

GRADUATE ASSEMBLY MEETING

April 2, 2009

SUMMARY OF THE MEETING

The meeting was called to order at 5:37 p.m.

Announcements

Report from the ASUC

Mr. Zuo, an ASUC Senator, asked for suggestions on getting more graduate students involved in the ASUC, and asked about possibly having a town hall meeting at University Village. Suggestions were made to invite Law students, e.g., to a meeting, to educate what the ASUC was and differentiate it from the ASUC; to publicize that grads could run for ASUC office.

Ms. Flores, ASUC Senator, said applications for the spring budget could be submitted until Friday at 5 p.m. More than 400 organizations have applied. ASUC elections will be held April 7, 8, and 9. Grad students can vote.

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri

Mr. Basri he's been a professor of Astronomy on the campus for almost 30 years, and for the last year and a half, Vice Chancellor of Equity and Inclusion. The position arose from a long effort on the part of students, staff, and faculty over a long period of time. In the early 2000s, the campus underwent a strategic planning process, with questions of diversity debated quite a bit. After that, Chancellor Berdahl convened a broad-based campus committee on improving things in this area. The strong recommendation was to create a high-level position, which Chancellor Birgeneau implemented.

The Division was about providing strategic thinking on these issues and providing a nexus of coordination and accountability. E&I got a substantial planning grant and over the last year developed a strategic plan. The top desired results were for Berkeley to be the national leader in equity and diversity, including research, teaching, and public service; a greater sense of belonging to the campus; and to deal with intergroup disparities in enrollment, retention, and graduation, and for staff to reflect the diversity of the San Francisco Bay Area.

The Strategic Plan operates under three areas: responsive research, teaching, and public service; expanding pathways for access and success, and seeking a critical mass of students, faculty, and staff; and engaging in health campus climate.

The Strategic Plan also dealt with accountability and progress. It proposes expansion of current campus review mechanisms. Equity and inclusion issues in departments were currently built into the departmental review process. Department are reviewed every eight years, and the major change being proposed was to have a mid-cycle review. They'll also ask departments to have a fairly low-scale plan to make progress in equity and inclusion

The Vice Chancellor of E&I is a Cabinet-level position, and the Chancellor was a clear leader on this topic.

The other thing they're working on besides the Strategic Plan was a large proposal with a foundation that was interested in pushing institutional change at Berkeley. The foundation, of course, suffered a huge loss of the Dow, but it was still talking to the campus. So maybe they'll get some of what they were hoping to get. That would be additional monies. He didn't know how Senate will end up at the end of the day. But he had some reason to believe it will work out.

A question was asked about women in interviews being asked illegal questions. Faculty hiring was under the purview of the Associate Vice Provost for Academic Affairs. There was a lot of opposition to Equity and Inclusion having anything to do with faculty hiring. He has access to everything and could take matters to the Chancellor. Departmental reviews are used by the Budget Committee and the Executive Vice Chancellor to make decisions about faculty slots and budgeting. Mr. Basri thought the environment has shifted on campus in a positive direction.

Departmental equity advisors should be tenured. They'll hopefully be a spearhead for the planning process in department.

For new grads, they're thinking about trying to enhance networks, more cross-departmental connections, and supporting those kinds of organizations.

REPORTS

Online course evaluation update

Mr. Daal met with a Co-Chair of the Task Force on Course Evaluations, who was against having course evaluation summary statistics online. The final recommendations of the Task Force should be out in mid-May. The GA will likely continue pursuing this next year.

Budget Report

The 2009-10 GA budget will be posted online, and voted on in May. Student fees account for 85% of GA revenue. The GA has a sizeable reserve. The total budget was \$516,000, and included Projects, \$133,000; Executive Offices, \$81,000; committees, \$6,000; student group funding, \$100,000; IT/Web, \$33,000; the Business Office, \$26,000.

For other reports, the Lower Sproul student survey went out to all grads and undergrads. The response has been quite good. There will also be focus groups for input.

The Student Technology Working Group over the summer will work on how a proposed technology student fee would operate with a paid, part-time position.

Counseling and Psychological Services and the Grad Division have increased their commitment, and Engineering will have a counselor devoted to the College.

The International Student Affairs Committee will have a student survey coming out.

It was noted in the President’s report that SHIP rates will go up next year, but with improved services.

Items for Immediate Consideration

By unanimous voice-vote, the GA approved Resolution 0903a, On Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA. The bill directs the GA President to continue pursuit of sharing commercial revenue with the ASUC, with Executive Board approval. The GA gets revenue from student fees and from commercial activities from the Bear's Lair businesses, the Pub, and rental of space in Eshleman. Lower Sproul renovation could lead to possible commercial revenue of \$1.5 million.

By unanimous voice-vote, the GA approved Resolution 0903b, Resolution to Share Expenses Between the ASUC and the Graduate Assembly. The bill calls for the GA and the ASUC to agree to share various student government expenses, given certain conditions.

By voice-vote, the GA approved Resolution 0903c, as amended, Resolution to Create a Technology Chair Designate Position. The bill would create the position of GA Technology Committee Chair Designate, to take advantage of Associate Vice Chancellor for Information Technology and Chief Information Officer Shelton Waggener’s offer to pay a stipend for the Chair Designate, a graduate student representative to campus technology committees. The Chair Designate would serve in the position for a year and then continue serving the following year. It was suggested that the GA perhaps consider more positions with two-year terms.

By unanimous voice-vote, the GA approved Resolution 0903g, Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning as an Endowment Administered by the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered by the California Alumni Association. The bill would authorize an investment of up to \$280,000 from savings (Student Fee Reserve, Commercial Reserve, and Carry-Forward) into the UC Berkeley Foundation's fund functioning as an endowment for the GA.

The meeting adjourned at 7:42 p.m.

[End Summary of the Meeting]

This regular meeting of the Graduate Assembly was called to order by Miguel Daal at 5:37 p.m. in the ASUC Senate Chamber.

ANNOUNCEMENTS

Report from the ASUC

Yishi Zuo introduced himself and said he was one of the current ASUC Senators. As they knew, the ASUC was mostly undergraduates, and he's been trying to think of ways to get more graduate students involved. That started with Mr. Daal coming to the Senate with a bill to share revenue between the GA and the ASUC. He wondered why more grads weren't involved in the ASUC. He thought it might be due to the nature of campaigns, with people on Sproul and by places where grads don't usually go. A lot of grad students live at UC Village and in grad student housing, and go to Boalt or Haas, places where there aren't polling locations. And candidates aren't allowed to campaign by grad student housing. So a lot of grad students were left out. He asked what people thought about allowing campaigns to happen in the Village and graduate housing. It wouldn't be knocking door-to-door, but maybe a town hall meeting, and with no chalking, but with flyering. That was something off the top of his head. He asked what people thought about that, to make it easier for grad students to know about elections in the future.

A Delegate said the question should be referred to the unit that oversees University housing, and they could pass the request on to UC Village.

Mr. St. Clair said he lives at University Village and wouldn't be opposed to a town hall meeting. But he would oppose picketing or door-to-door campaigning. He thought it would be too intrusive and would cause too much noise.

A Delegate said that if students at Boalt were offered a chance to come to a meeting that was related to the ASUC, they might be interested and attend. But she didn't think they'd be interested in having people holding signs.

A Delegate said the Department she came from would probably appreciate hearing more about what the ASUC was, or what it did, as opposed to automatically jumping into elections. All of them weren't familiar with any of the ASUC's functions.

Ms. Rivas said she would agree with the previous comment, and thought people were unsure of the difference between the GA and the ASUC and how ASUC governments affected all students. If the ASUC could get that idea across, they'd get grads to actually consider a town hall or something like that. Then they could talk about who was running for what and what the different parties were, since grads didn't really even know what the parties are. Grads were prone to vote for a student who maybe they've taught, without knowing what party they were in, or knowing about ASUC politics.

Mr. Zuo said it seemed like the town hall idea was feasible, but at that point, town halls regarding specific parties or candidates were not allowed under the ASUC's By-laws. That included graduate housing. Maybe that was something that could be changed. He was just trying to think of proactive ways to deal with the situation.

A Delegate said the ASUC Web site only had information on the recall election. It would be helpful to have information on the Web site rather than just dealing with the Daily Cal.

A Delegate suggested advertising to inform grads that they could run for ASUC office. Most people don't vote on something they don't think grads were represented on, and just pass.

Mr. Rajan said that a lot of the suggestions that came up were stuff that they did last year, when there were issues that related to and affected grad students. The GA got the word out and told people to vote in

Report from the ASUC (cont'd)

- 5 -

the election, and explained why fees did or did not work. So the GA did serve that function. He wasn't exactly sure what level of participation on top of that that Mr. Zuo was looking for. When there's an issue on the ballot that affects grad students, or at least was important enough for them to get the word out, they do that, as the GA, and they do vote in ASUC elections. But when there's no issue like that, then they don't spend their resources doing that. He didn't know if that was a natural state of equilibrium, or if Mr. Zuo would like perpetual involvement. It might be worth thinking what level of involvement the ASUC would want with grad students, and what the ASUC wants grads to bring to the table.

Mr. Zuo said that ideally, he would like to see a grad student run in at least one election every semester. According to the population on campus, grads should fill one-third of the Senate seats, but they had zero. He thought a way to reconcile that was to open up campaign restrictions, such as town halls, which weren't allowed.

Mr. Rajan said Mr. Zuo's initial question was whether campaigning at grad residences would help, and he thought it would. He thought more information was always better than less. But if the question was how to get more grad students involved in the ASUC Senate, he might want to ask the question and see what the responses were, because that was a whole different ballgame.

Mr. Zuo said grads would have a platform for grad students. He just wanted to make it easier for grads to reach out.

A Delegate asked if grad students have run for the Senate before. Ms. Flores said they do run, and Brad Froehle ran and almost got elected. But because of the nature of the voting and the way votes transfer, he wasn't in the top 20. She thought a lot of that was in how the tabulation of votes was done, which was very interesting. Another deterrent for grad student involvement in the ASUC was that a lot of grads saw the ASUC as a time waster because the Senate could bicker for hours and hours. And there are other avenues in which grads can be involved. That's why the GA was there, as the governing body for grad students.

Mr. Rajan said a grad student was running for ASUC president that year.

Ms. Flores said she wanted to make some announcements. She introduced herself and said applications for spring budgeting were turned in on March 20. During Spring Break, the Finance Officer of the ASUC worked with the Finance Committee Chair during Spring Break, meeting for hours and hours to consider the more than 400 organizations that applied for budgeting for next year. If grads were part of any student organizations sponsored by the ASUC, the Finance Officer will take late applications until Friday at 5 p.m. The preliminary results of budget decisions will be sent out on April 13. Also, elections will be held next week April 7, 8, and 9. Grad students can vote. The Publicity Chair of the Elections Council worked on the Voter's Guide, so grads could be aware of who was running, and what their platforms and parties are. The elections will include a referendum that would change the Constitution, something that would affect grad students. It would change the number of students to a percentage of students needed for a petition to initiate a recall election. A campus-wide e-mail will be sent out for this election, which should also inform grads.

Mr. Sylak asked if people could vote online instead of going to a polling booth. Ms. Flores said they could, at onlineelections.asuc.org. People can't vote on AirBears and they had to vote at home.

Report from the ASUC (cont'd)
Approval of the Agenda
Approval of the Minutes

- 6 -

Mr. Rabkin asked what the logic was for not being able to vote on AirBears. Ms. Flores said it was to guard against the possibility of hacking into the system. And some computers don't have access to AirBears. Mr. Rabkin said he didn't understand the objection to voting on AirBears. Mr. Froehle said that without that rule, people could carry around their laptop and go to every student on Sproul and ask for their vote. Ms. Flores said there was a question of intimidation and people going up to others with computers and asking them to vote for them.

Mr. Kline asked if they could vote on campus if they had a hard-wired connection. A Delegate said she's done that.

A Delegate asked where people could get the Voter's Guide. Ms. Flores said it will be printed in the Daily Cal. Also, the Daily Cal debate for Executives will be on Thursday at 5 p.m. in 20 Barrows. Shortly after that, the Daily Cal will endorse candidates.

Mr. Rajan said he'll compile information about the candidates and send it out to Delegates.

Mr. Zuo asked Delegates to please communicate to Mr. Daal about having more GA representation in the ASUC. He wanted to thank them for their input.

APPROVAL OF THE AGENDA

Mr. Rajan moved to amend the agenda. He would like to introduce a Resolution and fast track it. Mr. Daal said that would be 09-04a, To Amend the GA Budget to Allow *The Berkeley Graduate* to Transfer funds, which would transfer \$3,505 from its Copying/Printing line item to its Miscellaneous line item. It would be placed under Resolution Referral, at which point they could vote to fast track it, meaning they'd consider it under Immediate Consideration. The motion to fast track the bill was seconded and passed with no objection.

Mr. Rabkin said he would like to do 0903f before 0903e because it was more time critical. The motion was seconded and passed with no objection.

A motion to approve the agenda, as amended, was made and seconded. THE MOTION TO APPROVE THE AGENDA, AS AMENDED, PASSED WITH NO OBJECTION.

APPROVAL OF THE MINUTES

A motion to approve the minutes from the March meeting was made and seconded. THE MINUTES FROM THE MARCH 5, 2009 MEETING PASSED WITH NO OBJECTION.

SPEAKER -- Vice Chancellor of Equity and Inclusion, Gibor Basri

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- 7 -

Mr. Daal said he would like to introduce Vice Chancellor Basri, who has agreed to talk to the GA about the current state of the equity and inclusion strategic plan.

Mr. Basri said he was shocked to find the GA's agenda ran on time. That was a first. Mr. Basri introduced himself and said he was a long-term professor of Astronomy on this campus, for almost 30 years. For the last year and a half he's been the Vice Chancellor of Equity and Inclusion, a new Division on campus. He didn't know how much everybody knew about the history behind this and how it came about, so he'd spend a short amount of time on that and then talk a little about what the Division does. He wanted to leave a lot of time for questions and conversation.

Mr. Basri said the position arose from a long effort on the part of students, staff, and some faculty, over quite a period of time. The idea has been around for a long time that there ought to be somebody pretty high up who had responsibility for issues of equity and inclusion. But that really hadn't caught hold in higher education until fairly recently. But he must say that these days there are ads in *The Chronicle of Higher Education* every month for an institution that was searching for a "chief diversity officer."

Here at Berkeley, Mr. Basri said the proximate cause of this was that under Chancellor Berdahl there came to be another in a large series of realizations that the campus wasn't really getting as far as they'd like with these issues. There was a lot of turmoil after the passage of Prop. 209 that was largely focused on undergraduate admissions. But it brought to light other issues. The campus took some time trying to figure out how to deal with Prop. 209 and came up with the "comprehensive admissions policies," and slowly, things have recovered. However, he should say they've probably recovered to previous levels, although the State, however, has become more diverse in the meantime. So the campus was as far as behind as it was before.

At any rate, in the early 2000s, the campus underwent a major and comprehensive strategic planning process. During that process, questions of diversity were debated quite a bit. But there was hardly any resolution to any of them. It finally fell to the faculty Committee on the Status of Women and Ethnic Minorities to get language into the Strategic Plan for the campus, which was then accepted. That included this as part of the campus' strategic goals. And a year or two after that, Chancellor Berdahl convened a very broad-based campus committee that included faculty, administrators, grad students, undergrads, staff, and alumni. This committee looked at the general question of what the Berkeley campus should be doing to improve things in this area. Mr. Basri said he was the Co-Chair of that Committee.

One of the Committee's strong recommendations was that there needed to be a high-level position. At the same time, the students had their own meetings and came to the same conclusion. When Chancellor Birgeneau arrived, it was the end of that process, and people had come to the same conclusion. And of course Chancellor Birgeneau had his own good record on this subject and so was receptive to those recommendations. After his first year on campus, when he again heard in person, from a lot of people about this, he agreed that they should figure out what to do.

Mr. Basri said another committee then figured out what the job should actually look like, what it should be called, and how it should fit into the University structure. That took about another year. After that, there was a national search for the new position, Vice Chancellor of Equity and Inclusion, with the agreed upon structure. And much to his surprise, Mr. Basri said he ended up in the position, having had a fair amount to do with its formation, but having had no intent to fill it. He had a lot of familiarity with a lot of the issues at Berkeley and also with the people at Berkeley. So here he was.

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 8 -

Mr. Basri said that as of 2007, he walked into his new office in California Hall, which had the previous owner's furniture in it, with no staff, no mission, and no idea what to do. He was happy to say that now they're in much better shape.

The division is largely composed almost entirely of people who were working on campus in other administrative units that were collected together to form the Division of Equity and Inclusion. It was not ever intended to be a collection of all the activities related to these issues. They were careful about this, because that would be dangerous. Everybody else could say, "Well, we don't have to do anything because that Division was taking care it," which was totally not the model at this campus. The Division was really about providing a higher level of strategic thinking on these issues and providing a nexus of coordination and a nexus of accountability around this. But the work itself had to be done by the campus as a whole. Mr. Basri said that was a brief history of Equity and Inclusion.

Mr. Basri said E&I got a pretty substantial planning grant at the beginning of 2008 to think about institutional change at Berkeley and what this new Division ought to do. And they have been doing that over the last year. A lot of engagement with all aspects of campus has occurred, including graduate students, of course, and there's been a lot of back and forth, input gathering, consensus building, and so on. He was happy to say that they're essentially finished with that process, although it looked like they won't make a formal loud, public relations-type rollout of what they've come up with until the Fall Semester. It was a little late for this semester to do that properly. But he'd tell them something about the plan and what has been arrived at. He will also ask that it be made accessible in its draft form to the GA. They've gotten comments from the GA during this process and were happy to get more.

Mr. Basri said there's a Division associated with Equity and Inclusion and he'd tell the top-level desired results, from ten-year strategic plan for Equity and Inclusion at Berkeley. The #1 top level desired result was to have Berkeley become and be recognized as the national leader in equity and diversity, including research, teaching, and public service. He put that first because it slots very neatly into the general activity of this campus, in terms of research, teaching, and public service. So this is one result was related to these issues. It's the most natural thing the campus could do.

The second result they want to see was for the campus community members to express a greater sense of belonging to the campus or acquiring knowledge, skills, and personal attributes necessary to successfully navigate and lead in a diverse world. The third was dealt with inter-group disparities and to have the enrollment, retention, and graduation rates of undergraduate and graduate students at Berkeley, and for the Berkeley staff across all levels, reflect the rich diversity of the San Francisco Bay Area, including the executive and management levels. Another result was the reduction of inter-group disparities in the hiring and retention of faculty, outclassing their peer institutions by reflecting the national availability pool of exceptional talents in all fields. And the final result they wanted to see was for the campus to devote leadership and resources to sustaining, enhancing, equity and inclusion diversity efforts and positive outcomes through a combination of external and campus support. Those were their top-level goals.

Mr. Basri said they arrived at those goals partly on the basis of a lot of empirical data. He wouldn't give the observations that lead to those goals, but they're essentially mirrored in the results. So people could imagine what they might have been.

And then they talk about the path to institutional change. The Strategic Plan operates under three large areas, and also reflects where they we want to get to. The first goal was responsive research, teaching,

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 9 -

and public service. They seek to broaden the creation of ideas and knowledge of equity, diversity, and inclusion, making contributions to the body of scholarship, as well as in the well being of the campus and of society. The bottom line was that the best way to attract top talent, as diverse as this campus, was to work on the problems that those people are interested in, although of course every population was interested in every subject. He didn't think they were clear enough about this. They don't mean that the campus should drop what it's doing and turn all of its research in this direction. But what they do mean is that there is not enough research into those areas that happen to be in line directly with their public mission, and this goal was simply moving their focus a little bit in that direction. It went a long way towards attracting the kinds of people they want to be there, faculty and students. And of course, the way that it worked, if they get faculty working in certain areas of research, then graduate students want to come and work with them; and they develop curriculum that undergraduates want to take; and graduates want to participate in the research; and so on. So who's on campus and what they're doing, at the end of the day, was reflected in large part in the research agenda and the curriculum that was there. This was sort of the most natural way to make sure the campus got into the 21st Century. Multicultural societies and globalization were huge topics now. If they look at the suite of disciplines and topics at Berkeley, it was clear that there's room for more work in those areas.

The second large catchall strategic direction was to expand the pathways for access and success, and to seek to create a critical mass of talented students, faculty, and staff, who represent fully California's excellence and diversity, and provide an environment in which they can thrive both academically and professionally. This was about access, enrollment, and hiring practices. And once they're here to see people succeed, which was graduation for students and professional success for staff and faculty members.

The third goal was engaging in health campus climate. They seek to create and sustain a healthy campus climate by providing the conditions necessary for all campus community members to feel welcome, supported, included, and valued by the University and by each other. Once people are there, if they don't feel they're part of institution or don't feel welcome, or they find there's very little student success, that was something they want to work on.

Mr. Basri said another piece of the Strategic Plan dealt with the question of accountability and progress. In order to know whether they're making progress, on these goals, they need to have ways of measuring success. They have metrics and goals for that, but beyond that was the question of accountability and who was responsible for making progress and who was checking whether progress was being made.

Mr. Basri said Equity and Inclusion proposes the expansion of current campus review mechanisms to fully meet the needs of this particular strategic action. He's been involved with work on departmental reviews, which was the primary review mechanism on the campus at that time. But that applied to academic departments. As they probably all know, departments get reviewed every eight years. The department was told to drop what it was doing and to assess itself. A lot of measures provided were by

the campus, and for others, the department had to assemble them itself. Outside distinguished faculty are brought in to give an objective look to the department, including consideration of the student experience, its strategic direction, whether it was over-resourced or under-resourced, and whether it should be moving to a different focus of research. All these questions come up. Because the Berkeley Strategic Plan has language about equity and inclusion issues in departments, that gets built into the departmental review process. For the most part, this has already been accomplished. If they look at the guidelines for departmental reviews, they contain much of what the campus would like to see with respect to equity and inclusion issues. That's not going to be a big change and was sort of already there. The major change they'll

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 10 -

try to institute is a mid-cycle review, because eight years was a pretty long time and it would be nice to check in halfway through and see how a department was doing, and maybe make some mid-course corrections. But they don't want to pull up the process for that. It took a good deal of everybody's time and resources to do this, so they hope to manage to have a gentler, smaller, more focused mid-cycle review. It would be internal and would be more like a peer review where people in the department could ask themselves how they're doing.

Mr. Basri said the other piece of that was that they can't measure how they're doing unless they have a plan in the first place to get something done. So the first part of this was to have some departments have a fairly low-scale plan to make progress in equity and inclusion. Some have nice words but no real plan. And some have absolutely nothing whatsoever. So they'll be asking people to come up with a cogent and measurable plan in this area, which will then be the focus of the assessment process.

Mr. Basri said that outside of an academic department, there's often not much in the way of a review process. Or if there is, it has little to do with these issues. So they have more work to do there with respect figuring how to parse the campus up into the appropriate units and what functions those units would have.

Mr. Basri said this was a broad overview, and he could go into more detail about each of those three areas, about what the strategy would be to make progress in these areas. He won't go through that because that would take a much longer time. The only other thing to mention was that there are a lot of players involved. There are a few things involved. When one looked at a lot of other institutions, which they have done, it's very clear that top leadership had to be on board with this. And Berkeley was.

Mr. Basri said his position was a Cabinet-level position and the Chancellor was a clear leader on this topic. And the Cabinet itself was also very friendly to the changes that need to be made. He has never experienced a more conducive atmosphere to moving in this area than they have right now.

And then there's the question of resources. There, the question was not so pretty. The Chancellor formed the Division, and Mr. Basri said the Chancellor created his position. For the most part, existing things were pulled in. They tried to go out and garner new resources and instill the idea. But the economic meltdown happened. But it won't be across the board. Berkeley is a small Division. There was a lot more he could say about other issues, but he didn't know what they wanted to hear about. He'd open the floor to questions.

A Delegate asked if he could elaborate on how budget cuts affect the plan he created. Mr. Basri said that last year was the first year of the Division. But the campus had to take cuts, and he was able to successfully argue that they ought to be protected against those for the first year. Because otherwise, it was not a

good foot to start off on, coming in and having less than they had before they started. They didn't have cuts last year, and this year the campus was again being asked to plan for 8% cuts. Campus funding was very complicated. There are permanent funds and temporary, but ongoing funds; truly temporary funds; and outside funds. Cuts were on the permanent budget. The Division of Equity and Inclusion, the units in it, have been taking hits from their permanent budget for the last 20 years. So permanent budgets were kind of down to the bone, and a lot of what they were doing was with temporary money that was technically not up for a cut, except that the campus will be in such bad shape that the temporary monies may also be cut. But they don't know at that time what will happen. Nobody from the Chancellor down knows what it will finally come to them with respect to State funding. Right now they hope to preserve much of the core of what they do that wasn't permanently funded at the moment.

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 11 -

The other thing they're working on besides the Strategic Plan was a large proposal with a foundation that was interested in pushing institutional change at Berkeley. The foundation, of course, suffered a huge loss of the Dow, but it was still talking to the campus. So maybe they'll get some of what they were hoping to get. That would be additional monies. He didn't know how Senate will end up at the end of the day. But he had some reason to believe it will work out.

What used to happen with Equity and Inclusion issues was that it was seen as kind of ancillary to the main campus organization. So that was cut first. That wasn't the case at the moment, and now they can regularize new priorities. So while they'll probably take cuts, things were probably as good as they could be under the circumstances. The voters of California need to pass a number of propositions or else there will be further cuts. And right now, passage wasn't looking all that good.

A Delegate asked if he could talk a little more about accountability in terms of departments. Specifically, she wasn't sure if his office dealt with gender equity as well. Mr. Basri said they did. The Delegate said she was from the Political Science Department, which had its external review some years ago. Their department was far behind all of its peer institutions. She asked whether there will be pressure applied in the future or if they'll only ever hire white guys, or if there will be actual financial sanctions, and asked what the sanctions would be. Her second question was whether or not his Division has done any work on accountability with interviews. It was certainly a very open secret that women are brought there for interviews and were often asked illegal questions. As a female Political Science student, a group of them who talk with some of the faculty as they try to prepare students who will go out to interview and how they'll handle questions such as whether they were going to have children. People know the questions asked were illegal, but what could one do, as it was such a small world. She asked if there was accountability in terms of anything like that.

Mr. Basri said the fact that Political Science was kind of exposed as having these problems was a positive result of the departmental review system. And they have hired people who aren't white males. But her question was still very relevant.

Mr. Basri said he would explain a few things. The actual faculty hiring process doesn't come through him. It was still the purview of the Associate Vice Provost for Academic Affairs in whose office is the office of Faculty Equity. Mr. Basri said the way things work at that time was that he worked very closely with the Office of Faculty Equity. This was a bone of contention when they were making this drive. There was a lot of opposition to the Vice Chancellor of Equity and Inclusion having anything to do with the faculty personnel process. The way it was left was that he has access to anything. So he could go to Budget Committee files and he did not have to agree with the Vice Provost for Academic Affairs or even

the Executive Vice Chancellor. If he didn't like things he could take matters right to the Chancellor. Before he leaves the post, he might try and get something more formal in place.

Mr. Basri said the question of what happens to departments that run into problems during a review process was a good one. Principally, the review is used by the Budget Committee, and then by the Executive Vice Chancellor, to make decisions about faculty slots and budgeting that they're supposed to take into account for departmental reviews. He'd say that the current cast of characters does take it into account, and departments know that now. So people are changing their behaviors somewhat. People aren't going to let this stuff slide like they did in the past. This all sounds rather informal, but that's mostly the way the University worked. So they have to have the leadership, and their practice has to become one that fosters the right agenda. He thought they're moving in the right direction. He thought there were

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 12 -

problems, certainly, and he didn't want to slam departments, but the review system was set up to catch situations like those that were mentioned. And he was now there to add his eyes to the question of what was happening, and to correct things that are found in the review process. Everything always took a long time. He thought there are people in Political Science who would like things to be different. The environment has shifted on campus in a direction he viewed as positive. They'll see how quickly that spreads with regard to the specific practices of interviewing. In principle, there's a faculty member in each department who was supposed to keep track of this and to let him know if there are problems with any practice. Again, that relied on people being reactive. He had one such meeting with equity advisors next week. Mr. Basri said he's been doing the plan so far, and it's done, and next year he'll be able to put more energy to questions of how much the equity advisors really know, and how empowered are they. Some were advisors doing great stuff. There was a question of how he disseminates stuff, how he distributes that. But everything was very slow.

A Delegate said she had no idea who the equity advisor was in her department. She asked if that was public information, and asked if equity advisors were all senior, tenured faculty. She would imagine that a junior faculty member who has not yet tenured would probably not be an appropriate person to call out a senior faculty in their department. Mr. Basri said the memo that created equity advisors says they should be tenured. If the department wanted a non-tenured position doing thing, he should approve that. If someone has been laying low he took it upon himself to create a vibrant network of equity advisors so people know who they are. But who these advisors are was probably good information that was posted on his Web site. It would be great if people started to rely on them more. To be fair, they're not paid, but were supposed to be rewarded for doing this, and when people who do this come up for a merit review, they're supposed to be rewarded appropriately. All of this was relatively new and was still gathering steam. He did know, having spoken with the Budget Committee, that they're happy to give people credit. But the faculty culture for so long has been that if they did this, they should probably hide it, and people would think that they were wasting their time. It will be a little time for people to take this up and take credit for all the work they do.

The Delegate said she looked at this as a direct way for departments to start addressing problems. When chairs of departments get results of reviews, as well as exit surveys, mid-year surveys, and other surveys from the Graduate Division, the relevant powers that be, any sort of authoritative position, should be aware of those types of things, especially if they fell under FERPA. Mr. Basri said the Chair is the relevant authority, and it's also written into the chair's duties that they should advance this agenda and be reviewed on it. Mr. Basri said that was next on his list, the reviews of chairs and deans, and how often they occur and how often they actually look at them.

Mr. Basri said that what he wanted the equity advisors to help him with next year was with what he talked about earlier in terms of potential planning for every department. He hoped to use equity advisors as a spearhead for the planning process. It's not as though they didn't do the plan, but they should be the person in their department making sure their department was going through a process of planning and setting goals, and ways to achieve those goals, and measuring the ways they were achieving them. That's what he hoped will have equity advisors cause this to jell.

A Delegate said one of the first things Mr. Basri mentioned was that his office sought to promote or increase the feelings of belonging that people had. She asked what he meant by that. As graduate students, it was really difficult immediately being inundated in their department when they're brought in, making friends, getting research ideas, and even just having contact with people outside. Students had to

Speaker -- Vice Chancellor of Equity and Inclusion, Gibor Basri (cont'd)

- 13 -

be really proactive. She asked if that fell under the purview of his office and what he was thinking about trying to do.

Mr. Basri said they're thinking about trying to enhance networks, particularly in the areas of equity and inclusion. Departmental climate was one thing equity advisors were supposed to be concerned with. If graduate students were not feeling part of a department, that, generally speaking, was a major issue. The department should be thinking of having more social activities and having more ways to integrate people. The second result they want to see was for campus community members to express a greater sense of belonging to the campus or acquiring knowledge, skills, and personal attributes necessary to successfully navigate and lead in a diverse world.

What he was thinking about was more cross-departmental connections and supporting those kinds of organizations, many of which already exist, such as Women in the Sciences. E&I wants to support that work and create new ways that students can network, and to provide opportunities for that to happen. That would be the sort of thing he'd want to do more of, as they get the resources to do it. The other thing was providing people a place to go when they're really feeling put upon. In that, the campus had a ways to go in terms of having mechanisms to deal with that in a constructive way. Those sorts of issues were what they had to work on.

The Delegate said she was also curious about the equity advisor in her department. There was a massive survey of graduate students around mental health because it was a problem area for the department. It turned out that the results were extremely different across women and men in the Engineering Department. She asked if the equity advisor in her department would be someone she should try to find, and asked if Mr. Basri would like the results of that survey. Mr. Basri said he would, and said the equity advisor should be aware of that as well. He was aware of a number of departments where some kind of survey has taken place of graduate students. He would encourage them all, any time they get information like that, information they thought was relevant to E&I's goals. That's how they make progress. If there's empirical evidence of something, people were much more willing to listen than if something was based on speculation. They did an all staff survey in the fall for non-academic staff, and will be doing an academic staff survey in the spring or summer. Graduate students are actually in a little hole there. He needed to think about getting a graduate student survey, but in the meantime, he'd be very happy to receive anything. A Delegate asked if he'd like the data broken down in any particular way, by women, men, and ethnicity. Mr. Basri said they'd like the raw data.

Mr. Daal said the speaker's time had expired, and he would like to thank Vice Chancellor Basri for an excellent presentation. (Applause) Mr. Basri said he would like to thank them for inviting him.

REPORTS

Mr. Daal said reports were posted online and could also be found in the agenda packet.

There was nothing from the last meeting to report from Funding.

Online course evaluation update

Online Course Evaluation Update
Budget Report

- 14 -

Mr. Daal said this was in regard to the Directed Action the GA passed in November. He met with a Co-Chair of the Task Force on Course Evaluations and requested that the charge of the Task Force be extended to encompass the GA's goal, which was to see course evaluation summary statistics from posted online. The Co-Chair didn't think that was such a good idea. He supported the goal, but the Task Force has been in existence for a couple of years and was ready to retire. Its recommendations were mostly done and should be out in several weeks, mid-May. There were recommendations that would be helpful to us grads in achieving the online course evaluation summary statistic goal. Mr. Daal said this looked like something the GA will continue pursuing next year. The Co-Chair very much requested that people wait for the report.

Budget Report

Mr. Rajan said the GA budget for next year will be posted online. It was a working document. The budget will be voted on in May. He's looked at the budget very carefully. Many budgets can be smaller without necessarily meaning that the organization was smaller or weaker. He thought this budget was smaller and that it did make the organization weaker than what it is right now. There was a 14% mismatch between operating revenue and operating expenses. This year 8% of that will be corrected. And hopefully next year, another 6% of that will be corrected. They hope to match operating revenues and operating expenses in the next couple of years. The GA had leadership that knew what was going on and could get this done. So the next couple of years will be a little painful, after which the GA will be in a nice, steady state. That was the goal of the Budget Committee that year.

Mr. Rajan said he tried to include notes that didn't show in the budget. In May he'll try to compile what the changes actually entail. For instance, the front office of the GA will be smaller. If they come in and don't see someone at the front desk, it was because of budget cuts. Or, they'll just have to work harder to reallocate their priorities. Over the summer they'll try and come up with a mission statement. And hopefully, cuts that are made will be made in accordance with the mission statement. People were welcomed to ask him any questions about the budget.

Ms. Anderson asked if the Budget Committee's meeting was included on the calendar. Mr. Rajan said it wasn't, but should be.

Mr. Rajan said that 50% of the GA's revenues come from student fees. If they take out in-student fee reserve and commercial reserve, everything else was what they spent. And 85% came from student fees. The rest of it came from a contract the Auxiliary had with Coca-Cola. And they also have some interest that accrued over time. The contract with Coca-Cola will expire in ten years and could then be renewed.

Mr. Rajan said the GA has a sizeable reserve. They might think that was great, but it's not, because student fees don't increase with inflation. Student fees were constant while expenses were going up. They need a reserve that was about the size of the operating revenue. The reserve wasn't there yet, but they'll try and grow it with some investments. There's a Resolution on that, and it was an ongoing process. Funds will hopefully be invested in such a way as to offset inflationary costs and flat student fees. They're trying to get to a point where operating revenues equal operating expenses.

For GA express, 16% goes to Executive Offices; 1% to committees.

Budget Report (cont'd)
Reports

- 15 -

Mr. Konwinski what committees spend money on. Mr. Rajan said it was mostly food at events. He believed IAC has a reception in the spring and fall.

Projects and student group funding were sort of split 26% each.

Ms. Anderson said the committees' budgets were mostly stipends. Mr. Rajan said the Chairs of the Funding Committee and the Technology Committee also get stipends as well, which were a sizeable portion of the Committees' budgets, maybe even half.

Mr. Rajan said infrastructure includes IT and the Web, and that budget could go up or down. Another expense included dues and agreements, such as to the UCSA. Another expense was ASUC elections. "Infrastructure" was a buffer they keep to balance the budget.

Mr. Marchand asked about student fees going up. Mr. Rajan said that would be a grassroots ASUC effort. Mr. Marchand said they'd need to have all students at Berkeley vote on a fee increase. Mr. Daal said that was the way it currently was.

Mr. Rabkin said he thought they were budgeting virtually no inflation for the coming year. Mr. Rajan said it was possible, but he wouldn't assume that.

Mr. Kline asked if they could put a total number on this. Mr. Rajan said the total was \$516,000, with Projects, \$133,000; Executive Offices, \$81,000; committees, \$6,000; student funding is \$100,000; IT/Web, \$33,000; the Business Office, \$26,000. He could talk about investments more when they get to that in the agenda.

Mr. Konwinski said a differences in this budget was to bring expenditures and revenues into balance. Mr. Rajan said they're trying to bring into balance the student fee portion and savings with what they spend. They're trying to spend as much as they bring in and to leave the reserves alone.

Mr. Daal said quite a few people didn't submit reports. He asked if any who did would like to make a report at that time.

Mr. Daal said he would apologize for not getting in on time the report on the Lower Sproul Action Agenda Item. The major item was that the Lower Sproul student survey went out to all graduate and undergraduate students twice. It looked like the response has been quite good, and they're getting a lot of good data. The survey will close on Friday, so if people haven't filled it out yet, it would be appreciated if they do so. They could take the survey if they go to studentcenter.berkeley.edu. The electronic survey should be pretty self-explanatory. It's closing on Friday and it was important that people take it. They'll process the results and share them with the GA. They'll also have some focus groups to get some more qualitative information about progress of the survey. For example, they want to know what people want in exchange for a probable student fee. They will take place at the beginning of this month and the end of next month. If people want more information, they could attend committee meetings every Wednesday at 6 o'clock. The next one will be at the GA. Mr. Daal said they're mostly in the Senate Chamber now.

Mr. Kramer said the Environmental Sustainability Committee put in a TGIF grant application for recycling and to get more bins.

Reports (cont'd)

- 16 -

Mr. Froehle said that on the back of the Delegate Feedback Form, he would ask people to please look at the question 3, which asks if Delegates were interested in serving on the Student Technology Working Group over the summer. They'll work on a comprehensive policy on how a proposed technology student fee would operate. This was a paid, part-time position. Two or three people will serve on this Work Group. It's about 20 hours a week and people would write policy about how the proposed fee would work. Committee members will get to decide the rules about how money this money was spent. Decisions might include whether, e.g., fee money could be used to pay for AirBears improvement or just having video podcasts in lecture halls. These positions were relatively important, so if people were interested, he would ask them to check that question.

Ms. Rivas said she goofed when she sent her e-mail out. She sent out the wrong Project Coordinator report, from last year instead of this year. She'll send Mr. Basri a list of the events that will happen in April from the projects. April 16 is the first big event, the "Death and Taxes Party," sponsored by the Grad Social Club and GSSP. It will be at the Alumni House from 6:00 to 9:00 and costs \$4, or \$3 if people bring their own mug, for environmental sustainability. Cal Day will be April 18, from 9 a.m. to 4 p.m. The GA will be represented by the Lecturer of Color Series at 7:30. On April 23 in Wheeler there will be an international speaker from Thailand, and a dialogue with a professor from the Ethnic Studies Department. The last big thing was the Bay Cruise. Also, budgets are due April 25. She'll send out everything to Mr. Basri who will get the information out to Delegates.

Mr. Daal said the Bay Cruise sold out four hours after it opened. So the lovely ladies at the Grad Social Club were apparently doing things correctly.

For the Mental Health Action Agenda Item, a Delegate said Counseling and Psychological Services and the Grad Division have increased their commitment. So beginning in the fall, the College of Engineering will have a counselor devoted to the College of Engineering. For those who are impacted, they could go in during open office-hour drop in. Also, the Grad Division was considering counseling at other places. So she would ask Delegates to please join the Committee. The two Co-Chairs were leaving and wouldn't be there in the fall.

Reporting for the International Student Affairs Committee, Mr. deGrassi said they're finalizing the student survey, and it will probably go out next Friday. Also, he looked through the responses to questionnaires a few meetings ago and it seemed like the proportion of international grad students at Berkeley was much greater than it was in the GA, which was interesting. He didn't know what to do about that. Those were the two main things. Hopefully, starting in April and May, they'll try and come up with a longer-term strategy for the Committee as well as a transition for the Committee Chair.

Mr. Daal said he would like to point out a couple of things in his report. In item 4) he notes the locations of polling places and when people could vote in the ASUC election. Item 5) was interesting, a report from their representative on the Student Health Advisory Committee, who points out that SHIP rates will be going up next year. But in return, they'll get improved services. He would ask them to please take a look at that item in the report.

Mr. St. Claire asked who the GA representative was. Mr. Daal said it's Brandon Rees, a Law School non-delegate.

Also, Mr. Daal asked people to please look at their feedback forms and fill them out. They're really looking for people interested in helping the Lower Sproul programming effort. He asked if everybody

Reports (cont'd)

- 17 -

Resolution to Amend the GA Budget to Allow *The Berkeley Graduate* to transfer \$3,505
0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue
Sharing Between the ASUC and the GA

understood the last question. It was a little complicated, but he thought they could handle it. It will help as they write the budget memo. And for a note on that, they'll meet on Friday at noon to think about the budget memo at Anthony Hall. Lastly, on the back of the feedback form are the tallied results from their student service priorities indicated at the last meeting's feedback form.

Mr. Sylak said asked if these categories would be used when writing memos. Mr. Daal said they're actual categories of how the campus organizes things. The categories were actually four levels of detail deep. This was the second level of detail. He didn't want to include all four levels, but the amounts became more finite.

RESOLUTION REFERRAL

Mr. Rajan moved to fast track Resolution 0904a. The motion was seconded and passed with no objection.

ITEMS FOR IMMEDIATE CONSIDERATION

Regarding the Resolution to Amend the GA Budget to Allow *The Berkeley Graduate* to Transfer \$3,505. Mr. Rajan said it was purely procedural. Ms. ElNaggar just wanted to transfer money from one line item of her budget to another line item of her budget. She could have done this without telling anybody and since she was following the rules and needed it kind of soon, he would like to introduce a budget Resolution purely for efficiency sake. It had the full support of the Budget Committee. Ms. ElNaggar was tak-

ing the copying and printing line item and going online, so she didn't need the printing functions, but did need to update her hardware.

Resolution 0903a

The following Resolution, 0903a, was authored by Mr. Daal:

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA

WHEREAS, the Graduate Assembly (GA) President has written the appended bill in support of the fair and equitable sharing of commercial activities revenue between the GA and the ASUC;

THEREFORE BE IT RESOLVED, that the GA makes it a standing policy to support the bill.

Reports (cont'd)

- 18 -

Resolution to Amend the GA Budget to Allow *The Berkeley Graduate* to transfer \$3,505
0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

BE IT FINALLY RESOLVED, that the GA President is directed to continue pursuit of passage of the bill and to make any necessary changes to the bill in order to secure approval by the ASUC Senate, the Chancellor, and the Store Operations Board.

Begin bill appended to Resolution 0903a

The following Resolution was authored by Mr. Daal, GA President:

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA)

Whereas, when graduate and undergraduate students work collaboratively on a project in the pursuit of a mutual goal, the success of that project is all the more likely; and

Whereas, graduate students comprise approximately one-third of the student population on the Berkeley campus; and

Whereas, ASUC commercial activities revenue has been relatively flat for the past ten years, which is inconsistent with inflation, since if the revenue had kept up with inflation, the total revenue would have been \$1M more than it is today; and

Whereas, the residual commercial activities revenue returned to the ASUC student government was \$0 for fiscal year 2007-2008 and is projected to be \$0 for fiscal year 2008-2009; and

Whereas, it is fiscally beneficial to develop ASUC businesses that are attractive to graduate students; and

Whereas, it is fiscally sensible to encourage greater patronage of existing and future ASUC commercial business in general; and

Whereas, it is important and necessary to create incentives for graduate students to invest time and money to ensure the present and future profitability of student movement commercial activities; and

Whereas, an agreement to share commercial activities revenue would make it worthwhile for the GA to proceed with its plans to make available the Anthony Hall patio as rental space and to pursue the idea of situating a coffee vendor cart in front of Anthony Hall; and

Whereas, an agreement to share commercial activities revenue would make it worthwhile for the GA to promote graduate student patronage of the Lower Sproul businesses; and

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA (cont'd)

- 19 -

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA) (cont'd)

Whereas, graduate students are at Berkeley for longer periods of time, and consequently have a more expansive institutional memory, which is crucial for successfully managed business; and

Whereas, it would bring about fiscal equity and financial responsibility for commercial activities revenue to be shared as equally and as fairly as student fees currently are; and

Whereas, in their document titled "Graduate Provisions Regarding Lower Sproul Redevelopment," graduate students indicated that GA investment in a Lower Sproul campaign should be consistent with returns graduate students could see on that investment; and

Whereas, a plan to share only those revenues generated by graduate student patronage would be inconsistent with the goal of maximally increasing revenue because it would only yield revenue generated by a subset of students; and

Whereas, a revenue sharing agreement aimed at increasing overall ASUC commercial activities revenue would be an appropriate action to attempt to jumpstart revenue growth after ten years of essentially constant revenue; and

Whereas, revenue received by the GA from student government commercial activities would be ultimately returned to student groups, consequently benefiting the larger student body; and

Whereas, the proposed sharing agreement seeks to enlarge revenue rather than divide up an already small residual, given the \$274,000 minimum sharing condition; and

Whereas, the proposed amendments to the Commercial Activities Agreement are consistent with the intent to share revenue and to encourage greater graduate student involvement in commercial activities for the purpose of establishing financial equity and optimizing fiscal returns; and

Whereas, the proposed sharing agreement is responsible since it is accompanied by a proposal to share expenses;

Therefore Be It Resolved, that the ASUC and the Graduate Assembly will agree to amend the Commercial Activities Agreement as follows: (altered/added text appears in all caps)

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA (cont'd) - 20 -

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA) (cont'd)

Begin amendment to the Commercial Activities Agreement

1.2.3 The PRESIDENT OF THE ASUC, THE EXECUTIVE VICE PRESIDENT AND THE PRESIDENT OF THE GRADUATE ASSEMBLY shall be ex officio voting members of the Board.

4.1 ASUC and GA Accounts

A. STUDENT GOVERNMENT FEES AND REVENUE

TWO SEPARATE BANK ACCOUNTS SHALL BE ESTABLISHED, ONE DESIGNATED AS THE ASUC STUDENT FEE ACCOUNT AND ONE DESIGNATED AS THE GRADUATE ASSEMBLY STUDENT FEE ACCOUNT.

STUDENT REGISTRATION FEES AND OTHER NON-COMMERCIAL FUNDS GENERATED BY THE RESPECTIVE BRANCHES OF STUDENT GOVERNMENT SHALL BE DEPOSITED AS APPROPRIATE INTO EACH OF THE AFORESAID ACCOUNTS. STUDENT FEES SHALL BE DEPOSITED INTO EACH ACCOUNT IN ACCORDANCE WITH SECTION 4.1.1, BELOW.

B. COMMERCIAL REVENUE

TWO SEPARATE BANK ACCOUNTS SHALL BE ESTABLISHED, ONE DESIGNATED AS THE ASUC COMMERCIAL REVENUES ACCOUNT AND ONE DESIGNATED AS THE GRADUATE ASSEMBLY COMMERCIAL REVENUES ACCOUNT. REVENUE FROM STUDENT GOVERNMENT COMMERCIAL ACTIVITIES SHALL BE DEPOSITED INTO EACH ACCOUNT IN ACCORDANCE WITH SECTION 5.3, 5.3.1 AND 5.3.2.

4.1.1. FAIR SHARE PERCENTAGE

THE ASUC FAIR SHARE PERCENTAGE IS THE NUMBER OF ENROLLED UNDERGRADUATE STUDENTS AS A PERCENTAGE OF ALL ENROLLED STUDENTS FOR THE PREVIOUS ACADEMIC YEAR (SEPTEMBER THROUGH MAY). THE GRADUATE ASSEMBLY FAIR SHARE PERCENTAGE IS ONE HUNDRED PERCENT (100%) LESS THE ASUC FAIR SHARE PERCENTAGE.

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA (cont'd)

- 21 -

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA) (cont'd)

Amendment to the Commercial Activities Agreement (cont'd)

4.2 Accounting

The Auxiliary shall provide accounting services for the ASUC and ASUC Commercial Activities. Both the Student Fee Account(s) and the Commercial Revenue Account(s) shall be established and maintained with two groups of signatories. The signatories of Group "A" shall be the President and Executive Vice President of the ASUC. The signatories of Group "B" shall be the Director of the Auxiliary and his/her designee(s). Checks drawn in the amount of \$1,000 or more shall require two signatures, at least one of which shall be from Group "A". A stop payment order with respect to checks of \$1,000 or more shall

require two signatures, at least one of which shall be from Group "A". The bank(s) at which these accounts are maintained shall issue duplicate monthly statements to both the ASUC and the Auxiliary. FOR PURPOSES OF THE GRADUATE ASSEMBLY STUDENT FEE ACCOUNT AND THE GRADUATE ASSEMBLY COMMERCIAL REVENUES ACCOUNT, THE GRADUATE ASSEMBLY PRESIDENT SHALL BE A SIGNATORY OF GROUP "A".

4.3.1 Any official of the ASUC, ANY DELEGATE, CHAIR, OR OFFICER OF THE GA, and any member of the Board may at all reasonable times during regular business hours, inspect the books and records of the Auxiliary and make copies and extracts therefrom and may discuss the affairs, accounts and finances of the Auxiliary with its managers and employees, and the University will furnish to the ASUC, GRADUATE ASSEMBLY, and the Board, statements which are accurate in all material respects regarding the operations of the Auxiliary, its rental income, its Operating Expenses, and, to the extent known to the University, the operations of third-party providers of ASUC Campus Commercial Activities, all at such times and as often as shall be reasonably requested.

5.1In order to control Operating Expenses, the Auxiliary's budget for any fiscal year shall not, without the express, prior written consent of the Chancellor, THE ASUC SENATE AND THE GRADUATE ASSEMBLY, exceed the budget for the preceding fiscal year plus an amount equal to the product of the budget for the preceding fiscal year multiplied by the sum of five percent plus the percentage increase in the Consumer Price Index for All Urban Consumers (I 982-84=1 00)

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA (cont'd)

- 22 -

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA) (cont'd)

Amendment to the Commercial Activities Agreement (cont'd)

of the Bureau of Labor Statistics (or any comparable successor thereto) for such fiscal year.

After the ASUC Debt is fully repaid, all income received by the University or the ASUC from third-parties conducting ASUC Commercial Activities shall be paid as follows:

5.3.1 Such third parties shall make periodic payments to the University sufficient in the aggregate to cover the estimated Operating Expenses for the then current fiscal year of the Auxiliary; and

5.3.2 SUCH THIRD PARTIES SHALL PAY THE BALANCE OF THEIR CONTRACTUAL PAYMENT OBLIGATIONS ("STUDENT GOVERNMENT PAYMENTS") DIRECTLY TO THE STUDENT GOVERNMENTS. IF THE TOTAL ANNUAL STUDENT GOVERNMENT PAYMENTS ARE \$274,000 OR LESS, THEN THEY SHALL BE DEPOSITED INTO THE ASUC COMMERCIAL REVENUES ACCOUNT. IF THE TOTAL ANNUAL STUDENT GOVERNMENT PAYMENTS ARE GREATER THAN \$274,000, THEN THE GREATER OF (1) \$274,000 OR (2) THE ASUC FAIR SHARE PERCENTAGE OF THE TOTAL ANNUAL STUDENT GOVERNMENT PAYMENTS SHALL BE DEPOSITED INTO THE ASUC COMMERCIAL REVENUES ACCOUNT, WITH THE REMAINDER BEING DEPOSITED INTO THE GRADUATE ASSEMBLY COMMERCIAL REVENUES ACCOUNT. The Director of the Auxiliary may propose for the Board's approval that one or more of the third-party providers of ASUC Commercial Activities divide payments between the ASUC and the University so as to effect the intent of this Section 5.3, based on the Auxiliary's budget.

11.2 Appeal to the Chancellor

If resolution of a dispute cannot be achieved through the measures described in Section 11.1, above, the President of the ASUC AND THE PRESIDENT OF THE GRADUATE ASSEMBLY may appeal directly to the Chancellor, whose decision shall be final. Any such appeal shall be in writing, setting forth the

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA (cont'd)

- 23 -

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the Graduate Assembly (GA) (cont'd)

Amendment to the Commercial Activities Agreement (cont'd)

basis for the appeal. The Chancellor may, but shall not be obligated to, meet and confer with the President of the ASUC regarding such appeal. Any decision of the Chancellor hereunder shall be in writing, shall be delivered to the President of the ASUC and to the Board, and shall be accompanied by a written statement of the basis for such decision.

- 15 All notices, requests, demands and other communications given or required to be given under this Agreement shall be in writing, delivered personally, by registered or certified mail, return receipt requested, or via overnight commercial courier services as follows:

University:
Office of the Vice Chancellor Business and Administrative Services
California Hall
University of California Berkeley, CA 94720

ASUC:
Office of the President Associated Students of the University of California
200 Eshleman Hall
University of California, Berkeley
Berkeley, CA 94720

ASUC Senate:
200 Eshleman Hall
University of California, Berkeley
Berkeley, ca 94720
Attention: Executive Vice President

GRADUATE ASSEMBLY:
ANTHONY HALL MC 4500
UNIVERSITY of CALIFORNIA AT BERKELEY
BERKELEY, CA 94720
ATTENTION: GRADUATE ASSEMBLY PRESIDENT

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity - 24 -
Revenue Sharing Between the ASUC and the GA (cont'd)

RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL
ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA (cont'd)

Bill appended to Resolution 0903a (cont'd)

Resolution In Support Of Shared Commercial Activities Revenue between the ASUC and the
Graduate Assembly (GA) (cont'd)

Amendment to the Commercial Activities Agreement (cont'd)

Any such notice sent by registered or certified mail, return receipt requested, shall be deemed to have been duly given and received two (2) business days after it is mailed with postage prepaid. Notice sent in any other manner shall be effective upon actual receipt thereof.

End amendment to the Commercial Activities Agreement

Be It Further Resolved, that approval of this bill shall neither imply nor engender changes to current revenue or expense allocation agreements or practices except where specifically defined in this or future agreements.

Be It Further Resolved, that if approved, this bill will be forwarded to the Store Operation Board for approval and, with the approval of the Board, shall be forwarded to the UC Berkeley Chancellor for final approval and contract amendment execution.

Be It Finally Resolved, that the ASUC Senate delegates all necessary authority to the ASUC President to make any necessary change to agreement in order to secure approval by the Chancellor and the Store Operation Board.

End bill appended to Resolution 0903a

Mr. Daal said Delegates saw the GA's budget, and understand that funds were inadequate. They get student fee funds. There's another source of funding, which they don't quite get their fair share of, the commercial activities funding, revenue generated by commercial activities. "Commercial activities" include Bear's Lair activities, the businesses there, the Pub, renting of space in Eshleman, all these spaces are owned by the students; and the students get to keep the rent and any other revenues generated from those spaces. Those are called "commercial revenues." Right now, the situation is that the undergrads actually receive all of that. If the undergrads would like, they could share it with the GA. But in the past, they never have shared that revenue.

Mr. Daal said the GA is negotiating with the ASUC to get a fair share of that, meaning a share in proportion to grad student population, or as close to that as possible, as the GA could argue with them. This

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity
Revenue Sharing Between the ASUC and the GA (cont'd)

- 25 -

Resolution would give him the power to continue pursuing that and would give him the power to make any changes to the bill to the Senate. The Senate would have to approve a bill in order to share money with the GA. Any necessary changes to get the Senate to pass the bill.

Ms. Parrish asked what it meant, "any necessary changes" to the bill. Mr. Daal said the bill hasn't been introduced yet. Senators have pointed out that they're not completely comfortable with the bill and have articulated a desire, but no specific desire, just desire to make amendments to it. Ms. Parris said that if she understood it correctly, then, that by the GA passing the Resolution, Mr. Daal would have power instead of getting the GA back to approve changes, he would just be able to do it. Mr. Daal said that was correct. And that was the first order of approximation. Once they get this passed by the undergrads, it had to be approved by the Store Operations Board, another body that oversees the revenue generated by Lower Sproul. The SOB might want to make changes. Once the Board approves it, then the Chancellor had to sign it into a contract, essentially.

A Delegate said the GA, then, was just authorizing him to act in the interests of graduate students. Mr. Daal said that was correct.

Mr. Rabkin said the Rules Committee thought it was generally poor form to pass blank check enabling acts, and therefore they proposed to amend the bill as follows. They would like to amend the Final Resolved Clause of the bill by adding “and, with the approval of the Executive Board” and deleting “to,” to have the final Resolved Clause read as follows:

Be It Finally Resolved, that the GA President is directed to continue pursuit of passage of the bill and, *with the approval of the Executive Board*, ~~to~~ make any necessary changes to the bill in order to secure approval....”

Mr. Rabkin moved to approve the amendment. He said the amendment just said that the Executive Board would sign off on any changes.

Mr. Kramer said the changes would be signed off on it anyway, so he asked what the difference was. The bill specifies that the Resolution doesn't take effect if they don't sign off on it. Ms. Anderson said the idea was that between negotiations, Mr. Daal would have to come back and report to the Executive Board what was happening with the negotiations. Mr. Kramer said he didn't think the amendment was necessary. Mr. Daal has taken the lead on this. Mr. Rabkin asked if it dangerous to include the Executive Board. Mr. Kramer said he didn't. Mr. Kramer asked if Mr. Daal thought this would slow him up. Mr. Daal said he could live with it.

Mr. Rabkin said the Rules Committee thought it was a bad habit to get into to have Mr. Daal approve anything they agree with.

THE MOTION TO APPROVE THE AMENDMENT PASSED BY VOICE-VOTE.

A Delegate asked if he could explain about the \$224,000 revenue sharing. Mr. Daal said the bill says that the commercial revenues allocated to student government had to be at least \$274,000 before it would be shared between the GA and the ASUC. If the ASUC makes \$275K, then that year the GA would get \$1,000 and the ASUC would get \$274,000. That pattern would continue until the GA was at two-

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity - 26 -
Revenue Sharing Between the ASUC and the GA (cont'd)

thirds/one-third. This was a necessary feature to make the ASUC feel that they're not splitting an already small pot of money. The relevant detail was that there was no commercial revenue at that time. The businesses are not generating any revenue above operating costs.

A Delegate said this was profit, not revenue. The \$274K was profit. Mr. Daal said that was correct.

Mr. Kline asked what the expected profit was. It sounded like the GA wasn't getting any money. Mr. Daal said that currently, they weren't.

Ms. Anderson said that under this plan, currently no money. Mr. Kline said that under this plan, they currently get no money as well. Mr. Daal said that was correct, if there remains no money to be given. But they believe the reason why there is no revenue is that the graduate students haven't been as involved as they should be in the governance of these businesses, which weren't doing very well and weren't making a lot of money.

Mr. Kline asked what businesses those were. Mr. Daal said it's the restaurants in the Bear's Lair and the rental of MLK. If a Lower Sproul referendum were to pass, an estimated \$1.5 million of revenue would be expected. And if Panda Express comes, there's an estimated several hundred thousand dollars of revenue.

Ms. Hsueh said that basically, all the income generated from commercial revenue, including the Cal Student Store, minus all Auxiliary expenses, and the net for the past couple of years was zero. There was one year there was about \$100,000 in Auxiliary revenue.

Mr. Rajan said that from 1998 to about now, the ASUC Auxiliary, the fiscal agent of the ASUC for these various commercial enterprises, of which the GA was part, made \$3 million every year. They spend most of that \$3 million. The Auxiliary leaves a residual after all its expenditures that they return to the ASUC student government. The GA would like a share of that revenue. In the past, that amount has been as high as \$271,000. That's what justified the \$274K figure. In the last few years, the revenue transferred from the Auxiliary to student government has been zero. Next year it will likely be zero, or very small. It depends on what happens in the next few months, especially with the Panda Express issue and whether it comes to campus. If revenue is ever greater than zero, the GA would like to be a part of it. The goal of the Resolution is that eventually, when Lower Sproul is redeveloped, sometime down the line, and the residual is \$1 million, the GA would get a part of that.

Mr. Kline asked if operating expenses would go up. Mr. Rajan said they would, but hopefully the Auxiliary will find a nice, steady state.

Mr. Kline asked what the incentive was of the Auxiliary to leave anything over. Mr. Rajan said the Store Operations Board had a majority of students on it. The Auxiliary wasn't separate from the student government, per se, but a service student government uses and, to a great extent, controls, with the campus.

Mr. Rabkin said the deal was kind of underwhelming. If the Auxiliary made more profit than it ever has, the GA gets a cut. But until then, the ASUC keeps it all. Mr. Rajan said that if the GA doesn't have this, it loses a lot of incentive to do a lot of work that needs to be done over the next few years in order to justify all the work they'll do on Lower Sproul. They'd like to get something out of it besides a nice graduate student center and a pool hall.

0903a, Resolution on Directed Action and Standing Policy Regarding Commercial Activity
Revenue Sharing Between the ASUC and the GA (cont'd)

- 27 -

0903b, Resolution to Share Expenses Between the ASUC and the Graduate Assembly

Mr. Rabkin asked if there was an explanation of why the GA's cut only kicked in at \$274K. Mr. Rajan said it's because inertia and the ASUC liked its maximum number. The ASUC was under the impression that since they got to it once, they could get to that figure again. Mr. Rabkin asked if he was saying that the GA had no leverage in that conversation.

A Delegate asked what the motive was for the ASUC to pass this if there are no graduate students in the Senate. Mr. Rajan said he thought they understand that they require a buy-in from both parties for all boats to rise. It would be harder for them to do it on their own, harder than working together. And things with the GA could happen much faster. So it's a long-term vision that needed to be sold. The ASUC wasn't so short-term that they don't understand, and they have enough insight to comprehend that.

Ms. Anderson said she would like to speak to Mr. Rabkin's point. Given that the undergrads are hard on their \$274K line, this was the best deal possible. Once they hit that point, everything would go to the GA

up to the fair one-third/two-thirds. Mr. Rajan said that was one model. Ms. Anderson said that was where it currently stood. Mr. Rajan said that's what the GA was proposing.

A Delegate why they wouldn't push for having residual. Mr. Rajan said that in addition to revenue sharing, they will all consider cost sharing. The GA would like to start sharing costs only when there's revenue coming in. If they start sharing costs immediately, there was a possibility they'd pay out more than they got back; and the GA's budget couldn't support that. It might be good long-term investment to pay up front, but they can't pull that off the way they now are.

Mr. Konwinski said he was under the impression that just maintaining meant making enough to make their costs. Mr. Rajan said that was why there was no commercial residual coming back to student government. The Auxiliary was just breaking even. Mr. Konwinski asked why they don't they push for equal shares of both full costs and revenue. Mr. Rajan said the GA's budget couldn't support that change. It would mean larger costs initially for future growth revenues. The costs would be real but the additional revenue would be zero.

Mr. Rabkin asked if the initial lack of getting revenue was because the ASUC funds certain operational costs. Mr. Rajan said revenue sharing gives the GA a stake to help grow those profits and get a stake in them. Profit was now zero, and the proposal would have the GA help grow that revenue.

A motion to call the question was made and seconded and passed with no objection.

THE MOTION TO APPROVE RESOLUTION 0903a PASSED UNANIMOUSLY BY VOICE-VOTE, RESOLUTION ON DIRECTED ACTION AND STANDING POLICY REGARDING COMMERCIAL ACTIVITY REVENUE SHARING BETWEEN THE ASUC AND THE GA.

Resolution 0903b

The following Resolution, 0903b, was authored by Mr. Daal:

0903b, Resolution to Share Expenses Between the ASUC and the Graduate Assembly (cont'd) - 28 -

RESOLUTION TO SHARE EXPENSES BETWEEN THE ASUC AND THE GRADUATE ASSEMBLY

WHEREAS, the Graduate Assembly (GA) and the ASUC recognize that a fair and equitable commercial activities revenue sharing agreement implies a responsibility to the fair and equal sharing of the fiscal burden from goods and services the mutually benefit the GA and the ASUC; and

WHEREAS, a fair and equitable commercial activities revenue sharing agreement is in itself an agreement to share the expense of funding the ASUC Auxiliary; and

WHEREAS, there are goods and services of obvious mutual benefit to the GA and the ASUC which are not provided by the ASUC Auxiliary; and

WHEREAS, the sharing of expenses implies an equal distribution of authority and ownership over those expenses; and

WHEREAS, the ASUC fiscal year 08-09 budget allocates \$48,000 for elections costs, \$48 000 in attorney's fees, \$15,572.14 for the Legal Defense Fund, and the GA fiscal year 08-09 budget allocates approximately \$50,000 for its business office and stenographer; and

WHEREAS, the 'expense share percentage' shall be defined as the percentage of all commercial activities residual revenue which is directed to the GA from the previous fiscal year;

THEREFORE BE IT RESOLVED, that the GA and the ASUC agree to share fairly and equitably the expenses of ASUC elections, the GA business office and stenographer, the ASUC attorney, and contributions to the ASUC Legal Defense Fund subject to the following terms:

1. For the ASUC elections the GA shall pay the greater of the expense share percentage of the election cost and the amount specified in section V of the "Memorandum of Understanding" between the Associated Students of the University of California and the Graduate Assembly;
2. The expense of the GA business office and stenographer shall be paid by the ASUC Auxiliary;
3. The GA shall pay the expense share percentage of ASUC attorney's fees;
4. The GA shall pay the portion equal to the expense share percentage of the total amount to be deposited into the Legal Defense Fund that year.

BE IT FURTHER RESOLVED, that this expense sharing agreement shall be in effect in years when the following three conditions are fulfilled:

1. The GA Delegates and the ASUC Senate ratify identical expense sharing resolutions;
2. The Chancellor executes proposed amendments to the Commercial Activities Agreement which bring about fair commercial activities revenue sharing between the GA and the ASUC;

0903b, Resolution to Share Expenses Between the ASUC and the Graduate Assembly (cont'd)

- 29 -

RESOLUTION TO SHARE EXPENSES BETWEEN THE ASUC AND THE GRADUATE ASSEMBLY (cont'd)

3. The total residual commercial activities revenue returned to student government is at least \$274K.

BE IT FINALLY RESOLVED, that the GA adopts this expense sharing Resolution as a standing policy.

Mr. Daal said this was his Resolution. The GA talked about it in discussing the previous bill. 0903b basically says that the GA will share in the expenses for ASUC elections, the ASUC attorney's fees, and the ASUC Legal Defense Fund. And they'll share in the proportion that was equal to the share of revenue that the GA would get from the previous bill on revenue sharing.

Mr. Rajan said he wanted to call attention to the analysis by the Budget Committee. The terms of the bill will likely change. The bill was tightly linked with 0903a, revenue sharing. So perhaps they could have something like a blanket powers act for the President and Executive Board check, in the same way the GA passed 0903a. That might be more valid for 0903b.

Mr. Rajan said he would like to amend it like 0903a, by taking the Whereas Clause and the two Resolved Clauses in 0903a and sticking them in 0903b, deleting everything else in 0903b. The motion to amend was seconded.

Mr. Rabkin said they discussed this in the Rules Committee and their analysis was the reverse. Whereas 0903a is a deal between the GA, the Chancellor, and the ASUC, and requires serious negotiation, 0903b is just the GA saying that under these circumstances, the GA would come up with some money. Since 0903b is not something the GA had to agree with and was just the GA making a statement about what they'll do, the Rules Committee would rather not delegate this authority but bring this back to the GA for consideration. If it turns out they want to have a different deal, that was their analysis.

Mr. Rajan said he just recalled that meeting, and that was fine, and they could deal with this again. So he would ask to withdraw his motion to amend.

Mr. Sylak said he noted an inconsistency with where the Resolution states that the GA agrees to share fairly and equitably the expenses of the ASUC elections, but below, the CAA amendment says that for the ASUC elections, the GA shall pay the greater of the expense shared percentage of the election costs than the amounts specified in Section 5 of the Memorandum of Understanding between the ASUC and the GA. He asked if that meant that the GA was going to pay the majority the total costs. Mr. Daal said it means that they'll pay at least the amount specified by the MOU.

Mr. Kline asked about the Legal Defense Fund and attorney's fees. Mr. Daal said the student government at Berkeley is an independent, 501(c)(3) and has an attorney and a Legal Defense Fund. Mr. Kline asked if this was not for attorneys in the future. Mr. Daal said it was for a real attorney.

Mr. Daal said that hearing no further discussion, the question was automatically called.

THE MOTION TO APPROVE 0903b PASSED UNANIMOUSLY BY VOICE-VOTE, RESOLUTION TO SHARE EXPENSES BETWEEN THE ASUC AND THE GRADUATE ASSEMBLY.

0903c, Resolution to Amend the GA By-laws to Create a Technology Chair Designate Position - 30 -

Resolution 0903c

The following Resolution, 0903c, was authored by Mr. Daal and Mr. Froehle:

RESOLUTION TO AMEND THE GA BY-LAWS TO CREATE A TECHNOLOGY CHAIR DESIGNATE POSITION

WHEREAS, there are reoccurring calls for graduate student input on issues regarding campus information technology (IT) policy and infrastructure from campus Administration; and

WHEREAS, there is currently no graduate student representation on the Campus Information Security and Privacy Committee (CISPC), Information Technology Architecture Committee (ITAC), or the Campus Technology Council (CTC), which together set campus policy on information technology and IT infrastructure; and

WHEREAS, previous graduate student appointments to these committees have not been perceived as successful due to a high rate of turnover rate of these representatives and non-compulsory attendance, resulting in a lack of familiarity with campus IT issues; and

WHEREAS, Information Services and Technology (IST) invites graduate student representation on said committees, but only if the representatives can be fully contributing committee members who are knowledgeable about campus IT issues and can make a two-year commitment; and

WHEREAS Associate Vice Chancellor for Information Technology and Chief Information Officer Shelton Waggener has proposed to pay the stipend for a graduate student representative to these committees in order to promote successful, reliable, and informed committee representation, but only if the Graduate Assembly can demonstrate a good faith effort to appoint representatives for two-year terms; and

WHEREAS AVC-IT/CIO Waggener's proposition is aligned with GA desires for continuity in graduate student leadership, increasing institutional memory, maximizing graduate student advocacy and involvement in campus decision-making;

THEREFORE BE IT RESOLVED, that GA create the position of technology chair designate, whose job description shall include responsibility to sit on the aforementioned technology committees and assist the GA Technology Chair in providing graduate student input on campus IT issues and whose stipend shall be paid by CIO Waggener.

BE IT FURTHER RESOLVED, that the existence of this position is contingent upon current and future funding from the Berkeley Chief Technology Officer such that absence of funds enables the Delegate Assembly or Executive Board to vote to dissolve the position.

BE IT FINALLY RESOLVED, that the following changes are made to the GA By-laws to codify the framework of chair designates:

2.5. Committee & Workgroup Chairs *and Committee Chair Designates*

0903c, Resolution to Amend the GA By-laws to Create a Technology Chair Designate Position - 31 -

RESOLUTION TO AMEND THE GA BY-LAWS TO CREATE A TECHNOLOGY CHAIR DESIGNATE POSITION (cont'd)

2.5.1. Directed Action. In addition to the duties and responsibilities as chair, the chair *and chair designate* of a Committee or Workgroup shall take specific action as directed by the Delegate Assembly, the Executive Board, and/or the President, provided that those actions are consistent with the Charter and By-laws. If the directed actions contradict each other, the action directed by the Delegate Assembly shall take precedence, followed by the action directed by the Executive Board.

- 2.5.2. Job Descriptions. These By-laws incorporate the job descriptions of each chair into the responsibilities for each chair. The job description for each chair and chair designate shall be reviewed annually and may be modified by a majority vote of the Executive Board.
- 2.5.3. Chair Designates. The position of chair designate for any committee may be created or dissolved by a majority vote of the Delegate Assembly or Executive Board.
- 4.7. Chairs and Chair Designates. Unless otherwise directed by these By-laws, chairs and chair designates shall be elected or removed by the members of the Committee or Workgroup or, if this is infeasible, by a majority of the Delegate Assembly. Unless otherwise directed by these By-laws, Committee chairs and chair designates for the following year shall be elected at the last Committee meeting of the previous year when possible. Committee chairs and chair designates elected at the last Committee meeting of an academic year shall serve a term of one year; Committee chairs and chair designates otherwise elected shall serve until the end of the academic year in which they are elected. A chair designate shall have the option to assume the chair for their respective committee at the *end of the current chair's term without the need for re-election*. Workgroup chairs shall serve until the Workgroup is dissolved.

Mr. Froehle said the Resolution would amend the By-laws to create the position of chair designate, which would be created by a vote of the Delegate Assembly or the Executive Board. Shel Waggener, Chief Information Officer of the University, has offered to pay a stipend for the Technology Chair designate, somebody who could, for a year, sit and watch, and then in the second year of their term, maybe as Technology Chair, be able to make more informed decisions and provide more continuity regarding technology issues within the University. In order to receive this money from Mr. Waggener, the GA needed a way to formalize this commitment and this arrangement. The procedural changes to the By-laws would allow for that.

Mr. Rabkin said the Rules Committee was a little uneasy with creating this generic authority to become the heir apparent to a committee chair. The Resolution says the GA could vote two years in advance about who will be a committee chair. The Rules Committee felt that was an uncomfortably and awkwardly long position given the turnover of the GA. People also move and are absent, and it was a very hard commitment to make. Their understanding was that Mr. Waggener wanted a commitment that the person would be on the University Technology Committee. So it didn't have to be tied to a GA committee chair.

0903c, Resolution to Amend the GA By-laws to Create a Technology Chair Designate Position - 32 -

Mr. Froehle said the Resolution would adopt a model much like how the Regents deal with the Student Regent. A Student Regent designate serves for one year as a non-voting member and is indoctrinated in the ways of being a Regent. They become Student Regent in their second year, and can actually make informed decisions and be an effective member. As an organization, the GA should perhaps consider having two-year terms. Despite issues with turnover, he thought this would add continuity, and people could be much more effective in their second year and could hit the ground running.

Ms. Anderson said she would also like to speak for the Rules Committee. The Committee actually wasn't that unanimous on the idea that a two-year term was a bad thing, but they felt it wasn't necessary to create

this position right now and that it was something that needed more consideration. Rather than just throwing this By-law in now, they might think about how this would work with other committees, and maybe writing something later on. The Rules Committee would like to propose an amendment to get rid of the By-laws language, and just by putting it in the budget should be enough to establish this position. The By-laws state that they don't need to bring this to the Assembly since the Executive Board could establish positions. The Rules Committee was in favor of establishing the position of Technology chair designate, but didn't think it needed to be in the By-laws.

Ms. Anderson said she would like to propose the amendment that was in the Rules Committee analysis, to amend the title of the Resolution to "Resolution to Create a Technology Chair Designate Position," deleting "Amend the GA By-laws" and by deleting the final Resolved Clause.

The motion to amend was seconded.

Mr. Froehle said his reading of the By-laws differed from that of Mr. Rabkin. Mr. Froehle said he saw the wording as not creating arbitrary positions.

Mr. Konwinski asked if Mr. Rabkin was speaking for the Rules Committee. Mr. Rabkin said the Rules Committee believes it's possible for the GA to vote to declare someone in the chair designate position. Ms. Anderson said it would be analogous to chiefs-of-staff.

Ms. Berkeley asked where in the By-laws this was located. Ms. Anderson said it was in the By-laws that the Executive Board could establish positions. Chief-of-staff positions change from year to year and the Exec Board decides how that's apportioned. It doesn't come before the Delegates.

Mr. Froehle said the Resolution wouldn't create a chair designate for everybody who was a chair. It simply sets a transition procedure, switching between the chair designate and the chair, if they still wanted to do that. He thought it would add a little more legitimacy and was something they could show to CIO Waggener saying that people support this on the whole.

Ms. Parrish asked what would happen if she was the designate and then changed her mind. Mr. Daal said the Resolution states that the Graduate Assembly shall make a best effort to have a two-year term. Mr. Waggener understands that the GA can't guarantee that the same person.

A Delegate said that in his understanding, this also takes advantage of money being put in front of them. If they create this position and they don't have access to that money in the future, he asked who would be responsible to pay for the position. Mr. Froehle said the Executive Board could decide. The Budget Committee ultimately will assess the budget and could zero fund the position. The Exec Board and the

0903c, Resolution to Amend the GA By-laws to Create a Technology Chair Designate Position - 33 -

Assembly would have the power to get rid of the position with a majority vote. Mr. Rajan said that was in the Further Resolved clause.

Ms. Parrish said they would have, then, a chair and a chair designate. For the first year they'll have a chair designate only and in the second year, that person will vote. She asked if somebody would watch that person. Mr. Sylak asked if both of those positions were funded, because by his reading of the By-laws, Mr. Waggener has only funded one. Mr. Froehle said that was correct. Ms. Parrish said that somebody, then, would be taking on a position without pay, until they become chair. Mr. Froehle said the

Chair designate would be funded and paid for their training. Mr. Daal said the GA would then pay for the Technology Chair the next year.

Mr. Rabkin said Mr. Waggener wanted someone on his ITT committees, University committees, and Mr. Rabkin said he didn't see why that had any necessary relation to being the heir apparent to being Chair of the GA Technology Committee. They were separate committees. They didn't want it to be the case that the GA had no independent voice because the position was paid for by the Provost's office. Mr. Froehle said the Technology Chair is not paid for by the Mr. Waggener's funds. Mr. Rabkin asked why the person who was receiving the funds would magically inherit the committee chair without a vote.

Mr. Marchand said he was in favor of the amendment. There were a lot of loopholes in the proposal. Usually the Chair is a member of the Exec Board. The Exec Board chooses the chair designate and that removes the power of the Delegate Assembly to choose a chair. They could have this as a staff position that with a stipend from the University.

Mr. Daal said he would entertain a motion to extend time for the meeting. Mr. Sylak moved to extend by ten minutes. The motion was seconded by Mr. Rabkin and passed with no objection.

Ms. Berkeley said that to appoint a chair designate, perhaps Mr. Marchand was right about the concern with the chair designate replacing the person who would otherwise be chair for the second year. That needed to be ironed out. The position of chair designate served the same function as positions they currently had in the By-laws.

Ms. Anderson moved to call the question on the amendment. THE MOTION TO APPROVE THE AMENDMENT PASSED BY HAND-VOTE 21-5-0.

Mr. Rajan said he thought it was a lot of work to write a good By-law amendment that was sustainable. It was very easy to write a By-law amendment with the best of intentions that would be ignored in the future. He thought the Rules Committee wanted to write a good By-law amendment that would codify the idea behind this. Without the By-law amendment, he asked if people thought Mr. Waggener would provide the funding. Mr. Froehle said next fall he would have a By-law amendment to codify the idea behind this.

Ms. Parrish asked if he thought Mr. Waggener wouldn't give them the money now. Mr. Froehle said it was hard to say. Mr. Daal said it was for this reason that Mr. Waggener has specifically not allowed students on these committees. The GA didn't know, and they'd have to ask him.

Mr. Sylak said that given Mr. Waggener's wording in the Resolution, the Rules Committee thought they could still demonstrate a good faith effort without this amendment.

0903c, Resolution to Amend the GA By-laws to Create a Technology Chair Designate Position - 34 -
0903g, Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund
Functioning As an Endowment Administered By the UC Berkeley Foundation, to Make an
Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California
Alumni Association

Mr. Froehle said there was no written agreement with Mr. Waggener. It's been all verbal. They told Mr. Waggener they'd try to make a By-law amendment to allow for this structure.

Mr. Rabkin said that as a matter of policy, the GA was an independent organization and there was something improper about University officials telling the GA how it should organize itself internally and who had what voting rights in what year. The GA didn't want to be in this dialogue with the University about who was speaking for graduate students, and the GA should be autonomous.

Ms. Rivas said that wasn't what was going on. Mr. Rabkin said the GA shouldn't be in the habit of indulging University officials.

Mr. Rajan said he didn't think anybody was opposed to doing this or writing new By-laws. There's an issue of autonomy. If the GA needed to write a By-law amendment to get this money, he thought they could write a better By-law amendment than the current Resolution. He thought it was worth it to take a couple of meetings, maybe even a summer, to write a good By-law amendment and get the money then, as opposed to rushing with something that was haphazard.

Ms. Anderson said that's what they were trying to do by amending it and passing the bill without the By-law amendment. They'd create a position as a good faith effort and seeing if that was enough. Mr. Rajan said he agreed.

Mr. Daal said that seeing no further speakers the question was automatically called.

THE MOTION TO APPROVE 0903c, AS AMENDED, PASSED BY VOICE-VOTE, RESOLUTION TO CREATE A TECHNOLOGY CHAIR DESIGNATE POSITION.

Resolution 0903g

The following Resolution, 0903g, was authored by Mr. dePutter, Mr. Rajan, and Mr. Virgili:

RESOLUTION TO AMEND THE GA BUDGET TO ALLOW THE INVESTMENT OF THE GA RESERVES INTO A FUND FUNCTIONING AS AN ENDOWMENT ADMINISTERED BY THE UC BERKELEY FOUNDATION, TO MAKE AN ENDOWMENT GIFT TO UC BERKELEY AND INVEST IN AN ENDOWMENT ADMINISTERED BY THE CALIFORNIA ALUMNI ASSOCIATION

WHEREAS, GA revenues have decreased for at least the three previous budget years due to reduced support from external sources such as Graduate Division; and

WHEREAS, personnel expenses have increased due to cost-of-living adjustments; and

0903g, Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning As an Endowment Administered By the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California Alumni Association - 35 -

RESOLUTION TO AMEND THE GA BUDGET TO ALLOW THE INVESTMENT OF THE GA RESERVES INTO A FUND FUNCTIONING AS AN ENDOWMENT ADMINISTERED BY THE UC BERKELEY FOUNDATION, TO MAKE AN ENDOWMENT GIFT TO UC BERKELEY AND

INVEST IN AN ENDOWMENT ADMINISTERED BY THE CALIFORNIA ALUMNI ASSOCIATION
(cont'd)

WHEREAS, student fee revenue has remained relatively constant for at least the last three previous budget years; and

WHEREAS, the Coca-Cola contract, which has supplied \$50,000 to the GA budget for at least the last three previous budget years, is up for renewal in the “near future”; and

WHEREAS, the decrease in the GA programming budget has been mitigated by borrowing from GA savings over at least the last three budget years; and

WHEREAS, GA savings of approximately \$425,000 are currently invested in low-yield bank CDs; and

WHEREAS, investment of GA savings in the Berkeley Foundation provides opportunity for higher returns; and

WHEREAS, investment in the Berkeley Foundation has the following three benefits: 1) It represents investment by the GA in the future of UC Berkeley, 2) It is a transparent investment with legally required disclosure of performance and allocation of funds, and 3) Adverse performance by UC Berkeley endowment does not reflect poorly on the GA's investment strategy; and

WHEREAS, investment in the Berkeley Foundation synchronizes with the University's ambitious fundraising goals and provides an area for fundraising on issues that directly affect graduate students; and

WHEREAS, investment in the Berkeley Foundation provides the GA an avenue via matching funds to external fundraising that directly benefits Graduate Students; and

WHEREAS, the endowment is run by a fiduciary agent and no other entity can lay claim to the GA fund; and

WHEREAS, other units in the University such as the Law or the Business School already take advantage of this avenue; and

THEREFORE BE IT RESOLVED, that the GA authorizes the investment of up to \$300,000 from savings (Student Fee Reserve, Commercial Reserve, and Carry-Forward) into the UC Berkeley Foundation's fund functioning as an endowment for the GA.

0903g, Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning As an Endowment Administered By the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California Alumni Association - 36 -

RESOLUTION TO AMEND THE GA BUDGET TO ALLOW THE INVESTMENT OF THE GA RESERVES INTO A FUND FUNCTIONING AS AN ENDOWMENT ADMINISTERED BY THE UC BERKELEY FOUNDATION, TO MAKE AN ENDOWMENT GIFT TO UC BERKELEY AND

INVEST IN AN ENDOWMENT ADMINISTERED BY THE CALIFORNIA ALUMNI ASSOCIATION
(cont'd)

BE IT FURTHER RESOLVED that since funds from the endowment payout would likely come in two forms: 1) general funds and 2) fund specific to a donor's cause with perhaps an endowment match. The Budget committee, Rules Committee and Executive Board, will work together to generate procedures by which any funds raised externally would be evaluated and monitored.

Mr. Marchand asked about the general responsibilities with respect to the GA. Mr. Rajan said one would be matching funds from a donor and they might need to keep funds separately in an endowment that the GA would match. The Resolution would give the GA that flexibility. All these details will be ironed out over the summer once they have this authority. There are more negotiations involved with the foundation. This was just preliminary authority for him to start negotiations. Another Resolution will come before the GA detailing how this will be administered. That will be voted on before anything happens. It might go to the Exec Board in the summer and they'd figure something out.

Mr. Konwinski asked if the Budget Committee would like to propose an amendment to this. Mr. Rajan said that was correct. They would like to change in the Resolved Clause, the amount of the investment, from \$300,000 to \$280,000. The reason for that was that under the most conservative estimate, assuming that the GA invested all the money, and they have to borrow from savings, like the GA has done every year, and they lose Coca-Cola money, this would still give them enough liquidity to have \$100,000 sitting around, so to speak. So until that happens, the GA should be okay. They'll reach a steady state, according to their most conservative projections, by 2013.

Mr. Rabkin said he didn't understand why they want this amendment. This was an authorization, and a higher ceiling shouldn't prevent them from being more cautious. Mr. Rajan said it was checks and balances. The Budget Committee as a whole decided on \$280,000, and he mistakenly changed it to \$300,000; so he'd like to make the correction.

The motion to amend was seconded.

THE MOTION TO APPROVE THE AMENDMENT PASSED BY VOICE-VOTE.

A motion to call the question was made and seconded and passed with no objection.

THE MOTION TO APPROVE 0903G, AS AMENDED, PASSED UNANIMOUSLY BY VOICE-VOTE, RESOLUTION TO AMEND THE GA BUDGET TO ALLOW THE INVESTMENT OF THE GA RESERVES INTO A FUND FUNCTIONING AS AN ENDOWMENT ADMINISTERED BY THE

0903g, Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning As an Endowment Administered By the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California Alumni Association - 37 -

UC BERKELEY FOUNDATION, TO MAKE AN ENDOWMENT GIFT TO UC BERKELEY AND INVEST IN AN ENDOWMENT ADMINISTERED BY THE CALIFORNIA ALUMNI ASSOCIATION.

Mr. Daal said meeting had expired. A motion to extend meeting time by five minutes was made and seconded. The motion to extend tied by hand-vote 13-13-0. Mr. Daal said that as Chair, he would break the tie. The motion to extend the meeting failed 13-14-0.

This meeting adjourned at 7:42 p.m.

These minutes respectfully submitted by,

Steven I. Litwak
Recording Secretary

Resolution 0903a [as amended]

The following Resolution, 0903a, was authored by Mr. Daal:

Resolution on Directed Action and Standing Policy Regarding Commercial Activity Revenue Sharing Between the ASUC and the GA

Whereas, the Graduate Assembly (GA) President has written the appended bill in support of the fair and equitable sharing of commercial activities revenue between the GA and the ASUC;

Therefore Be It Resolved, that the GA makes it a standing policy to support the bill.

Be It Finally Resolved, that the GA President is directed to continue pursuit of passage of the bill and, with the approval of the Executive Board, make any necessary changes to the bill in order to secure approval by the ASUC Senate, the Chancellor, and the Store Operations Board.

Resolution 0903c [as amended]

Resolution to Create a Technology Chair Designate Position

Whereas, there are reoccurring calls for graduate student input on issues regarding campus information technology (IT) policy and infrastructure from campus Administration; and

Whereas, there is currently no graduate student representation on the Campus Information Security and Privacy Committee (CISPC), Information Technology Architecture Committee (ITAC), or the Campus Technology Council (CTC), which together set campus policy on information technology and IT infrastructure; and

Whereas, previous graduate student appointments to these committees have not been perceived as successful due to a high rate of turnover rate of these representatives and non-compulsory attendance, resulting in a lack of familiarity with campus IT issues; and

Whereas, Information Services and Technology (IST) invites graduate student representation on said committees, but only if the representatives can be fully contributing committee members who are knowledgeable about campus IT issues and can make a two-year commitment; and

Whereas, Associate Vice Chancellor for Information Technology and Chief Information Officer Shelton Waggener has proposed to pay the stipend for a graduate student representative to these committees in order to promote successful, reliable, and informed committee representation, but only if the Graduate Assembly can demonstrate a good faith effort to appoint representatives for two-year terms; and

Whereas, AVC-IT/CIO Waggener's proposition is aligned with GA desires for continuity in graduate student leadership, increasing institutional memory, maximizing graduate student advocacy and involvement in campus decision-making;

Resolution to Create a Technology Chair Designate Position (cont'd)

Therefore Be It Resolved, that GA create the position of technology chair designate, whose job description shall include responsibility to sit on the aforementioned technology committees and assist the GA Technology Chair in providing graduate student input on campus IT issues and whose stipend shall be paid by CIO Waggener.

Be It Further Resolved, that the existence of this position is contingent upon current and future funding from the Berkeley Chief Technology Officer such that absence of funds enables the Delegate Assembly or Executive Board to vote to dissolve the position.

Resolution 0903g [as amended]

Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning as an Endowment Administered By the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California Alumni Association

Whereas, GA revenues have decreased for at least the three previous budget years due to reduced support from external sources such as Graduate Division; and

Whereas, personnel expenses have increased due to cost-of-living adjustments; and

Whereas, student fee revenue has remained relatively constant for at least the last three previous budget years; and

Whereas, the Coca-Cola contract, which has supplied \$50,000 to the GA budget for at least the last three previous budget years, is up for renewal in the “near future”; and

Whereas, the decrease in the GA programming budget has been mitigated by borrowing from GA savings over at least the last three budget years; and

Whereas, GA savings of approximately \$425,000 are currently invested in low-yield bank CDs; and

Whereas, investment of GA savings in the Berkeley Foundation provides opportunity for higher returns; and

Whereas, investment in the Berkeley Foundation has the following three benefits: 1) It represents investment by the GA in the future of UC Berkeley, 2) It is a transparent investment with legally required disclosure of performance and allocation of funds, and 3) Adverse performance by UC Berkeley endowment does not reflect poorly on the GA's investment strategy; and

Whereas, investment in the Berkeley Foundation synchronizes with the University's ambitious fundraising goals and provides an area for fundraising on issues that directly affect graduate students; and

Amended Version of Bills

- iii -

Resolution to Amend the GA Budget to Allow the Investment of the GA Reserves Into a Fund Functioning as an Endowment Administered By the UC Berkeley Foundation, to Make an Endowment Gift to UC Berkeley and Invest In an Endowment Administered By the California Alumni Association (cont'd)

Whereas, investment in the Berkeley Foundation provides the GA an avenue via matching funds to external fundraising that directly benefits Graduate Students; and

Whereas, the endowment is run by a fiduciary agent and no other entity can lay claim to the GA fund; and

Whereas, other units in the University such as the Law or the Business School already take advantage of this avenue; and

Therefore Be It Resolved, that the GA authorizes the investment of up to \$300,000 from savings (Student Fee Reserve, Commercial Reserve, and Carry-Forward) into the UC Berkeley Foundation's fund functioning as an endowment for the GA.

Be It Further Resolved that since funds from the endowment payout would likely come in two forms: 1) general funds and 2) fund specific to a donor's cause with perhaps an endowment match. The Budget committee, Rules Committee and Executive Board, will work together to generate procedures by which any funds raised externally would be evaluated and monitored.