would like to be see the Senate motion to override the chair on her decision to allow the injunction of the judicial council
		- Would like to see that the senators realize that if you fail to allow this on the ballot this calls to question your own integrity
		- I would like to see more of you all and I know some of you personally who had not spoken up to talk about this or ask me questions about this and also advocate for this because it's really disappointing to see that it's the same three to four people who were communicating about this
		- What does it saying about your group that only three to four people are actually talking about this and questioning people so I would like to see more senators in support of allowing this recall election?
		- Suggestion to be validating is not a vote saying you believe that Daevionne sexually assaulted people it is a procedural vote
		- I'm extremely disappointed to see that we're not even granted that opportunity I would implore you that you are going to ensure that this is in this election
		- I'm probably going to have to start another petition I'm going to have to start a third position do you understand how tiring that is, I'm a student
		- I’ve been nonstop because there are people that are depending on us for this to go through
		- I want you to ensure that this is going to be in this quarters election otherwise you are calling into question whether or not you should be an elected official
		- If we do the recall winter quarter what happens? If we reach 20% in winter quarter, then we have an empty position during spring which there is no need
* Public Safety Commission report
* Yesterday after a month of hard work we can finally hold negligent people accountable for partying during a pandemic
* Meeting with Vice chancellor of Student Affairs where we talked about a lot of things
* There are a lot of COVID-19 testing centers that are going to be put up
* Ordinance was passed
* Still figuring out what that is going to look like but that is going to be known in the next couple of weeks
* Masks are mandated on campus so please spread the word on that
* The main thing I wanted to talk about was the man we all saw on social media with the gun slung over his back
* There were rumors if the student was a student or ROTC
* After calling all police units I received confirmation from ROTC office that it isnt an ROTC student
* Meeting today talked about what happened in the situation going to have a sit down with UCPD to talk about this
* Report was that he was moving to new apartment and walking his stuff from his car to new place
* The Sheriff Department determined it was not against the law to do this but they admit it was careless and they did not send an emergency text because they did not see it as an imminent threat once they took the student questioning so I will be following up about that
* If there are any senators here who are interested in working to have a sit down and figure out why this situation was approached in this manner and there was no concern despite all the sensitivity towards guns in Isla Vista I actually would appreciate any support on that

**Katelyn Wong**

* Here as a UCSB student and a supporter of the survivors who have been speaking about the recall election of the current AS president
* Honestly, I’m horrified that it's gotten to this point this many people voice concerns and for it to be met by essentially a lot of legal roadblocks
* I would like to make it clear that this is not someone I want representing the school that I worked really hard to get to
* The message here is that sexual assault is acceptable and won't face any repercussions and I don't think that's acceptable at all and I just would like to voice that I stand with the survivors at the school and I support the recall of the current AS president

**Yasamin Salari**

* We have been discussing the allegations against AS president since last spring
* Over the past five months that legitimacy of the survivors’ claims has been called into question
* As an association we failed to stand by our commitment to protect the safety and well-being of the students on this campus and instead have allowed her politics to take away from survivors’ rights
* When one of our fellow executive members was made uncomfortable to attend our executive meetings due to these allegations the suggestion of including their chief of staff in our meetings was turned down as this situation but even when we are not being granted
* not only as the EVPLA but also as a student on this campus protecting survivors’ rights and safety should be our utmost priority yet over the past five months all we've done as an Association is put our concern students through an endless bureaucratic process
* I don't stand by this and my office doesn't either
* UCSB has an issue with sexual assault we have seen it time and time again
* I want you all to take a moment to get out of the two-party mentality there are things that are more important than holding a student government position
* If standing with survivors has turned into a partisan issue for you, you need to reevaluate your priorities and why you're serving in this position in the first place
* I completely stand by our EVPSA statement and decision and will be attending these meetings with our EVPSA
* We must do better and if this

**Halle Alvarez**

* Wanted to support the survivors say that this recall doesn’t only mean something to the survivors directly involved but this affects survivors attending the university
* It’s more than just standing with survivors it is uplifting the people who can’t attend these meetings because they're so triggered by the way this has been handled
* It's about handling this recall to set a precedent for individuals in power to understand they can't get away with sexual assault
* This is about our elected officials actually being transparent to their constituents about the elections and the allegations of those running for positions of power
* How it makes survivors feel having this person in positions continues to remind survivors that assailants will continue to be protected you are allowing any students in power to believe these actions will not be accounted for and that they are able to get away with anything

**Esmeralda Quintero-Cubillan**

* I have already voiced my frustration, but I feel like I have an obligation
* \*Trigger warning for sexual assault and sexual violence\*
* I feel there is so much hypocrisy in AS and it is hard to exist in this space and want to be in this space
* When I come into Senate meetings or when I exist in the spaces and it feels as though my very existence is persecuted and hated I say this as a Trans person, an Indigenous person, as a nonbinary femme and I say this as someone who is a survivor
* Back in spring quarter, when we passed a resolution in support of survivors, I remember having to turn off my camera and having to just cry because two weeks before the resolution I was assaulted
* I remember being angry and I remember hearing the hypocrisy in the previous Senate and hoping that it wouldn't be repeated in the 71st
* I urge our Senate to do better and yet every time we're here it feels as though we cannot because we fail to move past are so called political affiliations because even though parties don’t exist in Senate we always come down to the fact in which we are stuck on appointments or stuck on this procedural vote
* In the case of today letting someone who has been accused of sexual assault over five times get away without any repercussion
* And do we not see how this is not viable how we have hurt our community and those that are the most in danger right now
* We are in a pandemic people are struggling to survive and yet here we are in a Senate meeting we are 1 hour and 45 minute over because the one person who is an alleged predator was able to prevent his own removal
* Does that not seem frustrating to you all? If I were y’all and the same people who voted to support survivors and instead here I am having to do this again having to put my trauma on blast because our senate can’t get it together

**Daniel Mitchell**

* This entire process has been incredibly infuriating this isn’t a partisan issue
* From what I see the petition was well within the bounds of legal code according to Elections board they did everything within the rules and it was supposed to be on the ballot whatever the Judicial council it seems like a huge slap in the face to the hundreds of students who tried to make their voices heard
* I think it is so foolish to ignore this petition, I tried to look through legal code and it doesn’t seem like there is anything to do now
* I am calling on the Judicial council to stop this insane injunction at the very last minute without letting anyone know I found out about his in the beginning of this meeting
* Said injunction can be reversed as soon as possible I’m calling on the judicial council to reverse this injunction

**Manny Roman**

* I understand it is really late and we didn’t expect this it’s frustrating and repulsive that this is ok and whether you think it’s an opinion or not the AS president is getting away with not getting recalled because of legal code
* Because of legal code we won’t be the way that it is structure if 20% and 2/3rd s vote until spring quarter to find a replacement there is no use to find one
* To me this is such a slap in the face you can try to do what is right and remain precedent because I can challenge it and judicial council doesn’t interpret it as conflict of interest even that he’s the one that is being recalled
* I question Judicial council because they decide what they are going to do with the case, to me this is strategy whether or not, knowing that he’s going to get away with. And the person being recalled made own petition challenging it do we not see to me
* I question judicial board that they cannot be biased, I disagree. This an abuse of power anyone who is recalled can thus challenge it and their position won’t be occupied by someone else.
* As senators we can change legal code as leaders who represent students this is setting a precedent on the way we feel and the way we view sexual assault, sexual violence and survivors I cannot stress how angry I am and how disgusted I am at the abuse of power and that its allowed to happen

**Angel Diaz**

* Address I’m not really good at words especially when my emotions are embedded with what I am saying
* I right now I feel frustrated and angry at the AS president Daevionne who has continued to play everyone out.
* I’m directing this at him: when people are calling you out why can’t you hold yourself accountable for this?
* As a survivor myself as well it becomes really angry seeing people continuing overusing their power

**Anusikha Halder**

* Many of our fellow senators have articulated their misgivings really well so have the survivors who have chosen to speak today
* We have responsibility to believe survivors first every time without question without obstacle but that's not what's been happening
* How is it that we are putting feelings and needs of an elected official who has bypassed the proper procedure over 500 plus students
* There is precedent to overturn this injunction and legal code is the labor of pulling that up since judicial council is not doing that f
* Falls upon us so be it but at the end of the day we need to put our constituents first, so I endorse the petition
* I endorse the recall I also emphasize that whatever projects I take on the office of the president will not be affiliated or involved
* I'm so sorry to the students and survivors who are having to witness this
* Otherwise we are complicit in continuing to hurt the very students we’re claiming to protect
* I refuse to watch it happen over and over and over again every reason for this petition to go through and the fact that we're ignoring the labor of students have continuously worked with us is abhorrent to me

**Shva Star**

* Like to say that I endorse the recall
* I do think it is necessary based on processes there is no due process currently written for constituents who want a change in an elected official usually up to AS and the processes within
* I think it is very unfair to attack a process that had no parameters and it is exceedingly frustrating to see the dismissal of a request for procedural process this is just for procedure to cast a revote to reassess then it exceedingly frustrated to see that this cannot even come to be
* There is no legal code regarding the distribution of a petition by constituents therefore I think it is so interesting how all of a sudden there can be interpretations on how we address that especially when it is not written anywhere
* It does not exist and conveniently for some in this case any changes we make would not exist until it doesn't matter
* I would like to say that this injunction as stated previously by the chair of judicial council he said that it is regarding elections code over an aspect that Elections board has no jurisdiction over
* Elections board explicitly stated they have no jurisdiction over distribution petitions
* This whole thing injunction is over Elections board in their handling of a distribution of a petition therefore and when I've seen this whole day is this honestly is an injunction over something that holds no ground anywhere not in legal code not anywhere all up to interpretation
* This is important and I do implore us all to see if there's explicit legal code in something we can do this evening and if not make a difference or interpret because so far there's nothing regarding this
* Essentially this whole case is wasting time to hold out

**Catherine Flaherty**

* I support and believe all survivors and I wanted to publicly say that I was going to vote to pass this petition and put it on the ballot because I believe survivors and student voices need to be heard
* It’s our duty to listen to students and to pass this and make sure it was put on the ballot
* To support an injunction against an injunction

**Dylan Martinez**

* Wanted to reiterate that I also support survivor this whole process has been emotionally draining for each person thank you all for coming out and speaking and endure this to make this school a better place
* Also support an injunction against an injunction if that is possible
* Would like to invite fellow senators to co-author a bill to make a constitutional change to curve Judicial council to do this
* It’s so frustrating that legal code is what is hindering us right now

**Surya Pugal**

* Tied to legal code there is a lot of ambiguities that makes us feel helpless
* Conflict of interest I put it out second, it’s the process of special election, everything needs to resolve
* There are references to orgs that don’t even exist in legal code
* Clear holes in legal code
* I get that ambiguity and lack of specification like recall or senate vacancies co-author a bill the bigger issue they don’t give this is ridiculous I get it is a standard but its hindering more than helping us people are exploiting legal code to push the recall election back a quarter

**Bee Schaefer**

* Dylan said everything that needs to be said
* I stand in solidarity with survivors I would have voted in favor of this recall to go through
* I thought it would be fair for constituents
* This is very strategic its completely unacceptable

**Quintero-Cubillan**

* I want to motion for the attorney general to be added to panelists to correct this mistake Tyler himself said there was nothing in legal code explicitly this recall cannot wait and anything less is failure I want him to agree to allow the senate to override the injunction and will make sure the recall and SAG for the election
* We can correct legal code later, but this needs to be done and refuse for anything less
* **IVP Response**
	+ Going to invite Tyler Barth we can talk about legal code and the implications and suggest in our agenda that we add to discussion items that everything we’ve been taking about
	+ Are you willing to momentarily allow the Senate to override the injunction to hold perpetrators accountable, to actually support survivors and to allow the Senate do its due process and to actually support our constituencies, this is my request I think the Senate has already voiced its many concerns?
	+ **Tyler Response**
		- I don’t have the power to grant that request as Attorney General
		- My role is to interpret matters of legal code and its ambiguous on this matter. I’m not allowed to approve or endorse anything I’m not in the position to grant that request because it is not my role.
	+ I'm going to have to disagree with you there because clearly you interpreted the legal code earlier saying that we could not
	+ There's nothing in legal code that explicitly states that we cannot do this then I'm going to accept it that we can if we are not immediately told that we cannot then there is nothing preventing this then your interpretation so when you say that you cannot make a decision on this you very clearly can, don't lie to me and do not lie to everyone here
	+ You have the power to interpret it in the way that you choose so if you clearly do want to support survivors and you want to follow exactly what was stated here by as many people who spoke in public forum and the hundreds who signed that petition you will interpret this as in we can, that is the decision I don't understand what's not being understood

**IVP**

* Senator Quintero-Cubillan I understand that this is very frustrating but there are just I’m going to at this time to invite Marisela to provide some insight and then I’m going to ask for a 5-minute break

**Star**

* *Reserve my right* to have a 7-minute recess

*MOTION/SECOND: Star/Kolbe*

*Motion language: motion to take a 7-minute recess now*

*ACTION: Vote: CONSENT*

*Vote Taken:  10:14 PM*

*MOTION/SECOND: Pugal/Mitchell*

*Motion language: motion to bring us out of recess*

*ACTION: Vote: CONSENT*

*Vote Taken:  10:24 PM*

**IVP**

* Going to invite Marisela to speak to us

**Marisela Marquez**

* You don’t have to do anything I suggest what I can reflect back to what I am hearing you might want to consider a few different motions this is complicated because you have jurisdiction and judicial council has a set of powers that is stipulated in your constitutions, changes have to happen
* You might want to make a motion and find a middle ground pending the authority of judicial council to clear injunction passing the ballot AS Elections board sent to you
* Discuss the injunction itself so the closest it would be a motion having it dependent on the removal of the injunction, to move the injunction out of the way in a due diligent amount of time, you have work that was accomplished your constituents and the elections board and move forward on that
* The senate could make a motion that passes fall special election petition include SAG and recall election
* **Kolbe**
	+ Can we request them to move up the hearing to resolve this sooner?
	+ **Marisela Response**
		- You have every power to make a motion asking for that and you have the power to do your body of work respectfully and also contingent on when that’s done this happens
* **Quintero-Cubillan**
	+ Alleviates senate from wrongdoing and put Judicial council in there’s nothing in legal code that says the senate cannot do this?
	+ **Marisela Response**
		- It isnt written in that, everything is prospective say you do something that is not disallowed then the effect of that is also in question it isnt cleared on what the next steps are. Injunction hasn’t been cleared will the case be heard will it not be heard. The legal code doesn’t not a lot of thins doesn’t detailed out
	+ In my eyes if we overruled it judicial council would move on with the case, as if injunction didn’t happen and we would represent our contingency. I would like the senate to motion to overrule the injunction
	+ **Marisela Response**
		- What it does say is who can create that injunction so that’s the tricky part I don’t know I don’t think there’s a constitutional precedent what I was suggesting is that senate has every power to complete its work contingent on the judicial council’s opinion and it would go to judicial council (JC) too. The power of a constitutional breach would go to JC for adjudication
* **Roman**
	+ If we aren’t able to interpret the as president even if there’s no legal precedent in that the power is that receiving a case from any person part of the organization
	+ **Marisela Response**
		- Implemented here we have one court that overviews all cases, that’s structurally the reason

**Quintero-Cubillan**

* *Reserve my right* I motion to overturn the injunction by judicial council

*MOTION/SECOND: Quintero-Cubillan/Mitchell*

*Motion language: motion to overturn the injunction made by judicial council*

**IVP**

* This is going to set a wild precedent strong recommendation given there is a fall special election constitutional amendments
* Strongly recommend a bill is put forth for a constitutional amendment and sent out in an email vote going have to talk to elections about this and see if we have to do another ballot, I will talk to elections

*ACTION: Vote: OBJECT*

*Vote Taken:  11:07 PM*

*Vote Taken: Hand-Vote 18-3-0 PASS 10:44 PM*

**Marisela**

* Reminder to the chair to recommend making another motion about the body of work that Elections sent over

**IVP**

* Will do the original three agenda items take the motion from elections

**Wessal**

* I just want to clarify what the motion is regarding, the original ballot, right?
* **IVP Response**
	+ Yes
* Now because we are negating the injunction there needs to be a vote to approve validity of the position put question of recall election on special election and the ballot
* When we approve their minutes, we have to motion to include updated minutes so we can see clarification on the abstention option
* Saying that the ballot is valid and add the parenthesis to the abstention and then the third is to include it in the minutes
* How an abstention would affect a threshold
* Our threshold for that election is calculated after you hit submit on the ballot that is when you are counted toward that threshold, we need 20% of student body who is currently enrolled for the recall election
* Abstain option for that unclick reason I said earlier you can make the decision of not to vote if you click either yes/ no
* **Star**
	+ *Reserve my right* motion to acknowledge and the validity of the names of the SAG candidates
	+ **IVP Response**
		- We will have to motion put the three sections on the agenda
		- I’m not going to entertain that motion for the time being
* **Slater**
	+ If there is yes/no/abstain option would that be counted toward the 2/3rds threshold?
	+ **Wessal Response**
		- An abstention would not be counted for the 2/3rds threshold if you vote yes/no you are calculated for the 2/3rds
* **Quintero-Cubllian**
	+ So, are we going to have to motion to ratify the ballot and for the special election to be held?
	+ **Wessal Response**
		- Your right you need to approve the petition as valid you would need to do that as well and next step
* **IVP**
	+ First the original three were AS UCSB recall petition to ratify the elections board process that is acknowledging that the petition is valid, second is voting on having the recall question on the fall special election ballot as written and approved by elections board and the third thing is the fall special election ballot like SAG candidates
	+ Three separate motions we have to go back to new business and motion to add it to immediate consideration
	+ Last motion to approve he ballot as we submitted it to you all and it included both
	+ We appreciate the discussion

*MOTION/SECOND: Quintero-Cubillan/Mitchell*

*Motion language: motion to suspend orders of the day and move into minutes*

*ACTION: Vote: CONSENT*

*Vote Taken:  10:59 PM*

**E) Acceptance of Agenda**

*MOTION/SECOND: Quintero-Cubillan/Roman*

*Motion language: motion to accept the agenda*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:08 PM*

**F) Consent Calendar**-

**G) Action Items**

**G-1) Immediate Consideration**

102120-42 A Resolution in Support of the Armenian People in Regards to Another Attempted Genocide With the Intention of Pan-Turkism

 Quintero-Cubillan-Nezhad

*MOTION/SECOND: Diaz/Pugal*

*Motion language: motion to pass this resolution*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:09 PM*

ASUCSB President recall petition

**IVP**

* Procedural vote yes and ratify Elections board process and the validity of signatures

*MOTION/SECOND: Pugal/Roman*

*Motion language: motion to ratify the AS UCSB President Recall Petition*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:10 PM*

Recall Question on the Fall Special Election Ballot

*MOTION/SECOND: Quintero-Cubillan/Diaz*

*Motion language: motion to approve the recall question on the Fall Special election ballot*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:11 PM*

Fall Special Election Ballot

**IVP**

* Ratifying the dates, the candidates and the recall election

*MOTION/SECOND: Halder/Nezhad*

*Motion language: motion to ratify the SAG candidate and dates, as well as the recall question and approve the fall special election ballot*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:12 PM*

**G-2) Old Business**-

081720-32 A Bill to Updating the Executive and Senator Legal Code Regarding Trainings

 Quintero-Cubillan-Halder

 **Quintero-Cubillan**

* This just needs to be tabled indefinitely

*MOTION/SECOND: Roman/Tait*

*Motion language: motion to table this bill indefinitely*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:13 PM*

**H) Recess**-

**\*Moved here at 8:32PM and took a 5-minute recess\***

*MOTION/SECOND: Star/Mitchell*

*Motion language: motion to resume orders of the day*

*ACTION: Vote: CONSENT*

*Vote Taken:  8:37 PM*

*MOTION/SECOND: Pugal/Roman*

*Motion language: motion to have a three-minute recess*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:13 PM*

*MOTION/SECOND: Diaz/Pugal*

*Motion language: motion to bring us back from recess*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:20 PM*

**\*Moved here at 11:38PM and took 7-minute recess\***

**I) ASUCSB Reports**

**I-1) Administrative Committees**-

**I-2) Boards and Commissions**-

**I-3) Unit Reports**-

**I-4) President’s Cabinet Report** -

**I-5) Executive Director’s Report**-

**Marisela Marquez**

* Make it brief
* I have to comment on your work this evening I know it has been very hard knowingly breaking your own constitution don’t know if the election will stand will come back to you with more information
* Injunctive powers of Judicial council can extend or are still in place so that through other parts of the organization senate actions don’t curtail the powers of the judicial council
* Regarding my work the past few weeks have been jammed up with preparing your personnel
* Search for your next director job description of food bank coordinator we will be opening up that search
* We have an ongoing external audit in the middle of that university is conducting an audit of our cash operations every single action/dollar we make is being audited
* Undergoing ccc training campus climate accessing how it’s affecting students in the middle of a 3-day training and about transformative change and efforts to change the climate of the campus
* Working with the Office of Black Student Development until freedom working in support of Office of Black Student Development as they begin to take form
* New process for hiring that involved hiring papers and going through a hiring process
* Through remote instruction era has really gone through changes in person exchange of documents that has been occurring via zoom proof of the hiring was taken place legally share our space and personnel in insuring that that process was done legally
* Designating our book bank as an essential service
* An e-store that we are envisioning transition some of its efforts like electronic readers onto an as store of some kind

**I-6) Executive Officers’ Report** -

President

 Internal Vice President

**Tianna White**

* Proud of my office with BCU updates and legislative updates
* I forgot to send you all week 2 updates, but I will do that!
* Training accommodations sent out updated document thank you Holly for being at the trainings, editing the trainings, closed captioning them and recording them and Judy Ann spent many hours uploading it to YouTube
	+ November 2nd is the new deadline
	+ Honoraria committee has complied list of people who haven’t completed the list of trainings yet so we are going to send that out a list to all BCUs so they can tell their members what trainings they need to do
	+ List will not include people who didn’t attend any trainings because we have no records of them coming
	+ First time the trainings was extended to all honoraria earners its vital in the way to run
* If have not reached out to your BCU please do that as soon as possible
* Pretemporal sent out email with application and it closed this past Friday
	+ Only two applicants and move forward with Marisela with interviews
* What Marisela said is 100% true tonight we technically broke the constitution I will be in conversation with admin whoever it may have implication of the election
* I will make sure to keep you all updated it we have to do an email vote
* This has been a long meeting want to thank all the public forum speakers and the senators
* I will be attending separate exec meetings with the EVPSA and the EVPLA
* Any updates at all I will be in conversation with you all

**Quintero-Cubillian**

* Is Take Back the Night an active entity?
* **IVP Response**
	+ That is one of the BCUs that didn’t respond back in summer given the fact that there have been senate resignations

**Quintero-Cubillan**

* *Reserve my right* Inciting Section 2 of special election as it relates to recalls for the AS UCSB senate to recall the AS UCSB president
* **IVP Response**
	+ Ok can we take a 7-minutes recess to consult with advisors regarding all of this to make sure we can figure it all out?

*MOTION/SECOND: Tofft/Nezhad*

*Motion language: motion to suspend orders of the day for 7-minute recess*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:38 PM*

**IVP**

* Senator Quintero-Cubillan can you retract your initial motion so I can explain the matter and after you can make it again?
* **Quintero-Cubillan**
	+ Yes, I rescind my motion

***Motion rescinded at 11:49PM***

**IVP**

* Like Marisela and I have said today we broke the constitution and that calls the validity
* Section 2 the petition section senate has received and acknowledged the petition and call a recall election
* My recommendation overturns the do a vote on the special election this way it isnt touching the injunction we are exercising the right to call a special election

*MOTION/SECOND: Mitchell/Nezhad*

*Motion language: motion to suspend orders of the day and move to the acceptance of the agenda*

*ACTION: Vote: OBJECT*

*Vote Taken:  11:51 PM*

*Vote Taken: Vote-Vote 11-9-1 FAILED 11:54PM*

**IVP**

* Since the motion failed, we are now back in discussion

**Pugal**

* Can I get a rationale for the objection? Confused with everything going on right now

**Quintero-Cubillan**

* Folks said its unconstitutional yet there is nothing in legal code that says we can’t overturn an injunction

**Pabla**

* My thing is imagine our constitution as something we can’t do, the judicial branch is different from senatorial branch and that’s why it would be unconstitutional

**IVP**

* The way that our association is set up judicial council has the power to put injunctions on the senate and they are a separate branch and though there isnt anything on there that the senate cannot overturn an injunction the power that is granted to judicial council inherently makes their injunction valid as a legislative body we don’t have the power to do this. The senate cannot overrule the of judicial council.
* It would be valid if we call a special election by and maintain the validity of the recall petition question, and ballot it’s not explicitly in legal code because the power is given to judicial council it could be unconstitutional and could invalidate the recall election both sag and recall
* Senate calling for special election and overriding is an extra level of security that we don’t break constitution

**Pugal**

* Judicial council there is no way for us to overturn why the injunction can’t be overturned?
* **IVP Response**
	+ Judicial council has been invested with the authority Article 7 section 3b E6 of the AS bylaws that they have been granted the ability to file an injunction it is not within the senate powers to overstep the judicial council
	+ As the injunction is a direct result by the senate overstepping it could lead to a constitutional breech if we were to create a constitutional amendment on the fall special election ballot while approving our own call for the recall it would provide security that we didn’t breech the constitution
* Judicial council gets the results of the injunction by a specific time
* **IVP Response**
	+ They have their own timeline we can motion to have the chair, me write a letter strongly recommending them to remove the injunction

**Tofft**

* *Point of information* I was under the impression correct me if I’m wrong in enacting the motion for special election was suspending orders of the day and going back to acceptance agenda
* **IVP Response**
	+ Lack to adherence to hearing procedures and the actions of the senate can be viewed as contempt of council

**Star**

* There’s a few concerns its sounding like it’s on the basis of interpretation nothing is moving forward because
* Check and balance systems, we have the power to challenge that I’d like to add emphasis on nothing we are doing is explicitly stated that we cannot do
* Who will be interpreting this legal code because all we are doing is saying that it could be interpreted?
* Too many holes and vagueness
* I don’t understand why there are so many hypotheticals we are worried about precedents and setting things when you are correcting wrongs you are making a precedent
* We need to do something now we have heard the concerns of our constituents
* There should not be their ambiguity
* The only reason preventing us I think judicial council does has power as Senate we have a power to put a name on the ballot as well
* We were elected by our constituents so that is our main concern we can challenge the power of the judicial council and what they say will be reflective of AS and the University of California

**Mitchell**

* Before we proceed, I want to weight the options here what you suggested using our power in our senate
	+ Yes
* Consider what we did as invalid
	+ Yes, I have informed y’all on the situation at hand could potentially held as contempt of the court (JC) if they decide the senate be held at contempt, they can stop the election

**Marisela Marquez**

* These are rules breaking the rules that are created by you it undermines the work that you are doing
* As long as your clear what is happening from what you are saying earlier something that jeopardizes the elections might be something you might not want to do but I’m just letting you all know what it means
* If we take advantage of our powers to call for a special election and say the sag election and the recall should be on it is that it could get another injunction
	+ It’s the same power that judicial council they could issue an injunction to stop the election because it hasn’t happened yet that’s why we are talking about minimizing risks

**Roman**

* There’s a lot about “unconstitutional” we need to understand direct violation of the constitution this is not a violation of the constitution if we really wanted to the Daevionne deliberate the procedure of the petition could have been arguably done to prolay it
* There is a lot of talk about unconstitutional. I think people need to refrain from using the word unconstitutional because it is not
* This president can do to abuse their power there needs to be checks and balances we can still check them

**Pugal**

* Is there a way we can a change to our duties that apply to this year?
* **IVP Response**
	+ No
* **Quintero- Cubillan Response**
	+ Due to the passage of the bill by the 70th senate all bills go immediately into effect

**Star**

* Since Tyler and Raymond couldn’t give us a clear interpretation, who is interpreting the actions and who will be interpreting it for their validity and if they’re going to be passed down or correct?
* **Marisela Response**
	+ Technically your constitution calls the judicial branch to interpret legal code
	+ I don’t use it lightly in your constitution something that in unconstitutional is acting against that is policy procedure or legal code. Its specifically that they have the power to issue an injunction and no one correct that. Changing constitution is the ultimate way. As a senate you should be responsive of the petition. Troubling to see an injunction issued and you can take an action independently. The constitution are powers given to you by the Regents, The chancellor then to you.
* In recall we can state a motion that doesn’t remove the injunction we are saying the injunction is valid however we as senate but not affecting their judicial power
	+ Yes

**Bagul**

* Apologize for not muting myself earlier
* I understand that senators are feeling frustrated with the word “unconstitutional” being presented it’s not a word that can be thrown around because of separation of powers we don’t have the power to overturn something in the judicial branch like they don’t have the power to write legislation, branches have set mission that’s why I and other believed that us overturning their decision. I agree it’s very concerning this petition was filed an hour before the meeting. It’s not downplaying the issue at hand

**Pugal**

* Conflicted on how to approach this understand where Senator Bagul is coming from but it feels really wrong having that be possible if there is a petition against someone and that same person can delay the petition it feels wrong.
* There’s a section labeled Contempt of council (Section D) it points out about Contempt of council is deliberate ignorance and that it would be a violation and there’s a violation of legal code to consider. I don’t know how to approach this at all.

**IVP**

* In discussion to suspend orders of the day and go back to acceptance of agenda
* You don’t have to follow my recommendations it is up to y’all if y’all feel like we can keep the injunction as is and call for a special recall election that is within your power and if you overturn the injunction motion and still rule for a special election that is something y’all are in power to do. I’m not trying to convince y’all to vote one way or another.
* I’m just giving y’all options

**Roman**

* Again, I think it’s important and I understand that the judicial branch has their powers and they don’t always do injunctions is very rare and it’s important that Senate hasn’t gone through this before and as senate our main job is to pass legislation and it’s our job to set a precedent. I don’t think we should take that lightly. I believe senate should have the ability to do so when there is a wrongdoing if there is nothing in the constitution that says it cannot be challenged so senate can pass legislation to do so. We aren’t taking this lightly as leaders as representative we have to take that into consideration. Doesn’t mean that because there isnt a legal

**Flaherty**

* Is there any possibility we can get our nonprofit status taken if there is some violation or is that not related?
* **Marisela Response**
	+ I honestly dont know it’s like this pandemic people address things as they come up of questions of legality, I have to look into it, and they are written in such a way where they assign power

**Star**

* Our nonprofit wouldn’t be affected because someone else would be put in that position. I asked Marisela earlier we can redo a motion stating that we have right senate to proceed and acknowledging the injunction
* Even if it passes it won’t go as far as anyway, we are having a prolonged discussion it will go through or not despite our voting it acknowledges injunction and move forward to recall the special election
* What is the recommended wording of this motion so we can vote on it the priority is to listen to our constituents to resolve this in the best way forward without tabling it there’s no issue with us going forth anyway? We voted on it tonight

**Marisela**

* In respective on the injunction senate votes to put a special election

**Star** *Reserve my right* to motion to have a special elections that acknowledges the power of the judicial the judicial committee and their injunction however that will move forward with a special election

**IVP**

* Senator Star we are currently in discussion for another motion so for that to be done with, the call to question has to be rescinded
* I believe it was Senator Tofft who called to question

**Tofft**

* I rescind my call to question

***Call to question rescinded at 12:44AM***

*MOTION/SECOND: Star/Roman*

*Motion language: motion to have a special election that involves recall regardless and independent of the outcome of the judicial council case of the injunction due to the articulation concerns and authorized petition from constituents with the limited timeframe in which we have to work in*

**Bagul**

* Senator Star I was with you when you were speaking earlier in order to avoid being labeled ‘unconstitutional’ that we would observe judicial councils decision and acknowledge their power seems like you amended that last minute saying regardless of the result is that true?
* **Star Response**
	+ Yes, what I’m stating is that since we are under timeframe, we are acknowledging their power however we are still motioning a recall and special election regardless of the case
* It went back from what we were talking about its “unconstitutional” I don’t support this

**Star**

* I said regardless because in my opinion it was the most unbiased way to go forward out to allow our constituents to have full autonomy over the decision
* The constituents will have full autonomy my main basis for my wording is that they are the ones that put forth the petition they should have full autonomy on this entire thing

**Marisela**

* *Question to the chair* Senator Star that last clause might you want to add that to your motion

**Bagul**

* *Point of information* Is the current motion is it saying that we are moving forward with the election and election results regardless what the judicial branch says?
* **IVP Response**
	+ Yes, that is what the current motion states
* This is still unconstitutional we can’t break the constitution to right that wrong

**Roman**

* According to article 6 section 4 lines G2 and I Senate has the power to have legislative initiative
* Definition of initiative which a lot of us knows is the ability to assess and initiate things independently
* We are also empowered to investigate all matters pertaining to the legislative function.
* So, I think it’s important the discussion we’re having in a sense we are investigating it
* We have the power to move forward with legislative initiative I don’t believe it’s unconstitutional maybe you want to rephrase that and say there is no legal basis, but it is not unconstitutional

**Halder**

* There is no legal precedent we are shaping it and creating one
* It’s not in the constitution whether we can or cannot and it is our interpretation, it is our right as Senate
* Judicial council made their own discretionary decision when they decided it was fine for the party to file despite that there is a conflict of interest
* We have the same right to put our discretion
* Should go ahead regardless of the outcome of the injunction
* The constitution is meant to serve the constituents and its obvious what they want

**Diaz**

* It’s a clear understanding of where we want to go and also remind Senator Bagul you can vote ‘no’ once you do the voting

**Slater**

* Would it better to change from regardless of the judicial to independent of the judicial ruling
* **Star Response**
	+ Yes, I will amend to include regardless and independent

*ACTION: Vote: OBJECT*

*Vote Taken:  12:50 PM*

*Vote Taken: Hand-Vote 17-3-1 PASS 1:00 AM*

 External Vice President of Local Affair

 External Vice President of Statewide Affairs

 Student Advocate General

 **I-7) Senator Representative Reports**-

**Mitchell**

* IV Arts hosting a social distant Rocky Horror at the Westwind drive-in
	+ Would be great for all of you to come in your cars and dressed up in your costumes
	+ On November 1st

**Pugal**

* Playing Among us and a lot of other games with Engineering student council on Saturday 10:24-7:30PM
* On the engineering student council discord please come!

 **I-8) Administrative Reports**-

**J) Committee Reports**

 **J-1) Standing Committee on Finance and Business**-

 **J-2) Standing Committee on External Affairs**-

**Quintero-Cubillan**

* We meet this Friday 6PM please come if you want.
* Our first actual meeting

 **J-3) Standing Committee on Internal Affairs**-

**Schaefer**

* Meeting from 2PM-3PM please email me if you would like to attend
* Send zoom link in the chat right now anyone and everyone is invited

 **J-4)** **Standing Committee on Food Insecurity-**

**Cohen**

* First meeting last Thursday talking about updating legal code on positions in the committee
* Senator Diaz and I are sending out applications for positions within this committee

 **J-5) Group Project and other Temporary Committee Reports**-

**K) Minutes and Allocations:**

**\*Moved here at 10:59PM\***

 **K-1) Senate Minutes**

Senate 10/14

*MOTION/SECOND: Roman/Pabla*

*Motion language: motion to approve Senate 10/14 minutes*

*ACTION: Vote: CONSENT*

*Vote Taken:  10:59 PM*

**K-2) Administrative Committees Minutes**

Office of the Controller 10/08 10/15

*MOTION/SECOND: Pugal/Slater*

*Motion language: motion to approve the minutes for Office of the Controller*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:00 PM*

**K-3) BCU Minutes**

*MOTION/SECOND: Halder/Mitchell*

*Motion language: motion to amend Elections Board minutes 10/20 to include the updated 10/20 minutes*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:01 PM*

Coastal Fund 10/13

TSA 10/12

CODE 10/14

Trans & Queer Comm 10/13

Bike Comm 10/15

ZWC 10/13

IVTU 10/14 10/15

IV Arts 10/15 10/19

HRB 10/15

COSWB 10/15

IVCRC 10/15

PMHC 10/15

SASA 10/17

IAC 10/14

CAB 10/19

EJA 10/19

IV Arts 10/19

CFF 10/14

EAB 10/19

ASPB 10/19

Coastal Fund 10/20

Elections Board 10/13 10/20

*MOTION/SECOND: Mitchell/Diaz*

*Motion language: motion to bundle and approve all BCU minutes*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:02 PM*

*MOTION/SECOND: Quintero-Cubillan/Martinez*

*Motion language: motion to suspend orders of the day and move into new business*

*ACTION: Vote: CONSENT*

*Vote Taken:  11:03 PM*

**K-4) Standing Committee Minutes**

Basic Needs Committee 10/15

F&B 10/12

**L) Appointments**

IVTU:

Resignation of Crystal Leung as Marketing Director

Appoint Hillary Si as Marketing Director

Investment Advisory Committee:

 Cole Weber as Chair/CIO

Cole Turner: Portfolio Manager; Technology, Media, & Telecommunications

Javi Valle: Portfolio Manager; Financials

Kevin Zou: Portfolio Manager, Consumers

Jack Cauchi: Portfolio Manager, Special Situations

Joe Hickey: Portfolio Manager, Healthcare

Andrew Devlin: Portfolio Manager, Fixed Income

Joseph Vedensky: Portfolio Manager, Real Estate

Zeke Bolden, Portfolio Manager, Industrials and Commodities

Josh Lipman: Portfolio Manager, Energy and Utilities

Macroeconomic Analyst: Romtin Toranj

IV Arts:

Lucas Vance for Outreach Coordinator

AS Coastal Fund:

Jeremy Francoeur -- Chair

Ethan Estrada -- Vice Chair

Mykala Listorti -- Undergraduate Representative

Rylee Pupa -- Undergraduate Representative

Jackie Rigley -- Undergraduate Representative

Phoebe Racine -- Graduate Representative

Michaela Sten -- Graduate Representative

Carissa Stewart -- Administrative Assistant

Duncan Edwards -- Outreach Coordinator

Joelle Canto-Adams -- Outreach Coordinator

Finance and Business:

Resignation of Areg Jangozian as Finance Officer

PMHC:

Resignation of Leela Ray as Conference Coordinator

Resignation of Chris Pantin as QTPOC Representative

Brandon Villarreal as QTPOC Representative

*MOTION/SECOND: Pugal/Mitchell*

*Motion language: motion to bundle and approve all appointments*

*ACTION: Vote: CONSENT*

*Vote Taken:  1:06 AM*

*MOTION/SECOND: Star/Roman*

*Motion language: motion to bundle and approve all resignations*

*ACTION: Vote: CONSENT*

*Vote Taken:  1:06 AM*

**M) Discussion Items**

**N) Remarks**

**O) Adjournment**

*MOTION/SECOND: Roman/Pugal*

*Motion language: motion to adjourn*

*ACTION: Vote: CONSENT*

*Vote Taken:  1:07 AM*