

Election

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Sara Pirk also said Jacobson and Cook's due process was violated because the pair did not receive the actual grievance filed against them until about three hours before the elections board made a decision.

"In the case at hand, petitioners neither were afforded notice nor the right to a fair hearing before the elections board," Pirk said.

But the court added that next year's elections board needs to clarify rules regarding how candidates receive grievances. Currently, no rule exists mandating that the board or the author of a grievance give the other party a copy.

"The simple fact is that the elections rules are inadequate," Pirk said in the decision. "They simply do not provide a process that can be

followed by the candidates or the elections board itself."

Jacobson and Cook placed second in the primary election behind Nilda Brooklyn and Joy Nair. The two tickets will battle for the ASUO Executive when the election is held this term.

But the decision is a double blow to third place candidates Eric Bailey and Jeff Oliver. Oliver filed the grievance that removed Jacobson and Cook. Not only did Oliver lose in court, he and Bailey also lost a chance to be in the general election when Jacobson and Cook were returned to the ballot.

"Someone asked me how it feels to be Al Gore," Oliver said.

Oliver, the current ASUO housing advocate, said he is filing a motion to make the court elaborate on how future candidates can campaign in residence halls.

"As a candidate I can let this go,

but as housing advocate, I have to advocate for student voices," Oliver said.

But Jacobson said that regardless of unanswered questions about campaigning and grievances, he and Cook are pleased with the court's decision.

"We were very happy with every aspect of the outcome," Jacobson said.

The court also denied a challenge by a group of student senators to the Multicultural Center's ballot measure creating a cultural programming fund, but the court's ruling slightly altered the measure's wording to make it clearer — and altered the future structure of the MCC itself.

The court agreed with the senators' argument that if students voted in favor of the fund, non-elected MCC board members would be allocating incidental fee money. The

fund would be an avenue for smaller cultural forums to receive money for events and programs.

The court ruled that, by 2003, MCC board members must be elected by the student body. Justice Ashan Awan said in the court decision that it could not legally dissolve the current MCC board immediately.

But the court didn't go so far as to rule the fund would override the senate's fee allocation procedure. Chief Justice Rob Raschio said although the senate is the main group assigned to give fee money to student groups, no rules exist barring other groups from doing the same thing. He said he and rest of the rest of the court believe the fund would not take away the senate's power.

"They're asking for an event fund, basically," Raschio said.

But Sen. Mary Elizabeth Madden said that reasoning seemed illogical, and the senate will have less

power with the MCC giving money to ASUO groups.

"I don't see how they can't say it's a shadow senate," Madden said. "It would serve a limited portion of activities."

The court also said the MCC has the ability to meet national laws requiring fee money to be given without political bias. Last year, the U.S. Supreme Court ruled that student fees must be allocated on a viewpoint-neutral basis, and the senators worried the MCC would only give money for speakers and events that matched the board's multicultural viewpoints and objectives.

But Raschio said the key is that the MCC can make the fund viewpoint-neutral if students vote for it.

"The MCC still has a lot of work to do to make their procedure ready," Raschio said. "And they still need to win the election."

Controversies

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Green Tape Notebook, which lays out the rules governing the ASUO, says that incidental fee money cannot be used for fundraising efforts.

"When it's used to write fundraising letters or to put on events," PFC member Lawrence Gillespie said, "then they're just making that money and they're making it off the students and that's not right."

As a result, the PFC began telling groups they could not use incidental fee money to generate fundraising money — at least for the next year until the issue is resolved.

There were some student groups that were not happy about the decision.

"I believe all the unions will either die or reduce the quality of their programs," said Andreas Georgiades, co-director for the International Student Association. "You cannot provide high quality programs with a meager budget."

But the ticket revenue issue was only one

of many crackdowns.

For years, groups have offered students work study in place of the more commonly used stipends. As paid-hourly positions, someone must verify that the students worked the number of hours they said they did. But without an official supervisor to sign off on the students' hours, there is a chance cheating can take place.

As a result, the PFC decided to take away the work study option from every group that does not have a faculty supervisor — leaving only a few groups, such as the Women's Center and the Multicultural Center, able to take advantage of the program.

In the meantime, the PFC is working on a "checklist" to standardize how work study is distributed.

The PFC implemented another standard this year — this one is for the stipends that groups pay their student workers. The stipend model splits student positions into different categories and designates a certain amount for each.

With the standardization came a one-year

freeze on adding any more stipend positions to student groups.

Most were happy about the change, PFC Chairwoman Mary Elizabeth Madden said. But there were a handful that could not get the extra position they wanted or were not happy with the amount they were allotted.

PFC member Arlie Adkins disagreed with the new stipend system, claiming it took away control from student groups and was too rigid in determining amounts.

"It increased spending by so much this year [and] it wasn't worth it," Adkins said. "When I saw us cutting programming budgets and increasing stipends, it just seemed not that right to me."

Exiting the budget hearings and entering a hearing of its own, the PFC was asked to defend some of its decisions before the ASUO Student Senate.

When the PFC presented its budget to the senate in February, Sen. Andy Elliott questioned the spending habits of several groups. One was the purchase of blankets for speakers and graduating students of the Native

American Student Union.

"If they genuinely want to know [why NASU gives away blankets], rather than just complaining about it, then they need to show up at a few NASU meetings," Multicultural Center Director Erica Fuller said. "Don't complain about it if you don't understand it."

But Elliott said that the purpose of the gifts was not the issue.

"I understand why they're doing it. I think that it's worthwhile," Elliott said. "I just don't think the student body should be paying for it."

Elliott also noticed misuse of fees by the Chinese Student Scholar Association, which last year used leftover money to buy gifts for its officers. In addition, the CSSA bought tents and flashlights with student incidental fee money.

Even with the questions, the PFC budget passed quickly through the senate, with only three senators opposed.

PFC

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ASUO programs, got its own share of the load done in time. And, according to some groups and committee members, it was done with only a few kinks along the way.

"I think there were a lot of programs we were able to help," said PFC chairwoman Mary Elizabeth Madden, but "obviously we couldn't give everybody everything they wanted."

Those on both sides — the groups presenting their budgets and the PFC members deciding on them — said the fee allocation process was efficient and fair, and that the committee members put a lot of time and energy into the hearings.

But there were issues, many said, that could have been prevented by more preparation.

PFC member Lawrence Gillespie said the PFC should have been given more training. That way, when complicated situations arose — as they often did — the members would have known what their jurisdiction was.

"We were kind of just thrown into it," Gillespie said. "I know that learning curve could've been leveled out more if we had been trained better, [and] some of that was due to late appointments."

ASUO President Jay Breslow did not finish filling the empty positions on the board until late fall term, which cut short the PFC's timeline. All but one PFC member was new this year.

Sen. Jackie Ray said that because of unfamiliarity with the process, the PFC let a lot of things slide early on that it later had to re-examine.

About halfway through the budget hearings, the PFC was criticized for passing a lot of budget increases, and members didn't know how to deal with the issue. But, Ray said, it was only a matter of time before the PFC hit its groove and became comfortable with the process.

"By the end, we were more in tune with each other," she said. "And we were criticizing everything down to a couple dollars."

The PFC members were not the only ones feeling unprepared.

"The way I see it, the whole process was too formal," said Andreas Georgiades, co-director for the International Student Association. "Let's not forget: We're not lawyers ... we're student leaders."

Georgiades expressed frustration with the complex process — filled with parliamentary procedure — and with the lack of preparation.

"It's way too complicated for student leaders," he said. "I believe you need to take classes before, like

PFC 101."

MCC Director Erica Fuller echoed that sentiment, saying the process is completely new for many students and can be intimidating.

Fuller said her job is to help student groups with things like this, so she had to learn the process. But, she added, she also has 40 hours a week to do it.

"Students don't have 40 hours to memorize the PFC process," she said. "You almost need to be that prepared."

Part of the problem may be the high turnover rate for both the PFC board and many student groups, said Alan Tauber, president of the Future Lawyers Association. The leadership changes, and that means students who are presenting or deciding on budgets start fresh each year.

"That's confusing, especially

since you're asked to answer for the decisions of those who made those decisions in the past," he said.

Even so, Tauber said he thought the PFC handled the budgets fairly by asking good questions and considering the groups' fundraising efforts.

A few groups said communication between them and the committee could have been better, but members of the PFC said the groups got out of it what they put in.

One recurring issue involved a benchmark meeting held fall term to estimate the necessary increases for next year. If a group did not attend the benchmark meeting, the PFC was less likely to give it all of the increases it sought.

A handful of groups did not show up to the meeting, and explained during their hearings that they didn't receive any notice.



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