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# **The 2020 SUA Constitutional Amendment**

## **A Complete Guide to the Proposed Changes**

*Last Modified April 9th, 2020*

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# Introduction

The Student Union Assembly (SUA) is responsible for representing the interests of the Undergraduate Student Body at UC Santa Cruz. As a result, the SUA is obligated to form itself as a student government that fairly represents the students on our shared campus and advocates for them.

To be blunt, the SUA has faced numerous valid criticisms over the past few years. As with the Constitutional amendment last year, this amendment attempts to address many of those concerns. In 2019, the Undergraduate Student Body voted 94% in favor of the first major SUA Constitutional amendment since 2015. This amendment made 164 changes to the SUA Constitution that fundamentally altered how transparency, accountability, and communication functioned in the space.

This year, an amendment is proposed that attempts to address issues that are even more core to the SUA. Specifically, the SUA's composition. Among others, the SUA is often criticized for being too bloated, too reliant on the college system, inherently inaccessible to student organizations, and more. In this document, we will explain where these concerns likely come from and how we attempt to fundamentally address them in a fair and equitable manner.

This amendment is drafted and proposed by the SUA Parliamentarian, Stephan Edgar who can be reached at [suaparli@ucsc.edu](mailto:suaparli@ucsc.edu). The final version is to be presented and voted upon by the SUA during the scheduled meeting on April 14th, 2020. Finally, this amendment is made possible through the combined efforts of the SUA Vision Committee and numerous interested students including Natan Lao, Shivika Sivakumar, Seymour Hendrik, and Davon Thomas.

## Composition

The composition of the SUA is the core of what the SUA is and does. If the SUA has a failure with its composition, it is fundamental enough to affect nearly every other aspect of the SUA's actions. In amending this structure of the SUA, we paid special attention to what issues are the most pervasive and what changes we can make to mitigate these issues.

This year, we have been lucky to have a healthy mix of newer representatives alongside veteran representatives that have seen the SUA through some of its recent controversies. As a result, we have been able to leverage both experience and fresh ideas in developing this proposal. Among others, the main concerns our amendment attempts to address are:

1. The unequal power distribution between colleges and student organizations.
2. The over-reliance on the UCSC college system as a means for representing the Undergraduate Student Body.

3. The lack of mechanisms to encourage less-formal organizations or groups from engaging with the SUA in meaningful ways.
4. The large numbers of people regularly involved with the SUA.
5. The lack of clear directives or responsibilities attributed to representatives.
6. The overall lack of participation in the SUA from student organizations, especially the Big Five Organizations.

Ultimately, this amendment does not serve to wholly 'fix' the SUA. Rather, this amendment sets a legislative framework for the SUA to improve itself and have the capacity for rectifying some of its greatest failings.

## Current Composition of the SUA

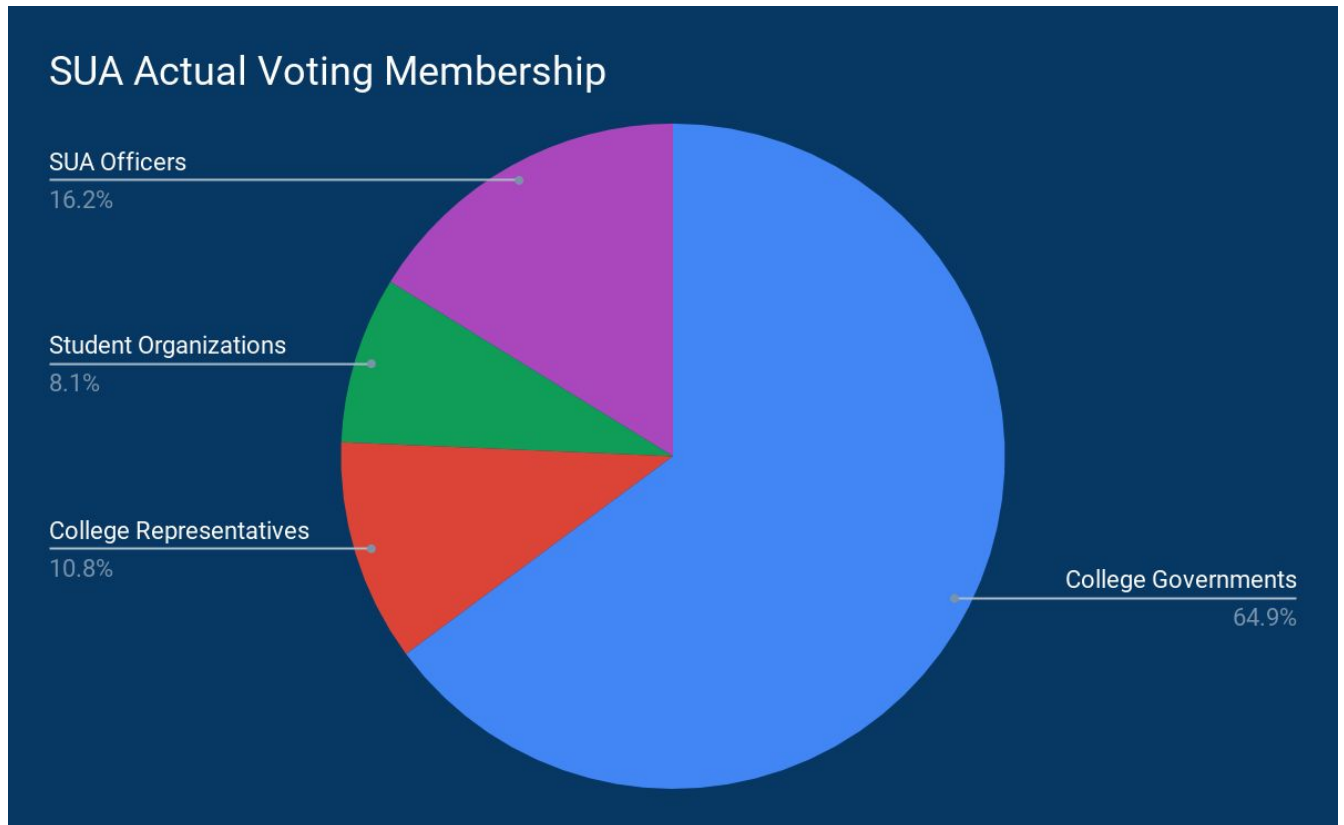
The SUA is theoretically comprised of forty-six voting members. These members are allocated as described below:

1. Two representatives appointed from each college student government. (Total: 20)
2. One representative elected from each college. (Total: 10)
3. One representative from each of the Big Five Organizations (Total: 5)
4. One representative from five student organizations that the SUA appoints. (Total: 5)
5. Six officers elected by the Undergraduate Student Body.

In terms of power distribution, our theoretical composition appears as such:

At a cursory glance, one can see that baked into our system is an inherent bias towards college-specific student representatives. In total, college-affiliated representatives comprise 65.2% of the voting power while student organizations comprise a collective 21.8%.

This may appear to be extremely skewed on its own, but the reality of the situation within the SUA illustrates a far more extreme bias.



The actual voting composition of the SUA effective February 25th, 2020 shows an even more extreme bias relating to college-affiliated representatives and student organization representatives. On one side of the comparison, college-affiliated representatives comprise over 3/4ths (75.7%) of the SUA's voting membership while on the other, student organizations comprise a grand total of 8.1% of the voting membership.

This creates a power dynamic where student organizations are both officially and practically powerless compared to the voting power of the college affiliates. In terms of the specific numbers, we see a total of three representatives from student organizations while twenty-eight representatives come from college governments or were elected by college constituencies.

## Detailed Proposal for SUA Structure Change

In order to rectify this massive power disparity, a fundamental look at the SUA's operations was needed. Additionally, this disproportionate power is an opportunity for the SUA to leverage more democratic principles, such as Ranked Choice Voting (RCV) to better represent the Undergraduate Student Body.

The proposed changes to the composition of the SUA can be summarized as follows:

- I. First, each college student government will appoint one representative rather than two.
- II. Second, the college-elected representative positions will cease to exist.
- III. Third, the Big Five Organizations will hold an optional reserved seat in the SUA rather than a dedicated student organization seat.
- IV. Fourth, the number of other student organizations that the SUA grants voting membership to will be increased from five to ten.
- V. Fifth, instead of the college elected representatives, there will be ten seats reserved for 'At-Large' representatives.
- VI. Sixth, there will be a dedicated SUA voting member elected from the Transfer and Re-Entry Community at UCSC.

These changes would lead to the following theoretical composition of the SUA:

These changes will absolutely seem drastic and perhaps concerning. This is easily the biggest change for the SUA from this amendment and is definitely worthy of some in-depth explanation.

The first intended observation about this new system is the 1:1:1 power distribution between student organizations, college governments, and at-large representatives. This intentional power restructuring prevents the SUA from being a wholly college-focused entity.

A constant complaint that has been received from both student organizations and members of the Big Five Organizations is that it becomes impossible to engage with the SUA when they will inherently not be respected as holding substantial voting power in that space. In several ways, the traditional structure of the SUA reinforces majority/minority dynamics that are already especially harmful to marginalized populations on our shared campus.

Another major point is the removal of elected student representatives that are college-specific. This decision stems from a need to represent the student body fairly and with respect to what matters the most to them. The college system, although traditional and important in the context of UC Santa Cruz, is not necessarily the most relevant to a student's sense of belonging on our campus. At least not enough to warrant college-specific elected seats on top of seats filled by a respective college's government. This becomes especially true considering the fact that several campus communities are not well-aligned for college representation. These communities include The Village, University Transfer Center, Family Student Housing and the Camper Park. Additionally, college-affiliation is a less important factor for students who live off-campus, commuters, and students who may be living in to-be-completed campus construction projects such as Student Housing West.

Although all of the students described above may have a *technical* college affiliation, the lack of available resources or community building with a student's affiliated college make a significant portion of the Undergraduate Student Body unduly unrepresented. As a result, we opt to move towards an At-Large representative model where students are selected based on their platforms as candidates rather than college affiliation. Meanwhile, we continue to respect the good work conducted by colleges through the representative seats appointed by college student governments.

## Ranked Choice Voting (RCV) and At-Large Orgs/Reps

One of the fundamental changes in the new system is the use of At-Large Organizations and Representatives as opposed to college-specific student representatives and SUA-appointed student organizations.

In the existing system, the SUA opens up an application process for interested student organizations to fill out during the Spring quarter. Internally, the SUA decides which student organizations will then have a seat on the SUA for the following academic year. This process is

inherently undemocratic and is essentially comprised of the SUA choosing its own voting members. The revised system takes that power away from the SUA and puts it squarely in the hands of the Undergraduate Student Body.

At-Large representatives may come from any college or community, so long as a candidate is a currently enrolled undergraduate student at UCSC. These candidates will compete based on their platforms and be elected similar to how City Councilmembers are generally elected.

Voters will be invited to rank their preferred candidates in order of preference. Alternatively, a voter may simply vote for one candidate should they desire. Nevertheless, once voting ends the ten At-Large representatives shall be chosen based on the number of votes that they received. The SUA Bylaws shall detail the specific implementation of Ranked Choice Voting for these positions, but the overall policy shall be that the top ten vote-earners shall be offered the seats and the policy shall ensure that as few votes as possible are wasted. This implementation shall follow the philosophy of Multi-Winner Ranked Choice Voting, also known as Single Transferable Vote. More details about this system can be found [here](#).

The same approach will be taken for student organizations. Just as with At-Large representatives, students will be able to vote for and rank student organizations that they would like to see represented on the SUA.

For both At-Large representatives and student organizations, a public announcement will be made to all undergraduate students and student organizations offering an opportunity to sign-up for elections. In signing up, attending candidate orientations, and getting a petition filled out, the candidate student or organization will appear on the ballot. Alternatively, voters may write-in a candidate student or organization and rank them as they see fit.

## Big Five Organizations

The Big Five Organizations hold unique significance with regards to the SUA. For the purpose of this section, the Big Five Organizations refer to:

1. Black Student Union (BSU)
2. Asian Pacific Islander Student Alliance (APISA)
3. Student Coalition for Gender, Sex, and Sexuality (Prism)
4. Movimiento Estudiantil Chicanx de Aztlán (MEChA)
5. Student Alliance of North American Indians (SANAI)

These organizations have held guaranteed seats in the SUA Constitution as far back as records indicate. The goal of these organizations having dedicated voting power is to ensure that the communities represented by these organizations are both respected and have a voice in the SUA.

However, none of the Big Five Organizations have appointed a representative to the SUA for at least two years. The Big Five have expressed strong concerns and condemnation toward the SUA such as the [Concert Incident](#) and the [detailed report](#) in response to it. That incident, as well as other complaints that have been brought to light, have shown the ways in which the SUA must improve. To do so, the SUA adopted sweeping new legislation this year, reformed internal practices, began more thorough training for representatives and officers, and currently proposes this amendment to the Undergraduate Student Body.

The Big Five continue to abstain from participating in the SUA, as is their right to do so. The concern remains that their abstentions may inhibit the voting power of student organizations in the SUA given this new restructuring. As a result, this amendment proposes that there continue to exist seats reserved for the Big Five Organizations, but that they are established as optional voting seats.

This change will allow for ten non-Big Five organizations to be elected into the space. At the same time, if any members of the Big Five choose to participate in the SUA in the future, our legislation ensures them the right to do so without impacting already-elected representatives. In doing so, our proposed legislation establishes a potential total of fifteen student organizations (10 Elected + Big Five) to be represented in the SUA. Although this change has the potential to skew voting power towards student organizations, in the case of complete participation this bias would be significantly less (1.5:1:1) compared to the current college-specific system (3:1).

## Transfer and Re-Entry Representative

A part of this amendment addresses the need for representation among communities that are not necessarily represented considering the very nature of our elections. The paramount example of this is the UCSC Transfer and Re-Entry Community. After discussions with Services for Transfer and Re-Entry Students (STARS), we have decided to allocate a dedicated seat on the SUA for a transfer student.

In order to facilitate transfer student representative elections, a different election system is needed. Otherwise, only senior transfer students would be eligible to run (since junior transfer students are not present during the Spring elections). As a result, we have worked with STARS to formulate a special elections system.

This transfer representative seat will serve as a liaison between the SUA and STARS and will chair a transfer committee headquartered at the STARS office. The election for the transfer representative will occur during the Summer period after transfer students are accepted but before welcome week. STARS will allow the SUA to leverage their listserv and transfer orientation events to reach out to incoming and returning transfer students. As a result, we can



engage and conduct an online election that allows all incoming transfer students an equal right to participate.

## Transition Period

Because this amendment aims to completely shake up the SUA's structure, certain elements will take effect at different times. Since an SUA Constitutional Amendment takes effect as soon as it passes, it is crucial to set up a transition period for the 2020-2021 academic year, where certain changes will have immediate effects but others will not until the 2021 Spring Elections. To elaborate further on this, we will present what the composition looks like now versus the 2020-2021 academic year vs the 2021-2022 academic year and beyond.

- I. Current SUA Composition (2019 - 2020)
  - A. 20 Appointed Representatives from College Student Governments (2 ea)
  - B. 10 Elected Representatives from College Constituencies (1 ea)
  - C. 5 Reserved Seats for the Big Five Organizations (1 ea)
  - D. 5 SUA-Appointed Seats for Selected Student Organizations (1 ea)
  - E. 6 SUA Officers
  
- II. Transitional SUA Composition (2020 - 2021)
  - A. 10 Appointed Representatives from College Student Governments (1 ea)
    1. These seats are assigned in the Fall, well after the Constitutional Amendment takes effect. Therefore, this change can happen during the transitional period.
  - B. 10 Elected Representatives from College Constituencies (1 ea)
    1. This will be removed in III, but these positions will be elected in before the amendment takes effect.
  - C. 5 Optional Seats for the Big Five Organizations (1 ea)
    1. The Big Five can choose to engage or not as they desire.
  - D. 10 SUA-Appointed Seats for Selected Student Organizations (1 ea)
    1. Instead of the usual five seats that the SUA appoints during Spring quarter, this will be upped to ten. This will help ensure power balance compared to the college governments during the 2020-2021 academic year.
  - E. 1 Transfer Student Representative
  - F. 6 SUA Officers
  
- III. Finalized SUA Composition (2021 - 2022 and beyond)
  - A. 10 Appointed Representatives from College Student Governments (1 ea)
  - B. 10 At-Large Representatives from Undergraduate Student Body
  - C. 5 Optional Seats for the Big Five Organizations (1 ea)
  - D. 10 Representative Seats for Elected Student Organizations (1 ea)

- E. 1 Transfer Student Representative
- F. 6 SUA Officers

## Recall Procedures

A simple change has been adopted in the SUA Constitution regarding recall procedures to transition our recall system to become more in-line with that of municipal governments. Currently, we use a static number (100) for our barometer regarding enough student support to trigger a recall election. However, this number is not representative of tangible student support nor is it adaptive to the undergraduate population of UCSC. As a result, the number has been changed to 10% of the Undergraduate Student Body.

This change does greatly increase the number of required petition-signers needed to trigger a recall election. However, in doing so, the officers are prevented from being immediately subject to a recall election due to the dissatisfaction of an unrepresentative portion of the Undergraduate Student Body.

## Judicial Council

Several comprehensive changes have been made to the newly-formed SUA Judicial Council to lend it more efficiency. The Judicial Council serves as a relatively new body with the purpose of enforcing the SUA Governing Documents and holding SUA members and actions accountable when violations occur.

First and foremost, the Judicial Council's membership has been simplified. In doing so, we have removed the affiliation requirements (student organizations, college governments) that are requirements for Judicial Council membership. Although great ideas in theory, the reality is that finding students in niche roles to meet arbitrary composition standards led to insufficient participation.

Instead, the requirement is that Judicial Council member be undergraduate students and apply through the Student Committee on Committees (SCOC) who will determine candidates based on their aptitude for governing documents and other factors. To add more clarity to the Judicial Council, we have established a set Term of Office being the remainder of the academic year in which a member was appointed.

Finally, the scope of the Judicial Council has been modified to allow for direct accountability of the SUA Elections Commission and handling of complaints and cases originating from the SUA Elections process. Essentially, the Judicial Council can receive complaints from candidates, the commission itself, or from concerned students regarding the handling of SUA elections. This moves regulatory authority and enforcement from the Elections Commission to the Judicial

Council. The intended result is to decentralize power and ensure that the SUA has proper mechanisms of accountability.

## Smaller Changes

The SUA will now explicitly comply with the California Public Records Act (CPRA) to ensure that documents of the SUA are accessible and can be requested from any member of our constituency.

The SUA will have a specific Conflict of Interest clause that all voting members must adhere to when there exists a personal benefit to a voting member in making a decision or vote in their official capacity. Conflicts of Interest can be voluntarily disclosed or brought up by voting members, with individual procedures for each circumstance.

The SUA Parliamentarian will no longer have the authority to 'make' ties when it comes to voting processes in the SUA. As intended, the Parliamentarian shall only have the right to break a tie.

The SUA Officers will now explicitly be required to provide two report-backs to the SUA per quarter as a component of their responsibilities.

Smaller changes to the SUA Constitution include grammatical fixes, numbering errors, and renaming to adjust for the composition system and fix a few remaining errors that escaped last year's amendment process.