

# Majority Opinion of the Judicial Council

## Associated Students of the University of California at Riverside

### No. 4

In regards to the closed session meeting held after the ASUCR Senate Meeting of May 6<sup>th</sup>, 2015.

Decided January 22, 2016

This majority opinion represents the evaluations and decisions of the ASUCR Judicial Council regarding the legality of the meeting held in closed session by select officers of ASUCR following the adjournment of ASUCR Senate Meeting #21, Spring Quarter, May 6<sup>th</sup>, 2015 6:30 P.M – 6:51 P.M. The meeting in question will hereby be referred to as Senate Meeting Q.

Senate Meeting #21 was adjourned by Executive Vice President Michael Ervin at 6:51 P.M. constitutionally, under Article V, Section G, Subsection 4, “Disruption”.

#### *4. Disruption*

*1. In the event that an individual or group of people willfully and/or intentionally interrupt an official meeting of the Senate or one of its standing committees so as to render orderly conduct of the meeting impossible, the members of the Senate or Committee may, by a majority vote order the room clear and continue the meeting in a closed session provided that representatives of the news media who are not engaged in the disruption are allowed to remain;*

*2. The chair of that meeting shall have discretion to excuse disruptive parties or adjourn the meetings.*

Because Senate Meeting #21 was legally adjourned at 6:51P.M., any subsequent meeting, such as Senate Meeting Q, counts as an entirely new meeting. Therefore, it must meet the requirements to be a new meeting.

Meeting requirements as detailed in the ASUCR Constitution: Article V, Section G, Subsection 2.

#### *2. Notice of Meeting*

*(a) A forty-eight (48) hour public notice must be given before an official meeting may be held; (b) Public notice shall include: posting on the door of the Association, written notice to all Senators, posted on the ASUCR Website, or notice to all campus media.*

The required timeframe of a public notice was not satisfied; a notice was not given forty-eight (48) hours before Senate Meeting Q was officially held, therefore the operation of this meeting is illegal, violating Article V, Section G, Subsection 2 of the ASUCR Constitution.

Closed Session requirements as detailed in the ASUCR Constitution: Article V, Section A, Subsection 4.

#### *4. Closed Session*

*A closed session may be called during regular meetings for the purpose of discussion of an ASUCR representative, personnel or employee grievance matters, provided that twenty-four (24) hours advance public notice is given. Closed sessions shall be limited to ASUCR Senators, the Senate Staff, and the Executive Cabinet.*

The closed session portion of the Senate Meeting Q also violated the requirements listed in Article V of the ASUCR Constitution. A twenty-four (24) hour public notice was not given.

It is the decision of the ASUCR Judicial Council that Senate Meeting Q was held unconstitutionally.

Therefore, all decisions that were made and all other actions that occurred during Senate Meeting Q are null and void.

**Signed:**

Justice Michael Deo

Justice Simon Ho

Justice Gadiel Lopez

Justice Daniel Ojo