THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI'I 2465 Campus Road, Campus Center Room 211A Honolulu, Hawai'i 96822

General Senate Meeting #05 of the 108th Senate Wednesday, July 15th, 2020 Zoom

<u>OPENING</u>		
Call to Order	President Albano called the meeting to order at 6:07 PM on Zoom.	
Roll Call	Present:	[22] President Albano, Vice President Ogata-Tambua, Secretary Gogue, Treasurer Oshiro, Senators-At-Large Bowersmith, Kaeo, Williams, Senators Basim, Chua, Columbres, Crowell, Hesia, Keim, Kim, Pierce, Regaspi, Renteria, Sabandal, Seals, Shimizu, Smith, Vogt
	Excused Absent:	[2] SAL Anuszewska, Senator Lee
	Unexcused Absent:	[5] Senator Garrett, Senator Hokama-Paris, Senator Kanemoto, Senator Saari, Senator Tong
	Excused Late:	[0]
	Unexcused Late:	[0]
	Excused Early Departure:	[0]
	Unexcused Early Departure:	[0]
	On Leave:	[1] Senator Baguio
	Advisors:	[0]
	Guests:	[0]
Reading and Approval of Minutes 1. General Senate Meeting Minutes #04, 108th Senate - JULY 1ST, 2020		

Senator Vogt Move to accept the reading and approval of minutes for GSMM #04.

Treasurer Oshiro Second.

Motion carries.

Senator Kim Motion to approve GSMM #4

Senator Regaspi Second.

Motion carries unanimously. GSMM #4 minutes are approved.

Official Correspondence

Testimony

REPORTS

Executive

President

ICE Guidelines & Protecting International Students

President Albano

First I wanted to talk about the ICE guidelines and protection of international students. I sent you all, I think it was last week about the email correspondence on the ICE guidelines. A little bit of the timeline is on there; July 6th is when the guidelines were made. I am really happy to say that yesterday, basically if you weren't too familiar with it, it was basically that international students who were on F1 visas who were taking entirely online classes were not allowed to remain in the United States, so I included a link in there. You can also refer back to the email entitled "Some Updates." so you can look at the guidelines. But I am happy to say that as of yesterday the Trump administration rescinded the policy which is great news because there are a lot of concerns about the protection of international students which we will be discussing later on in the meeting.

And so one thing I wanted to share with you all is that there are continued calls pushing for the University of Hawai'i system to become a sanctuary system, so a place of safety for international, undocumented, and immigrant students. As of earlier today the petition has over 800 signatures that's from students, faculty, staff, community members.

Board of Regents Resolution 20-03

President Albano

The second thing I wanted to talk about was the Board of Regents Resolution 20-03 which I sent you all an email about yesterday. If you haven't been able to look at the resolution itself then I highly recommend it. There's a link for it in the agenda and its on page 48. Thank you advisor Manini for bringing this up for me because this is an urgent matter and a lot of concerns that we had revolved around the lack of student consultation regarding the resolution. If you haven't had a chance to look at it yet it is basically is proclaiming an emergency and gives the UH administration unprecedented power regarding different services, programs, facilities, and I listed a couple of points that I found personally concerning because I found that there was a lot of vague language in the resolution that would give the administration a lot of power to take money and take action as they see fit without consultation of students. So those are two points there and I really wanted to highlight number three and seven. Number three states.

"Therefore the administration should if necessary use its system wide authority to consolidate from the individual units and campuses any revenues, reserves, programs, facilities, and vacant personnel positions for reallocation of those assets for the benefit of the University as a whole."

Point number seven. I believe someone brought up the vagueness of that language which also is problematic.

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"It breeds in concert with short term and long term plans that the administration can consider if necessary, the temporary or permanent closure, reorganization, restructuring, and or merger of physical planned facilities, learning centers, programs, departments, and campuses to achieve additional financial administrative efficiencies, academic effectiveness, and continued viability"

Of course you may have seen from other chartered student organizations and there's even a sort of letter going around that has hundreds of people who signed on urging the Governor to voice our concerns and stuff. Regarding that resolution, I want to thank everyone who was able to submit concerns and questions about it. I used that to draft testimony which I submitted this morning in opposition to the resolution. The Board of Regents is meeting tomorrow at nine a.m. and I will also be giving oral testimony on this as well. I know that was a lot of information, but I highly recommend you guys take a look at the resolution. There's definitely a large growing concern about it.

I just want to know the next steps. Now there's a resolution with all these signatures urging the governor and the BOR meeting. Is the resolution for the University to adopt it? Or what are the next steps?

Tomorrow for the BOR meeting they are going to review it and take a vote on it. There is also a letter attached to the Governor about it, and so for right now I know tomorrow that they are going to review it and vote on it. I'm not sure honestly too much what is going to happen, but of course I will do my best to get as much information as I can. In the testimony I stated that we request that the administration and BOR discuss the future matters regarding the fiscal emergency with us and to ensure that we have those discussions. If there are any updates I will let everyone know.

I think what's really important is to understand that either ASUH's resources or other CSO's resources that come from student fees or anything else that you are concerned about with regards to the campus. All of you will have other areas of interest regarding your own major, or you will automatically have areas that you care about passionately. Some of you care about it all but some of you care about certain areas more than others. I think it's really important that one, see what happens tomorrow. If this thing passes, I want to be clear with all of you that the administration has the authority to do this already, but what's happening is that the regents are encouraging it. So we can expect that this can happen even faster with the regents encouraging it through this resolution and bringing emphasis to it. If this resolution was to pass. I think you guys have to be very villagant in terms of your own resources which are currently your cash balances, which is around 100,000, but we are still paying bills from last year, and in terms of your sister CSO they have varying from \$80,000 worth of resources. In terms of the GSO having \$80,000 in their account into the millions of the CCB because they control the whole complex including Campus Center, Hemingway and the Warrior Rec center. Taking care of the CSOs should be of interest for all of you especially because CCB provides space for the other CSO offices and RIOs and students as a priority to use the Campus Center facilities. But with whatever areas of interest that you are supporting, I know some of you come from certain schools or colleges, so you don't want your schools or colleges to be cut and I understand that, but I think you need to think about what it is you are going to fight for because if there's cuts it is going to come within the first few months based off this setting. Your next steps are basically watching

Senator Hesia

President Albano

Advisor Manini

carefully and being involved in the process. Being sure that schools and colleges are being involved in the process if any cuts or mergers of that nature are going to happen. I think read it, be clear at which points you are going to be monitoring because no one can monitor all of it and stay true to that. People will be all over the board because it could affect jobs and different things. In your role in ASUH the things that I mentioned are things you should be monitoring, paying attention to. If you hear anything be prepared to stand up and articulate your position in how you feel about those ideas.

Vice President

VP Ogata-Tamuba I made a when2meet for the new senator orientation and I will be sending that

out at the end of this meeting. Make sure to keep a look out for that email.

Treasurer

Treasurer Oshiro No report

Secretary

Secretary Gogue No report

Administrative

a. Advisor Manini No report

b. Operations Manager

Judicial Branch

a. Student Court

Standing Committees

Campus Life

Chairperson Seals Our Progress

Created a group chat

Asked to review last year's folder

Communicating ideas

Our Plans

Homecoming!

Elections

Chairperson Columbres Our Progress

Received vacant positions from Donavan First official meeting held on Monday Talked about committee's responsibilities

Assigned Committee members to work on different sections

Our Plans

Asynchronously work on the elections packet

Vacant positions Calendar

Rules

Second Meeting on Monday 5pm

Brainstorm on how to increase voter and candidate turnout

External Affairs

Chairperson Chua Our Progress

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First EA Committee meeting on July 7th

Discussed committee framework

Responsibilities, communication, transparency

Members' interests and 'focus points'

Summer plans

Our Plans

Work with Campus Life for Fall return

Alternatives to Welina Manoa, AS(You)h week

Survey for senate members to gaige who will be around for senate

pictures

Next meeting set on July 21st

Discuss specific tasks and planning

Issues

Uncertainty in number of students who will return to campus

Finance

Chairperson Williams

Our Progress

1st Committee Meeting held on July 13th, 2020 at 6PM

Our Plans

Internal Affairs

Chairperson Keim

Our Progress

- -first unofficial meeting happened last Thursday
- -scheduling an official meeting for Thursday, July 23rd
- -Attached the most recently updated rules in our ASUH drive for the committee to review
- -Met with Kacie via zoom last week as well, discussed plans and advice

Our Plans

- -I would like to have everyone familiar with the rules for our meeting!
- -I am planning an agenda for next week, thinking about making a kahoot to make things fun. (Senator Kim mentioned an idea to make a quizlet for the rules, I think that would be great!)
- -reviewing past ideas and how to format them for the fall in light of

everything going on

Investments and Long Range Planning

Chairperson Regaspi

Our Progress

Will schedule a meeting with Peter Backus of Graystone Consulting to see if the Quarterly Report #4 for the past fiscal year (2019-2020) has been completed and will schedule an official meeting following.

Our Plans

Student Affairs

Chairperson Kim Our Progress

Our Plans

Student Culture/Diversity CSO

Mental Health LGBTQ+ Advocacy Sanitary Products in Bathrooms

BLM COVID-19 UPASS

Undergraduate Academic Affairs

Chairperson Bowersmith Our Progress

First official meeting was yesterday

Assigned tasks for updating scholarship forms

Working on prompt ideas
Discussed committee initiatives
When2Meet for meetings this fall

Our Plans

Finish tasks by Friday, July 31st

Plan next meeting

Other Committees

SPECIAL ORDERS

A. Senate Resolution 02-21 Calling for the Declaration of UH Campuses as Sanctuary Campuses MOTION TO SPECIAL ORDER

President Albano

We have a special order for resolution today regarding supporting UH campuses as sanctuary campuses. I took the liberty articulating the rules regarding special orders. Special orders are an expedited process for reviewing legislation. It suspends the typical first and second readings that legislation is typically referred to, so it's kind of an expedited process. On a special order, if approved it means that the legislation gets discussed and approved, time permitting of course, right there and then. An official order is accepted into the space in order for the Senate to review it, so these last points here kind of outline the process of what has to happen. It says when a motion to bring a special order to the floor has been offered and accepted, the member offering the motion will be able to briefly explain why he/she/they are calling for the motion, but no debate may take place. Immediately following the explanation a vote must be taken without further discussion. The special order may only be accepted to the Senate with a $\frac{2}{3}$ roll call vote.

Senator Hesia

Motion to accept special order Senate Resolution 02-21

Senator Kim

Second.

Senator Chua

I am calling for this special order because this is a really timely issue as we've seen how the events around the ICE guidelines have evolved. Decisions are being made quickly and more importantly there is a current action being pushed by a collective of UH community members regarding this, to push for a sanctuary campus and many will be testifying at tomorrow's Board of Regents' meeting. Which is why I believed that this resolution had to be introduced today. That is why I am calling for a special order.

3/3rds ROLL CALL VOTE TO SPECIAL ORDER

Aye(s): [20] Vice President Ogata-Tambua, Secretary Gogue, Treasurer Oshiro, SAL Bowersmith, SAL Kaeo, Senator Basim, Senator Chua, Senator Columbres, Senator Crowell, Senator Hesia, Senator Keim,

Senator Kim, Senator Pierce, Senator Regaspi, Senator Renteria, Senator Sabandal, Senator Seals, Senator Shimizu, Senator Smith, Senator Vogt

Naye(s): [1] SAL Williams

Abstention(s): [0]

Vote was in favor; Motion carries. Senate Resolution 02-21: Calling for the Declaration of UH Campuses as Sanctuary Campuses has been approved for special order to be reviewed by the General Senate.

General Sena

Senator Chua

This is in relation to the ICE guidelines that President Albano articulated earlier this meeting. As you all have probably heard last week ICE announced modifications to nonimmigrant students and their ability to remain in the United States if they are taking completely online classes. On Tuesday the administration rescinded this, and are basically reinstating the status quo that took effect in March which offered relief to student visa holders, so we are now able to take in person classes while remaining in the United States. While this position is something to be celebrated and provides relief to international students, the safety and protection of international, immigrant, and undocumented students is not really guaranteed until legislation is put in place to protect them from the erratic nature of ICE. As we've seen last week's policy was pretty much from out of nowhere, so designating UH as a sanctuary campus would essentially provide protection to all international, immigrant, and undocumented students. So in the event that ICE announces a policy similar to this in which students are put at risk for deportation, if you are attending a sanctuary campus you would not have to worry about that policy because the University would not be able to provide information to ICE. If you are undocumented, in terms of identification, they would not be able to get any identifiable information. Essentially what entails this policy is kind of laid out in this resolution if you take a look at it. If this is made system wide, it is kind of the only robust way to help international, immigrant and undocumented students. As we've seen, this administration has definitely made a zenophobic policy to push towards agendas, and I think when it comes to issues pertaining to immigration and such I don't believe this is a partisan issue because it relates to people's rights to live, learn, and work. This resolution essentially urges the University of Hawai'i to hold itself accountable to its responsibility to provide equitable education and protecting the rights of international, immigrant, and undocumented students.

SAL Williams

Senator Chua

Other than that what else would this resolution implore to do? From my understanding most sanctuary organizations whether its a city, state, or town, is simply local police not cooperating with ICE for detaining undocumented immigrants. Would this mainly be just for show? What would it do if this would pass and for UH to agree with us? What would this do besides not giving information to ICE?

Thank you SAL Williams for that question, it is a really good question. I want to start by saying that when campuses or Universities designate themselves as sanctuary campuses, the specific policies that it entails is that there is no set concrete policy. Each University kind of does this differently. One University that has pushed for this strongly is NYU. They have their own kind of ways of going about this and the policies that entail to them with their campus. With that said if we take a look at the initiative that has been taken by the UH community

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members regard this. Some of the things that we push such as you mentioned the act of not allowing ICE on campus or not cooperating with ICE in terms of campus police. And reaffirming that admissions, tuition, grants, employment, and such regarding international students are protected in the event that such policies are announced by ICE in the future. With that said these are kind of suggestions that are made to the UH administration, but if they were to designate UH as a sanctuary campus it is still entirely up to them.

SAL Williams

What are the rules for international students working on campus? Senator Chua mentioned that if the University were to go through with this resolution it would protect students working and their employment.

Advisor Manini

Are there any international students who want to speak up?

Senator Chua

I am an international student, so I think that's why on a personal level I am pushing for it in that sense. I also want to clarify that this resolution pushing for UH to become a sanctuary does provide protection for immigrant workers. International students have a restriction and we are only allowed to work on campus at the campus you are enrolled in. There are kind of strict policies regarding the amount of hours we are allowed to work. It does get complicated for graduate students, but since we are representing undergraduate I will speak on that. I brought up employment because in speaking of ICE's policies and such employment is something that is not brought up in the discussion of international students. In the event that international students face risk of deportation, no sort of employment protection can allow for student safety...immigration is not brought up. In the event that international students face risk of deportation, no employment can save students from deportation.

Advisor Manini

One of the things that I am not sure that we have consulted on with regards to this particular resolution if the University of Hawai'i were to not cooperate with the federal government and the federal government agencies when they require certain information, would it threaten all of our federal funding and potentially the students on Pell Grants or not. I don't know if it would or wouldn't, but I think it is really important before ASUH takes a position of this nature. And it's not a pertinent type of situation anymore, the fact that they rolled it back. I don't have no problem with you guys passing this, but I think you need to be informed when you make that kind of decision and not just make fast decisions. My understanding is that we cooperate with the federal government because we get a lot of funding from them, and if we don't we threaten that funding. There are lots of students on Pell Grants. I would say you want to be sure that if you do this, if they listen to you and decide to do this that you are informed if other students could be harmed by it as well and then make your informed decision.

The other thing is what I wrote in the chat box. This particular resolution is calling for implementing resolution across all of the campuses and ASUH Mānoa does not have authority to advise the President. It has authority to advise the Provost with regards to issues at the Manoa campus. In the org chart that is what you have. Now you can overstep and try to advise the president however my question is has anyone reached out to the student governments on the other campuses and see what they think. Granted they may think that this is a wonderful idea and support you guys, but because student empowerment is important to you, I would ask you to please be considerate and help empower the students on the other campuses as well instead of just taking a position that

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would be applied to their campus or ask for their input or opinion. It wouldn't matter which issue either, I think if you guys ever make suggestions for all campuses that you should have the courtesy to reach out to the other campuses to reach out to your fellow student leaders on those other campuses and say hey we have this idea and we're putting it forward and it might impact your campus as well could you get behind us and support us in this effort that we're pursuing.

SAL Williams

This feels kind of rushed to me its why I voted no. I think it would be better to have some time and assign this to a committee to look into how this will affect us in regards to federal funding

Another thing is has ICE done anything involving UH? Has the UH administration really done anything major in terms of cooperating with ICE that sort of breaches or is this just sort of since the policy came out a response to it?

I just wanted to say that I messaged SAL Williams about possibly taking a bit of extra time to consult with other student groups and do some research to see how non cooperation with ICE could potentially impact other areas of UH Manoa. Just to make sure that we are doing our due diligence before we put out a statement like this. Also since the Trump administration did rescind that policy forcing international students off campus if classes go online, because I think that was the catalyst for doing all of this, since that is no longer such a pressing issue at least for this moment, I think it would be wise to take an extra week or two to research.

I really appreciate all of the points you all have made. In terms of federal grants and how it will affect the funding of UH, I will say that I recognize that UH is very much reliant on that cooperation and it is a lot more complicated than opposing a federal law, so I do recognize the weight of declaring something like this. In line with that though, and I was speaking to many of the organizers who are made up of faculty students and grad students, we recognize that calling for a sanctuary campus now at this moment is not to say as it is less urgent. If anything we feel that now is an opportune time to do so. In declaring UH a sanctuary campus, UH would not be opposing a federal policy while doing so because the Trump administration has rescinded that policy. If ICE introduces policy in the future it is kind of a situation we'll see situation. So yeah I just want to recognize that...

In regard to the all campuses aspect that Advisor Manini brought up, I appreciate it. Because I was a little bit apprehensive about urging UH as a whole to be a sanctuary system just because of the reasons that were said. We don't want to overstep and without their consultation, and I kind of agree that it is really important to do so.

In regard to SAL Williams' point about UH's previous experiences with ICE. UH has issued an official statement protecting undocumented students before and kind of asserted their belief in that they won't be releasing identifying information about undocumented students. They won't use your immigration status as any weight to guide your admissions in such, so if anything UH in that sense has a relatively good track record in advocating for that. Without this concrete action these can kind of just be words, so declaring a sanctuary campus would make that visible.

Treasurer Oshiro

Senator Chua

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In regards to the urgency of the situation. I do agree that because the Trump administration has rescinded the policy, it can be seen as it is not as pressing as it was. I am not opposed to taking time to delve into the many points that have been brought up during this meeting and then bringing it back at another meeting after doing so. Because ICE has not released an official statement detailing the guidelines about what this rescission means, it does not mean that they are not afraid to pull this out of their pocket and unleash policies like these. Besides the fact that there was news that Harvard and MIT won the suit forcing them to rescind the policy, it does not mean that it is set in stone yet.

Senator Kim

Advisor Manini

One thing I wanted to add in regarding the legality of establishing us as a sanctuary school, in the research that we did we found that the Schell Center of Human Rights at Yale Law School and the Harvard Immigrant and Refugee clinical program at Harvard Law school made a statement saying that because federal student aid is administered under the Federal for Higher Education Act and what they do when they accept each loan, Pell Grant, etcetera, they sign a program participation agreement. What that says is that this academic institution will take on the obligations for federal funding this includes nondiscriminating based on sex, race, sexuality, disability, age whatever. These are things from Title six and eight of the Civil Rights Act and the education amendments, and so the only risk that has been identified by these experts as the Clery Act. There is nothing stating that we have to report that a student is taking a specific class otherwise we lose funding. The Clery Act just says that the only thing we have to abide by are the crime reporting requriements, so incidents of sexual assault, dating violence. If they are looking for a specific student like an immigrant who has committed a crime, we have to report that, but it can't force us to release the immigrant status of our students because straying in the US while being undocumented is not a crime.

I just wanted to address what Senator Chua said about the timeliness. I agree that we need to monitor what happens in regard to whether it gets put into writing or not or the rescinding of ICE's original statement that was made. I think it's something that as a faculty member of the University I am going to be watching, and I want you to know that the administration as well as individual faculty members had began to say hey we will be offering face to face classes specifically if there are any students in this predicament that need to take another class to make sure that they are not going to be booted because if they need to be in the US for whatever reason like internet access because that can even be a problem for us, or information in the libraries for their studies then we are going to do everything we can to help these students. Who are now faced with another obstacle. A lot of us are fully committed that if this happens that we are going to do what we need to do to help these students. UH was planning on doing a course in which would not be any additional tuition cost for these students. Honestly myself, I wrote to the international student's office and I said if any students need to take a face to face class then I'm willing to do a 499, so that they don't get booted. I think there were a lot of us who were committed to make sure we don't hurt our students. Especially because those who make the decisions may not be fully informed about the impact of those decisions. So no matter what happens, I think that ASUH should monitor this because there are undergraduate students who are your constituents who were given this information and faced with this stress on top of the other stress of COVID.

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Senator Kim Since the introducers have agreed that there is more work to be done, is the

chairperson allowed to refer this to a committee during a general meeting?

Advisor Manini Yes you guys can refer this to a specific committee and bring it back to general

in two weeks.

Senator Chua Motion to refer Senate Resolution 02-21 to Student Affairs Committee

Senator Hesia Second

Vote is unanimous. Motion carries. Senate Resolution 02-21 is referred to the

Committee on Student Affairs.

UNFINISHED BUSINESS AND GENERAL ORDERS

NEW BUSINESS

A. Senate Bill 01-21 Establishing the ASUH Budget for the Fiscal Year 2021

SCR 02-21 Related to Senate Bill 01-21 (Finance)

Senate Bill 01-21 with Changes Applied

READING AND APPROVAL OF STANDING COMMITTEE REPORT

SAL Williams Motion to accept the SCR for Senate Bill 0-21

Senator Renteria Second.

Motion passes.

Senator Pierce We met and had our first meeting in the finance committee and went over the ASUH

budget for fiscal year 2021. We made amendments to reflect the correct numbers and also grammatical errors. Advisor Manini was also in attendance and she also pointed out that the \$15,900 rolling over from last year under the expenditure section to fund the 'olelo Hawai'i classes and therefore revenues and expenditures would not be the same amount.

Treasurer Oshiro I just wanted to let you all know we have a document with all of these changes applied.

Senator Kim Motion to approve the SCR for Senate Bill 01-21.

SAL Williams Second.

Vote is unanimous. Motion carries.

READING AND APPROVAL OF MEASURE

Treasurer Oshiro Motion to accept Senate Bill 01-21.

Senator Regaspi Second.

Vote is unanimous. Motion carries.

Treasurer Oshiro Motion to delete under section 2 part B the citation of BOR.

SAL Williams Second.

Vote is unanimous. Motion carries.

APPROVAL OF SENATE BILL 01-21 Establishing the ASUH Budget for Fiscal Year 2021

SAL Williams Motion to approve Senate Bill 0-21 ASUH Budget for the Fiscal Year 2021

Treasurer Oshiro Second.

Vote is unanimous. Motion carries.

OPEN FORUM

Senator Vogt I just wanted to give a quick update. I serve as the representative of the undergraduate

body for the student res and life working group for the Fall 2020 reopening plan. We've had a couple of meetings, and we had one on Monday. I have some notes, and if anyone else would like to see some details there, it focuses heavily on housing because we are waiting for more information to come in these next days and weeks and months. Let me

know if you would like my meeting notes.

Senator Kim Student Affairs is planning on doing a social where we will play like jack box games like

drawful and stuff like that. Come to our meetings if you want to have fun and stay safe!

CLOSING

Announcements

Adjournment

Senator Regaspi Move to adjourn.

SAL Williams Second.

Motion carries.

Meeting was adjourned at 7:27 PM.

Respectfully Submitted,

Mikaelyn Marie Gogue Secretary, 108th Senate