

# *Senate Meeting Minutes*

Wednesday, November 20, 2024 | 3:00-5:15 pm

Location: DeRosa University Center 211

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## **Invited Members:**

- Simon Hinmon, Vice President
- Amy Hagler, ASUOP Clerk
- Jaden Deng, Senator at Large
- Sal Reyes, Senator at Large
- Ethan Do, Senator at Large
- Vivian Le, Senator at Large
- Alenda Wade, Senator, Thomas J. Long School of Pharmacy
- Shivam Lnu, Senator, School of Computer Engineering
- Juliana Meneses, Senator, Conservatory of Music
- Gavin Hua, Senator, Eberhardt School of Business

## **I. Preliminaries**

- a. Call to Order at 3:37 pm.
- b. Roll Call (highlighted in orange if not present)
  - I. Presiding Officer: Vice President Simon Hinmon
    1. Ms. Hagler
    2. Senator Deng
    3. Senator Reyes
    4. Senator Do
    5. Senator Le
    6. Senator Wade
    7. Senator Lnu
    8. Senator Meneses
    9. Senator Hua
- c. Motion to amend agenda by Senator Le, seconded by Senator Reyes.
  - i. FBAR added to agenda as item number one.
    1. Motion to approve amended agenda by Senator Shivam, seconded by Senator Do, approved by all.

- d. Motion to approve previous minutes by Senator Meneses, seconded by Senator Do. Approved by Senators Wade, Shivam, Hua, and Le. Senator Deng and Do abstained. Senator Reyes denies. Motion is approved.

## **II. Public Comment**

- a. Megan Silva represents the SVO and the Pacifican and would like to know how the senate can support the veteran community at Pacific in getting the school to recognize Veterans Day. Per the Vice President, he can reach out to President Callahan and potentially arrange a meeting with him in the Veteran Center.
- b. Emily Padilla is a former senator who represents the students of Benerd College.

## **III. Reports**

- a. No reports from the President.
- b. No reports from the Vice President.
- c. From Chand Kaur, the Director of Finance, today (November 20) is the last day for RSOs to apply for semi-annual funding. This year has the highest number of applicants in recent memory and, with more student engagement, there may be opportunities to increase funding again in the future.
- d. From Senator Le, who represents the sustainability committee, it has been confirmed that E-waste bins will be implemented next semester throughout campus, starting in the library, classroom and engineering buildings.
- e. From the advisor, David Bryant, he is happy to see many new faces attending the senate meeting. Additionally, he reminds senators that they are welcome to have one on one meetings with him at any time for any initiatives or issues they may be having.

## **IV. Business Items**

- a. FBAR.
  - i. Prior to Director Kaur taking over the position of ASUOP Director of Finance, there had been a recurring issue within ASUOP of prior directors spending more money than was originally budgeted. Due to this issue, Director Kaur ensured that the budget was properly overseen and now, ASUOP has an excess of \$20,000. In the first line item of the FBAR, Director Kaur would like to add to the semi-annual funding budget for RSOs and an additional \$20,000 for conference funding, resulting in the potential budget for semi-annual funding to be \$80,600 and conference funding to be \$60,000. The second line item in the FBAR would add an additional \$10,000 to the marketing fund for ASUOP elections, which currently sits at \$1500.
    1. There is a discussion amongst senators Shivam, Deng, Reyes and Meneses about the amount to be added to the marketing fund, as they believe that to be an excessive amount.

- a. Senator Meneses motions to table the second line item for the marketing fund, but to approve the first line item that approves the semi annual and conference funding. Motion is seconded by Senator Le, approved by all.
- b. Elections of President Pro Tempore.
  - i. Senator Reyes nominates Senator Le for the position of President Pro Tempore. Motion is seconded by Senator Do, approved by all.
- c. Formation of a Judicial Oversight Committee.
  - i. Committee would be formed by the President Pro Tempore and the Rules Committee.
    1. Would be a new committee.
  - ii. Motion by Senator Reyes to nominate Senator Deng as member of committee.
  - iii. Motion to approve committee and add Senator Deng as a member by Senator Do, seconded by Senator Hua. Approved by all.
- d. Quorum Revision Act of 2024
  - i. Bill is written by Senator Deng with the goal to change bylaw 7.10.1, which states that, in order to meet quorum, the senate must have half of all filled and empty senate seats present. The goal of the bill would be to change the language to only sitting senators.
  - ii. From Mr Bryant, this bill would make it easier to meet quorum, but may not make current senators more motivated to find more students wanting to become senators and participate in student government.
  - iii. From Ms Padilla, there are bylaws that grant the executive branch, one senator and cabinet member to temporarily hire senators until a special election can be held. She believes that, with this process in place, the urgency is placed on the executive branch and not the senate to fill these positions and otherwise, this bylaw inhibits the senate from being able to perform their duties if quorum is not met.
  - iv. From President Moreno, she agrees with Mr Bryant that, if this bill is passed, there may not be adequate student representation if only three senators are needed to meet quorum, as the number of senators currently stands.
  - v. From Senator Meneses, they agree with President Moreno and Mr Bryant that, considering the work the elections committee has put into the special elections. As senators, they believe that in would be in the senate's collective best interest to promote their roles within the school and encourage other students to get involved and run for senate seats.
  - vi. From Director Kaur, special elections just concluded and senate will have five new members, so this bill could be tabled until next year.
  - vii. Senator Do motions to table the bill and move forward with the current agenda. Motion is seconded by Senator Deng, approved by all.

e. Reports of Allegations.

- i. Ms. Padilla, formerly senator of Benerd College, along with the entirety of the senate, has brought forward allegations of theft, violating federal labor laws and violating the ASUOP constitution against President Katherine Moreno, Vice President Simon Hinmon, Director of Finance Chand Kaur and Clerk Amy Hagler.
- ii. Prior to the beginning of the presentation detailing these allegations, Director Kaur asks the senators if any of them had brought these issues up to any members of ASUOP and, if so, who they discussed them with.
  1. Senator Le and Senator Reyes discussed issues with Ms. Padilla. No other senators brought any issues to a member of ASUOP, including advisor David Bryant.
    - a. None of the parties being accused were ever informed or approached with these issues.
  2. Director Kaur asks the senators why they chose not to approach her with their questions or concerns and why they instead chose to solely share their concerns with Ms Padilla. No answer was given.
- iii. Since beginning her position, Director Kaur has issued 200 reimbursements that were leftover from her predecessor, dating back to fall of 2023. As of November 20th, she only has ten in her backlog. During her tenure as Director of Finance, she has implemented new systems in place to ensure transparency and efficiency within her role. Since beginning the role, she has never been approached by any senators with concerns. Additionally, she has worked with Senators Deng and Do to pass bills in the recent pass and neither ever approached her with issues or concerns.
  1. From Vice President Hinmon, he has scheduled one on ones with the senators and none of them have ever informed him of issues and concerns. Additionally, clarified that, due to the nature of the accusations, the concerns pushed forward by the senate and Ms Padilla are allegations, not ethical concerns.
    - a. Student Nathan Bussell asks the senate why they chose not to bring their concerns to any member of ASUOP of the administration and there seems to have been a total lack of communication within the senate to those outside.
    - b. Senator Le agrees with Mr Dough that there was a lack of communication, but certain points require further clarification, which is included within the presentation.
    - c. Director Kaur states that there should have been internal communication prior to publicly accusations.

- d. Mr Bryant states that Ms Padilla and the senate should present the entire powerpoint prior to any more questions.
  - e. Before the presentation begins, President Moreno states that she has a defensive document she can give out, relating to the charges.
2. Within the presentation, Ms Padilla and the senate claim they were not properly trained to become senators, such as not being trained to write legislation, prior to beginning their roles.
- a. From Mr Bryant, there was a significant difficulty over the summer with reaching senators to sign their current paperwork and, until that was completed and signed off by HR, they could not legally begin working. Additionally, two senators, Senators Reyes and Meneses, were out of the country for the majority of the summer. Because of this, the senate could not meet prior to the school year.
    - i. When asked by Ms. Padilla why the senate could not meet over zoom, as both Senator Reyes and Senator Meneses had access to wi-fi, Mr Bryant informs her that, due to federal labor laws, it would be illegal for them to work, as they had not signed their paperwork from HR and United States law prohibits employers from working outside the country while employed for an entity within the United States.
      - 1. Senator Wade states that she stopped by HR on three occasions over the summer, but they were not there. Mr Bryant is currently in the process of streamlining the ASUOP hiring process and encourages anyone who has had prior issues to inform him so he may ensure it does not occur again.
    - ii. Senator Le, in accordance with the powerpoint, presents claim, with screenshots, of Director Kaur illegally raising the salary of the clerk, Ms. Hagler, without presenting it to the senate, which violates the ASUOP constitution and bylaws. Additionally, claims that Director Kaur conspired with President Moreno, Vice President Hinmon and Ms. Hagler to raise salaries without the consent of the senate. Additionally, Director Kaur was accused of mishandling \$8700 which, according to the senate and Ms Padilla, is unaccounted for.

1. Mr Bryant clarifies that the budget presented within the powerpoint is the proposed budget, not the actual budget voted on by the prior senate. There was a conversation about extending the working hours of Ms Hagler in order to extend her role to be an executive assistant to both the President and Vice President, but it was mutually agreed upon to not extend her role and no salary or hour increase ever occurred.
  2. Director Kaur clarifies the amount of \$8700 was to pay for the student yearly subscription to the New York Times, which every student has access to.
  3. The other notes within the proposed budget, as seen in the powerpoint, where her personal notes that she was considering applying for the forthcoming annual budget proposal.
  4. Director Kaur states that she is a full time graduate student, works full time outside of her position as Director of Finance. As such, she is not always able to add detailed notes to the proposed budget.
  5. Ms Padilla states that the senators were unaware that this was the proposed budget and did not understand. Director Kaur then states that, if the senate is uninformed about ASUOP finances, they should not be voting on FBARS and other financial bills. She further states that she is always available for questions, but she was never approached with any questions or concerns surrounding any financial issues.
- iii. Senator Hua asks Ms. Padilla why she chose to approach these issues in this way and why and how this happened at all. Ms Padilla states that it was due to an accumulation of comments and concerns by senators and she believed that an ethical conversation was required to correct said issues.
  - iv. Senator Hua asks what senators, besides Senator Le, approached her with their concerns. The question was not answered.
  - v. The resolution of no confidence against President Moreno and Vice President Hinmon was authored by Senator Reyes and signed by all senators.

- vi. Director Kaur asks why there was no communication between the senate and the rest of ASUOP.
- vii. Mr Bryant then responds to claims that the ASUOP Supreme Court was illegally hired- President Moreno followed ASUOP bylaws and hired the supreme court with the assistance of two senators. Mr Bryant also clarifies that these are serious allegations and will be treated as such.
- b. Senator Reyes claimed that ASUOP bylaws were broken on October 7th, 2024. Ms. Hagler was not present at the meeting and, as outlined in ASUOP bylaw 400.3 i, the President Pro Tempore will serve as clerk if the Clerk is not present. Senator Reyes, who was President Pro Tempore at the time, served as the clerk and claimed that, in accordance with ASUOP bylaw 400.3 iii, ASUOP bylaws were broken by ‘forcing’ him to serve as clerk as he was no longer a voting member of the senate.
  - i. Chief Justice Santallan clarifies that ASUOP bylaw 400.3 states that the ‘President Pro Tempore shall never serve as both Senate Chair and Senate Clerk simultaneously’. Therefore, no bylaws were ever broken.
    - 1. Furthermore, Senator Reyes did not properly document the October 7th meeting. Despite repeated requests and reminders by Vice President Hinmon and Ms. Hagler, neither has received the minutes from the October 7th senate meeting.
  - ii. Claim from the senate and Ms. Padilla that the ASUOP supreme court was illegally voted in as the senate did not meet quorum on the day of the voting in.
    - 1. The September 4th senate was official, quorum was met. The ASUOP Supreme Court is legitimate.
  - iii. In accordance with their presentation, Ms. Padilla and the senate claim that, during her tenure as Senator of Benerd College, was not given the appropriate accommodations for her role as Senator, as she has a mandatory class at the time of senate (Monday at 6:00 pm) that is required for her to graduate.
    - 1. Mr Bryant states that the weekly senate meeting has been on the same day and same time for several years. Vice President Hinmon is not required to bend over backward to accommodate her at the

expense of the rest of the senate and the student body.

- iv. Ms Padilla and the senate claimed that she was not paid for the last month of her time as senate and was removed from payroll on September 30th but worked through October, which violates federal labor laws. For this reason, Ms Padilla and the senate reported the university to the U.S. Department of Labor. Additionally, Ms. Padilla and the senate claimed that she was wrongfully forced out of the senate and her role as senator, as she stepped down but did not resign.
  1. Mr Bryant clarifies that Emily was not removed from payroll on September 30th. He contacted the business manager on October 15th and was removed on October 18th. Additionally, the definition of ‘stepping down’ is the same as the definition of ‘resign’, so there is no difference between the two and, because of this, she is no longer a senator. Mr Bryant states that if Ms. Padilla believes that she was not properly compensated for any time or work, she should contact Mr Bryant to rectify the situation.
  2. Mr Bryant further states to the sitting senators that, in the future, if they feel that they were not properly trained within their roles, to please reach out to either himself or Vice President Hinmon to receive additional training.

*At 5:15 pm, Senator Hua left the meeting to attend class. Due to this, the senate did not meet quorum and the meeting was officially ended. A motion to adjourn the meeting was never made by any senators. Despite the meeting being officially over, the conversation continued for another twenty minutes. To receive the minutes of this unofficial continuation of the meeting, please contact the Clerk, Ms. Hagler, at [hagler@u.pacific.edu](mailto:hagler@u.pacific.edu).*