



Judicial Council of ASUCR

University of California, Riverside
asucrjustice@ucr.edu

Temporary Injunction Regarding Chapter XXIV of the ASUCR Bylaws

The Judicial Council has received a request to review the amendments to Chapter XXIV of the ASUCR Bylaws approved at the final Senate meeting of Fall Quarter 2016, on November 22, 2016.

The petitioner alleges that two technical errors were made when passing the amendments. The petitioner alleges that these errors are enough to render the amendments null and void, as one error caused the Legislative Review Committee and the Senate to be sufficiently misled as to what the current law stated, and that another error violates other provisions of the Bylaws.

Additionally, the petitioner argues that the amendments cause the Bylaw to violate the “need to know” provision of the Family Educational Rights and Privacy Act of 1974 (FERPA), requiring private academic records to be released to individuals who do not have a “need to know”.

While the Judicial Council must hear oral arguments for the FERPA arguments, preliminary evidence that has been submitted is sufficient for the Judicial Council to issue **this temporary injunction** pending further hearing. This is issued due to the fact that the Bylaw was passed just before the end of the previous quarter and grades must be immediately checked. It is in the interest of all members of ASUCR to ensure that accountability is balanced with FERPA laws, and previous law must be restored to allow the grade checks for the current quarter to be run in a manner consistent with ASUCR standards and Federal law.

This temporary injunction will be effective retroactively to when the Bylaw was passed and will stand until the Judicial Council issues a full ruling regarding the Bylaw. Grade

checks and any applicable waivers will be conducted in a manner consistent with previous law.