MONDAY, FEBRUARY 23, 2015

ASSOCIATED STUDENTS OF CALIFORNIA STATE UNIVERSITY, CHICO
BOARD OF DIRECTORS MEETING MINUTES

BMU 205

Members Present: Nicole Lung, Michael Pratt, Darion Johnston, Jeffery Zawoysky, Drew Calandrella, Teddy Delorenzo, Deanna Jarquin

Members Absent: Taylor Herren (excused), Lori Hoffman

Others Present: David Buckley, Susan Jennings, Karen Bang (recording), Jon Slaughter, Leah Railey, Curtis Sicheneder, Thang Ho, George Rankin, Katrina Cunningham, Mark Stemen

I. CALL TO ORDER – The meeting was called to order at 2:01 p.m. by the Vice Chair, Zawoysky.

II. AGENDA – Motion to approve the agenda (Johnston/Lung) 6/0/0 MSC.

III. MINUTES – Minutes of the 2/9/15 regular meeting and 2/15/15 special meeting. Motion to approve the minutes of the 2/9/15 regular meeting, and the 2/16/15 special meeting (Johnston/Lung). Regarding the 2/9/15 minutes, Delorenzo requested that her comment under Section VIII. J. be changed to, “Delorenzo recommended using the new Harvard Model of no sex between faculty and students.” Lung requested that her comment under Section VII. C. be changed to, “Lung said AS Dining Services and the Wildcat Store will be involved with graduation.” The minutes were approved as amended (5/0/1/0 MSC).

IV. ANNOUNCEMENTS – Zawoysky said Pratt will be a little late.

V. PUBLIC OPINION – None

VI. OPINION – Jarquin, the newly appointed Vice President of Facilities and Services, introduced herself.

VII. STANDING COMMITTEE REPORTS – Action items forwarded to the Board of Directors from the standing committees stand approved unless overturned by a 2/3 + 1 Board action.

A. Government Affairs Committee – Zawoysky said two informational sessions regarding elections are scheduled for tomorrow from 3:30 – to 4:30 p.m. in BMU 312 and also Wednesday from 5 – 6 p.m. in BMU 312.

1. GAC Actions of 2/10/15
   a. Approved the 2/10/15 meeting agenda.
   b. Approved the minutes of 2/3/15.

2. GAC Actions of 2/17/15
   a. Approved the 2/17/15 meeting agenda.
   b. Approved the minutes of 2/10/15.
   c. Consent Agenda

   2014-15 Associated Students Committee/Council Appointments:
   Confirmation of resignation of appointment to Diversity Affairs Council (DAC)
   • Commissioner of Diversity Affairs Appointment: Amelia Watkins
   Confirmation of appointment to Diversity Affairs Council (DAC)
   • Commissioner of Diversity Affairs Appointment: Dylan Gray
   d. Approved recommendation to the Associated Students Board of Directors of appointment of Kevin Cai to the College of Business Senator position, as presented.
   e. Approved recommendation to the Associated Students Board of Directors of appointment of Kaitlyn Enticknap to the College of Behavioral and Social Sciences Senator position, as presented.
   f. Approved DAC allocation in the amount of $2,140 for the Holi event hosted by the Indian Student Association on March 7, 2015 from 10 a.m. to 3 p.m. at Trinity Commons, as presented.
   g. Approved EFAC allocation in the amount of $4,000 for the 4th Annual Human Trafficking Awareness Week event hosted by STOP! on March 2 – 6, 2015 from 6:30 p.m. to 9:30 p.m. in the BMU Auditorium, as presented.

B. Bell Memorial Union Committee – Jarquin reviewed with the Board. (Pratt joined the meeting at 2:05 p.m.)

1. BMUC Actions of 2/18/15
   a. Approved the 2/18/15 meeting agenda.
   b. Approved the minutes of the 2/4/15 meeting.
C. Associated Students Businesses Committee – Lung reviewed with the Board, also noting items discussed at this morning’s ASBC meeting.

1. ASBC Actions of 2/23/15
   a. Approved the minutes of 2/9/15.

VIII. BUSINESS

A. Action Item: Approval of proposed Advisory Measure for Spring 2015 General Election Ballot. **Motion to approve proposed Advisory Measure for Spring 2015 General Election Ballot (Johnston/Pratt).** – Slaughter distributed the original wording from the Initiative Panel, as well as Jeff Carter’s response. He said the Geography 440 class submitted an Advisory Measure for the upcoming ballot, as they have historically done. He said this is the Real Food Campus Commitment initiative and noted there is a 10 educational day turn-around requirement, and today is day 10. He explained that as part of the process an Initiative Panel meets to review the submission. In addition, it is then sent to AS’ corporate counsel for his read and weigh-in as well. Slaughter said the Initiative Panel met last Wednesday and was comprised of Zawoysky, David Stephen of University Housing & Food Service and Sarah Anderson (the student representing the Geography 440 class) and they reviewed and discussed the wording. He said they felt as submitted the wording seemed clear, waiting for Jeff Carter to weigh in. The wording was then submitted for Jeff Carter’s review and response. Slaughter said Carter suggests that rather than the link to the definition as submitted originally, that the definition for real food be included in the initiative, as provided by the website they sight. Slaughter noted that Carter said the initiative must be comprehensive in its own right. Slaughter said he also interpreted Carter’s letter to say that by putting in the actual definitions from the FAQ on the website this would make the initiative stand-alone better. Slaughter said if approved, the actual language would be the three paragraphs set forth in Carter’s letter, which essentially is the essence of the actual language submitted as well as the definitions pulled from the website itself. Slaughter clarified the Board is voting to place this item on the ballot. Discussion was held. Stemen, the professor of the class, said he thought the Board should review the rules to be clear and their purpose here is to see if the wording is vague or in violation of any of the laws. He said this is the language that was approved by the Chancellor’s Office. He said as this wording comes from the Chancellor’s Office that he didn’t think there’s anything else to do except accept the classes’ language. He said on Wednesday, they thought after the Initiative Panel meeting that it was fine and didn’t expect these changes. Delorenzo asked Stemen if he opposes something in the added definition. Stemen said it's wordy, legal language which makes it more confusing for voters. Calandrella said there’s a difference between a policy and a ballot measure and questioned if he’s saying a policy the Chancellor’s Office has is equivalent to a ballot measure for students. He said the language is taken from the website where the link goes to anyway so what’s the harm of giving a definition of real food. Stemen said what the class submitted is what they’d like. Delorenzo said she doesn’t know that the language that was added has any legalese to it, just definition. She also noted that the way the AS Bylaws are written, it has to satisfy or meet law or policy. She said the way she’s reading Carter’s letter, the policy that we have is that it has to be comprehensible and Carter’s reading of this amended language meets that policy. Delorenzo noted she hasn’t seen the Chancellor’s Office wording (the Board was unable to locate on-line). Stemen said they went with an asterisk, same as last year. Buckley clarified for the Board that Delorenzo was correct and the way the process is written, the Board needs Carter’s opinion. He said the Board cannot, not accept Carter’s wording; or the class can go back and start the 10 day period all over again. Johnston said she would rather students be more informed, and the additional wording would help students to understand the goal of the initiative. She also agreed with Delorenzo that it doesn’t sound too wordy. Jarquin said she agreed with Johnston. Zawoysky clarified that the Board will be voting on the wording from Jeff Carter. Johnston asked if people might be less likely to vote because of the wording. She said as long as the goal is achieved, it’s not a huge deal and the additional wording makes it a stronger point. Delorenzo asked if the format on line could be changed so that “Yes”, “No” could be placed after the first paragraph, along with the link, then include the rest of the language. Slaughter said Carter’s concern is that the definition is up front, and he’d have to check with Carter. Delorenzo said it was her position in regards to following the attorney; that we pay him for his services, this is his advice of what he would recommend the language be. She said that personally, if she votes against it, she’s concerned that it sets a little bit of a precedent that the Board inserts their own judgment against what the attorney is telling them to do based on his experience and expertise. Stemen said his sense of perspective from the students is that they did the research, have gone to GAC, gone to a special meeting set up outside of this Board meeting, and it gets here and now the Board is voting on an initiative that they haven’t seen. He said it’s off-putting to students. He said they’ll go with what the Board gives them. Johnston replied that a majority of students sit on this Board and you have to consider the audience who will be reading this, and the audience will not be the students that worked on it, who have a
more in-depth understanding of the issue. She said it’s important to make sure that they know what they’re voting for, and this additional wording appears to be a more comprehensive proposal that everyday students will be able to understand. She questioned if they should postpone the vote. Slaughter said a new 10 day clock would have to begin; and eventually they'll run in to deadline for what they need for the ballot. He also said that once approved, signatures need to be obtained by the class to place this item on the ballot.

Slaughter said the longer the Board waits to approve, the less time the students will have to gather signatures in order to make the ballot deadline. Lung agreed with Johnston. **7/0/0 MSC.** As Stemen left the meeting he used an expletive starting with a “F.”

B. Action Item: Approval of appointment of Kevin Cai to the College of Business Senator position as recommended by the Government Affairs Committee. **Motion to approve appointment of Kevin Cai to the College of Business Senator position as recommended by the Government Affairs Committee (Johnston/Jarquin).** Pratt said there was one qualified applicant. Johnston said she knows Cai personally and he’s very involved in his fraternity and she’s excited to have him on board if approved. **(7/0/0) MSC.**

C. Action Item: Approval of appointment of Kaitlyn Enticknap to the College of Behavioral and Social Sciences Senator position as recommended by the Government Affairs Committee. **Motion to approve appointment of Kaitlyn Enticknap to the College of Behavioral and Social Sciences Senator position as recommended by the Government Affairs Committee (Pratt/Lung).** Pratt said there were 9 applicants for this position and Enticknap is the most qualified. **(7/0/0) MSC.**

D. Information Item: Review of Investments
   - Local Agency Investment Fund – Quarter ending 12/31/14 – Jennings reviewed with the Board.
   - RAC Endowment Fund Quarter ending 12/31/14 – Jennings reviewed with the Board.

E. Director of University Affairs Report – Pratt reported that the Student Evaluation of Teaching Ad Hoc Committee was one of his concerns due to the proportion of student to faculty members being flipped, but they’re addressing this situation. He said the rationale for flipping it was that students haven’t been attending these meetings, or any meetings in general. He said there are a lot of issues with shared governance which is starting to effect student rights and their ability to have a majority of students on some of these committees. They are in the process of coming up with the best system for moving forward. Pratt said he’d like to make sure students are going to all of these meetings. He noted that although there are 68 committees on campus, only 12 regularly meet. Pratt requested that student officers get back to him regarding the email he sent them about committees they’re on. He said more ad hoc committees are also being formed and to contact him if interested in being involved with these committees, or know of someone that is. He said they are working on how to utilize new Student Academic Senate members to make sure representation is equal.

F. Director of Legislative Affairs Report – Johnston said that they’re getting ready for CSSA this Saturday, followed by the CHESS conference on Sunday. The CHESS conference will be followed up by an Advocacy Day, with four legislative meetings scheduled. She said she, Herren and Pratt will be attending, as well as five students from campus. Johnston said the day after CHESS she’ll be going back to Sacramento to go to a budget sub-committee hearing on higher education. She said they are encouraging students to independently organize themselves to attend this hearing. Johnston said the Title IX committee has been reviewing new on-line sexual assault prevention training to replace Safe Haven, the current training, and explained the process.

G. University Vice Presidents’ Reports – Calandrella said that he’s chairing the UPD Police Chief Search Committee. He said they’ve narrowed the field down to three or four candidates and are now working on scheduling interviews over the next two weeks, including open sessions. Johnston asked about open sessions and Calandrella said the information will be in announcements for all to attend that would like to.

H. Executive Director’s Report – Buckley said there will be an item on the next Board agenda regarding the change with minimum wage for students going from $9/hour to $10/hour, effective January 2016. Due to this, he said the student pay grade will need to be changed, similar as to what was done last year, and they’ll be coming to the Board with a recommendation as all the grades will bump up about $1 per hour. He said the Board will need to formally approve this. Buckley also noted that due to the change in minimum wage, by California law exempt employees have to make at least double the minimum wage. He explained the difference between exempt and non-exempt employees and said a part of determination whether to classify an employee as exempt or non-exempt has to do with a test that Human Resources determines.
based on level of responsibility. Buckley said they’ll need to decide whether to bump up exempt employees’ salaries or change them to non-exempt. He said also somewhat tied to this is they want to make a recommendation to the Board regarding changing pay grades for employees as this hasn’t been done for approximately eight years. He explained the pay grade system and also noted there could be some issues where students are making more than career employees. Buckley said they will be coming back with a recommendation regarding how to slide the entire scale, partly due to the minimum wage effect, as well as the fact that employees came in at the minimum of the scale and have only moved a little bit, and now new employees are making very similar wages. • Buckley said he, Slaughter and Railey recently attended the annual AOA Conference. He shared that the new Chancellor, new Vice Chancellor and head General Counsel sound like they’re really trying to change the culture at the Chancellor’s Office to be less bureaucratic and give more freedom to the campuses. In addition, they were appreciative of what the auxiliaries are doing. Buckley said some of the auxiliaries are having some challenges because there have been a lot of new University Presidents and Vice Presidents coming in to the system over the last few years and they don’t understand what auxiliaries do. He said it’s nice that our President and Vice Presidents understand what we do and support us. Buckley said one of the HR sessions at AOA that he and Railey attended was regarding a Supreme Court case ruled on in January, Mindiola vs CPS Security Solution. He said it has to do with employees now having to be paid for sleep time if they are on call. The attorney said for all auxiliaries that have outdoor programs with students out overnight, these students will now have to be paid 24 hours for their trips, which will have a significant impact on the AS. He noted this is for hourly, non-exempt, employees only. Buckley explained that an Adventure Outings Trip Leader is on call the whole time they’re on a trip. He said he’s obtaining more information. • Buckley said in regards to the outburst by Stemen, he wanted the Board to know that we really try to work within the 10 instruction days, and doing a lot of that to help the class out in regards to the class timeline so they can go forward to get the initiative signatures. He said he agreed that the process is frustrating. In addition, it’s not uncommon that Carter makes changes to language. He said this puts the Board in a difficult position and the only other way would be to extend the time line longer to give a little more time, although he said he didn’t know if that’s what the class wants to hear. Johnston asked if Stemen had been given a copy of the new wording from Carter and Slaughter said he didn’t because the Board hadn’t approved it. Discussion was held. Calandrella said he was concerned that students don’t have the information they need to vote and he wants them to be informed. Slaughter explained that after the meeting on Wednesday he did say out loud that the next step is that the wording goes to the attorney. He said Carter makes changes for clarity and has sound reasons for suggesting what he suggests.

I. President’s Report – Zawoysky thanked all at the table for participating in the discussion regarding the ballot initiative.

IX. ANNOUNCEMENTS – Pratt said either this Wed at 8 a.m. or when the next Student Academic Senate meeting is, the provost should be coming in to the Senate to discuss the draft of the Academic Plan. He said the provost also intends to attend GAC or another body of students to vet it and see if everything works for the students.

X. PUBLIC OPINION – None

XI. OPINION – Delorenzo said as a result of the proposed Advisory Measure discussion, she experiences frustration every year. She said her frustration this year is that there were no students from the class that were here. She said what gets conveyed back to them is probably not going to be what we all recollect occurred at the table. She said she would pretty much guarantee this, having been in that class before, trying to help them through this, and Stemen introduced her and then noted that the class didn’t really have to follow what she suggests. She said we go through the process every year, appreciates students being active and involved but yet again is frustrated that sometimes as faculty members, that we set our students up for failure and doesn’t think it’s very fair nor what they should be doing as faculty members.

XII. ADJOURNMENT – The meeting was adjourned at 2:56 p.m. by the Vice Chair, Zawoysky.