



## Finance Committee Grievance Recommendations

### Intef Weser – Executive Director Recommendation

Hello All,

I wanted to provide you with an update after I dynamic meeting this afternoon regarding the grievance by Mr. Samuel Garza.

The following will be my recommendations:

#1. A written notice should be provided to the club that a grievance has been filed regarding their approved funding. While I have provided a verbal warning the written notice should be provided I believe from the Chief Justice or VPF.

Rather than going through a formal grievance process through the JRC (review policy 302 for details), I would suggest we handle it via committee policy review and the BOD.

#2. I recommend that the specific section in policy 204 that deals with the window of time that constitutes when a quarter begins and ends be reviewed as an action item at the next Finance Committee meeting. I am very comfortable with the windows of time that Sam has identified. This will allow significant clarity for the Finance Committee and clubs. The club at some point should be afforded an opportunity to speak to the issue during the deliberation.

#3. Now for the dreaded "gray area" vs literal interpretation of the policy. Should the approved funding be rescinded? Again I believe this question should be posed and decided first by the Finance Committee and then sent to the Board of Directors. Along with the policy clarification.

I hope this sounds reasonable to folks. If you have another viable recommendation please respond to the Chief Justice.

Ok I'm out. Have a great weekend.

Intef W. Weser

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## Antonio Canzona – Vice President for Finance Recommendation

Hello everyone,

After looking over the grievance and upon the adornment of the meeting, there was the determination that the only provision in question with regards to the compliance of this funding request is Policy 204 section 5.0, o) "No club shall be awarded more than \$3,000 in one quarter." It is in my understanding that there used to be no caps on the amount of funding clubs used to receive; and seeing this as a problem, this provision was introduced by a former VP for Finance, Matthew Lin, in the 2012-2013 school year. It seems to me that since this provision is the only thing limiting clubs from receiving more than \$3,000 a quarter, at the time of its creation, the BOD had overlooked an issue which we are seeing today. The question that this provision fails to answer is, when is exact cut off between quarters? Without any specification or reference as to when the quarters end, it was since then left to interpretation.

The Finance Committee and BOD approved two funding requests (Society of Hispanic Engineering and Science Students – \$2,675 and Golden Eagle Automotive Racing – \$1296.00) which occur on December 17th and is during winter break (December 13th - January 3rd), (SHESS had already been approved \$3,000 for a travel event during the November). Both of these clubs were approved with the interpretation that Fall quarter ends at the time when final examinations end (December 12th). The current provision in question contains nothing preventing the Finance Committee or BOD from having this interpretation. Common practice of law historically indicates that if there is nothing stopping the certain interpretation of a provision, that interpretation is fair game.

With this being said, I will conclude my opinion on the matter by stating the contrary to what the grievance claims. I don't believe any provision in policy 204 was broken with accepting SHESS's funding request.

I have no recommendations as to the channel of resolving this issue (JRC, Executive Committee, BOD, etc.) Whichever channel is used I can foresee only two logical paths to undertake in order to move forward. Each method must start with the determination of whether or not the policy was broken.

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#1. After further discussion on the topic, there is the collective decision that no policy was broken in the acceptance of SHESS's funding request. This contends that both clubs were approved with the consideration that their events fall under the Winter quarter, thus funding will be taken from their Winter quarter allocations. The Finance Committee and BOD will then be tasked with clarifying the policy in order to determine the exact periods of quarter cut offs. Since this issue is subjugated only to ASI policy, the BOD has full discretion of changing the amount of funding clubs may receive over any extended period of time, and does not necessarily have to follow Cal State LA academic calendar's parameters.

Since policy changes are not retroactive, in the instance that the BOD decides to determine that the winter break falls under the Fall quarter, ASI cannot assume that the additional policy specification had been in place before its actual creation date. SHESS will still receive the awarded funding amount approved since the request was considered to be outside the boundaries of the Fall quarter at the time of acceptance. GEAR will also be utilizing their winter quarter allocation. Any funding requests received after the policy change will be under full jurisdiction of the new policy.

#2. After further discussion on the topic, there is the collective decision that policy was indeed broken in the acceptance of SHESS's funding request. This contends that both clubs were approved with a clear indication of policy that their events fall under the Fall quarter, thus will be taken from their Fall quarter allocations. The grievance will remain valid as approval of the SHESS's funding request was in clear violation of policy, since the club would be receiving over \$3,000 a quarter. The Finance Committee and BOD will still be tasked with solidifying the policy's current indication of quarter cut offs as a reference to the Cal State LA academic calendar parameters.

SHESS will be revoked of their funding, and GEAR will be instructed that they still maintain the full \$3,000 allocation available to them for the winter quarter.

Based on my opinion, I am sure you know that I believe #1 is the route to take. This is the only extent of influence I am willing to put on the matter and I will stand behind and facilitate ASI's collective decision on what should be done.

Thank you,

**Antonio Canzona**

Vice President for Finance

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## Frances Tsai – Chief Justice Recommendation

Hello all,

The following is my recommendation. I see that the grievance was filed, because there are questions to be addressed about Policy 204. I *highly recommend* that the Finance Committee deliberate and review this policy to clarify the language, and at that point, the JRC will review and consider the policy and its changes.

Now, I see there was discussion throughout this feed on whether the funding should be revoked or not. That is entirely separate from this grievance, because the grievance was filed on interpretations of the Policy not the funding. I believe that this should be a topic of consideration at the same finance committee during which Policy 204 will be reviewed. As usual, once the policy has been reviewed by the committee, the policy will come to the Bylaws and Judicial Review Committee for review for approval.

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Best regards,  
Frances Tsai  
Chief Justice

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