

GRADUATE ASSEMBLY MEETING

September 16, 2010

SUMMARY OF THE MEETING

This meeting commenced the Fall Semester. It was called to order at 5:32 p.m. The turnout was very large that year, as an attempt was made to recruit Delegates from departments that weren't represented last year.

Announcements

Brandon Pham and Vishalli Loomba, ASUC Senators, introduced themselves. The Senate has 20 students representing the campus community and works with a \$1.7 million budget. The ASUC funds student groups, grad and undergrad.

The ASUC is looking for candidates for the ASUC Judicial Council. The GA President can make an appointment. Applications are at asuc.org.

The Senate passed a bill, SB 14, supporting the October 7 Day of Action.

Sarah Knuth, from UAW 2865, the student employees' Union introduced herself and said she was the Head Steward with Berkeley's unit, representing GSIs, tutors, and readers.

There are departments the Union would love to see get stewards, to watch for things like students working 40 hours a week regularly, instead of 20. Increasing class sizes leads to a lot stress.

They're in the final stages of negotiating a new contract for academic student employees at all UCs. The current contract expires September 30. They're trying to hold department meetings before the contract expires. Last year's contract was rolled over. The next unit meeting is September 21, from 5:00 to 6:00 at the Union office.

Andrew Szeri, Dean of the Graduate Division, introduced himself. The Grad Division handles admissions and had a lot to do with fellowships, appointments, GSIs and GSRs, funding these positions about \$250 million a year. The Grad Division also tracks degree progress and academic programs, certifies students for graduation, and engages in fundraising. There's a goal of raising \$340 million for graduate fellowships. The Grad Division has about 60 staffpeople.

The GA heard from representatives of groups speaking on Resolution 1009c, Review of Executive Board Authorization, In Violation of Graduate Assembly By-laws, of Divisive Funding Procedures and Funding Report.

Rekia Jibrin, second-year Law, said she represented the Women of Color Collective, which retains stu-

admission of black students. She in order an offensive sheet that was distributed stating that Law School groups' noble causes were a myth.

Francesca, La Raza Law Students Association, said that for Workers Rights Clinics, Law students go to Fruitvale and focus on immigration issues.

The Civil Rights Outreach Project works in low-income communities of color in the Bay Area against environmental harm and against pollution in these communities.

It was noted that the sheet in question was not produced by the Executive Board, which also did not endorse it.

A speaker said he represented a group that follows refugees through the process of asylum. No one was more appreciative than an immigration client.

Rekia Jibrin, Campus Affairs VP, asked to hold a moment of silence for the very tragic passing of a colleague of theirs at the GA and on campus, Carmen Mitchell, in the African Studies Department, who ran the Graduate Women's Project. A moment of silence was observed.

A motion to move Resolutions 1009a and 1009b to Resolution Referral failed by voice-vote.

The agenda was approved as amended.

Introduction to the Graduate Assembly

Something new that year was the Delegate Guide.

The GA is part of the ASUC. The GA provides advocacy, fosters community, and empowers grad students. One-fourth of their budget funds student groups. Aside from administration and supplies, the GA budget was divided in thirds, among the Executive Board, projects, and student group funding.

The Delegate Assembly is the main decision-making body, and Delegates elect Officers, rather than the general grad student body. So it was important for Delegates to be representatives of their departments.

The GA Business Office is the administrative function of the GA and is part of the ASUC Auxiliary. The Auxiliary is governed by the Store Operations Board, on which sit a number of students and administrators. The GA was looking for a Board rep.

The Delegate Assembly compromises Delegates from each department, one per 100 students. Delegate Certification Forms had to be turned in. Delegates are asked to remain in regular contact with their constituents, by e-mails and use of the bulletin board, for the fliers they'll bring back from GA meetings.

Any Delegate or Officer can offer a Resolution with one week's notice, preferably two.

Resolution 1005a -- By-law Amendment to Accelerate Funding Application Review

The bill would amend the By-laws to allow the Funding Committee to make allocations without oversight from the Delegate body. The bill was referred to committee.

Resolution 1009c -- On Assembly Review of Executive Board Authorization, In Violation of Graduate Assembly By-laws, of Divisive Funding Procedures and Funding Report

The bill would reverse the change in funding procedures the Exec Board instituted over the summer, which included the creation of super groups. The bill was amended to extend Round 2 funding to September 20.

Another group had the room scheduled, so the GA recessed and reconvened on Lower Sproul Plaza.

The meeting adjourned at 8:10 p.m.

End Summary of the Meeting

This regular meeting of the Graduate Assembly, commencing the Fall Semester, was called to order by Tiffany Ng at 5:32 p.m. in the ASUC Senate Chamber. Mr. Daal asked people who were seated but weren't Delegates to please allow Delegates to take a seat.

Ms. Ng said they had a very large turnout that year. That summer they attempted to recruit Delegates from departments that weren't represented last year.

Ms. Ng introduced herself and said she was the current Rules Committee Chair. Philippe Marchand is President. Ms. Ng she would chair the meeting that evening.

ANNOUNCEMENTS

Ms. Ng said the first announcement was from representatives from the ASUC.

Brandon Pham and Vishalli Loomba introduced themselves. Mr. Pham said they're from the ASUC, the Senate of the Associated Students. They comprise a group of 20 students representing different corners of the campus community. They work on a \$1.7 million budget. The ASUC is known for its ability to fund student groups, both undergraduate and graduate. Every student group that applies for ASUC sponsorship has the opportunity to request funds from the Senate Contingency Fund. If they apply in the Spring Semester, they could have funds allocated for the following year.

Mr. Pham said they're currently looking for candidates for the ASUC Judicial Council. The ASUC has three branches: a unicameral Legislature, the Senate; an Executive body; and the Judicial Council with

nine justices. The GA President has the opportunity to seat one graduate student on the Judicial Council. Anybody interested in applying could refer to asuc.org, where the application can be found. The Constitutional and Procedural Review Committee will hold interviews, with the Senate to vote on approval. Ms. Loomba said the role of the Judicial Council was to oversee the ASUC Constitution and to make sure the ASUC was functioning correctly.

Mr. Pham said that on Wednesday, the Senate passed SB 14, supporting the October 7 Day of Action. He didn't know if people were aware of what was occurring on October 7. Senators are in full solidarity with the Day of Action. But they also want to stress that there will be many alternatives to participate on that day, such as teach-ins, a letter-writing campaign, and a petition.

Mr. Marchand said the Delegate feedback form includes a question on whether they might be interested in being on the J-Council. If people check that box, the GA will get back to them. Another question asks if Delegates if they thought the GA should organize something or take part in the October 7 Day of Action. There wasn't the time to vote on a motion before October 7, but if people were interested, the GA could organize something. He would ask them to leave comments about that as well.

Ms. Ng said the next announcement was from Sarah Knuth, from UAW 2865, the student employees' Union. Ms. Knuth introduced herself and said she's a student in Geography and is the Head Steward with Berkeley's unit of this entire local, which represents student workers at all UC campuses, primarily GSIs, tutors, and readers.

Ms. Knuth said there are departments the Union would love to see get stewards, which were supposed to be department positions, especially departments with big teaching loads. It was important to have people on the ground looking for things like students working 40 hours a week regularly, instead of 20 hours a week, which they're supposed to be working. They've been seeing class sizes rise and GSI positions get cut in a lot of these courses. That led to a lot stress for teachers, tutors, and readers. So it's a really strained time for a lot of people. If people were interested, or if they knew anybody who was interested in this, they should send her an e-mail, sknuth@berkeley.edu.

Ms. Knuth said the more pressing matter was that they were in the final stages of negotiating a new contract for academic student employees at all UCs. The current contract will expire September 30. So this was pretty critical. And it was obviously important to GSIs and readers. But a lot of this contract actually applies to people with GSRs and fellowships because while they're negotiating wages of student workers who teach, they're also negotiating things like childcare reimbursement and health care, including dependent health care. They're trying to get full coverage for childcare, or at least much better coverage. Better health care is something they're always pushing for. So there are things they're working on that apply to every department.

Ms. Knuth said that they're trying to hold department meetings before the contract expires. If a Delegate's department wasn't organizing one, they should e-mail her and she could help set one up. There will be a vote on whether or not to approve the contract.

Ms. Knuth said this wasn't a good time to be negotiating a contract. They actually rolled over last year's contract. As a result, they didn't lose wages, but their wages weren't rising to keep up with inflation. There won't even be a small wage increase and they'll actually be taking a pay cut. And that was baseline

pay. So even if departments cut into their pay above and beyond what was actually negotiated, that floor was getting removed.

Announcements (cont'd)

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The next unit meeting is September 21, next Tuesday, from 5:00 to 6:00 at the Union office at Berkeley BART. People should let her know if they have questions.

Ms. Ng said the next announcement comes from the Dean of the Graduate Division, Andrew Szeri. Mr. Szeri introduced himself and said he was Dean of the Grad Division and also a faculty member, in Mechanical Engineering. He works with a group of students, Ph.D. students and a post-doc, who actually just had twins. So he was very keyed in to childcare issues.

Mr. Szeri said he wanted to come by and introduce the Graduate Division. The “legislative branch” is the Graduate Council, a committee of the Academic Senate Committee; the “Executive branch” is the Graduate Division; and the judicial branch of governance is the Administrative Committee of the Graduate Council, which he chairs. So unfortunately, that made him both president and chief justice.

Mr. Szeri said the Grad Division handles admissions, administers the online application, and partners with Programs to determine who is and isn't admitted. The Graduate Division has a lot to do with fellowships, appointments, GSIs and GSRs. About one-quarter of a billion dollars of appointments and fellowships come through the Graduate Division every year, to support students. They also track degree progress; track academic programs for quality; certify students for graduation; engage in fundraising; and develop money for graduate fellowships. There's a campaign going on at that time with a \$340 million goal for graduate fellowships. There are about 60 staffpeople in the Graduate Division. Finally, for Delegates who are student members on a campus committee, he would ask them to please attend, because it was really important to get student input.

Mr. Kramer said that over the summer, the Executive Board took a number of actions that a number of students and Delegates think violated the GA's By-laws in a number of ways that were really divisive and destructive to the GA. First, the Exec Board took actions that really could have only lawfully been taken by the Delegate Assembly itself, including changing the procedures for funding student groups. Groups need funding in order to continue to survive.

Mr. Kramer said he thought Delegates should hear from the groups themselves, so a number of representatives were present that evening.

Rekia Jibrin introduced herself and said she was a second-year Law student, representing, among others, the Women of Color Collective. The program retains students at Berkeley and prevents people from transferring out. Last year, from all the hours people in the group put in, and all the money they spent on programs to reach out to undergrads and increase their admissions enormously that year. They had 40% increases in the admission of black students and had 100 women of color enroll in this year's student body. She was offended by the fact sheet that was distributed. There was no harm in providing lunch to the people who attend to their programs. The sheet states that these groups' noble causes were a myth, and that was very offensive to the entire Law School.

Francesca introduced herself and said she and others there were representing the La Raza Law Students Association. She wanted to emphasize that their organizations do not simply spend money on food. Rather, it's a way to invite students to come and do noble causes, as for example, the Workers Rights

Clinics, where some Law students go all the way to Fruitvale, stay there late, and commit to serving the community. They help people who are constantly taken advantage of by their employees. They focus on

Announcements (cont'd)

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immigration issues and whether certain acts were appropriate. This wasn't racial and they didn't just help Hispanics. But they do help specific Hispanic communities.

A student introduced himself and said he was a third-year Law student involved with students working for environmental and economic justice and the Civil Rights Outreach Project. They work in low-income communities of color in the Bay Area. The Law students strategize and fight against environmental harm and advocate on behalf of West Oakland residents against pollution in their communities. These groups are open to all graduates, not just Law students. They work with post-9/11 people who are being profiled and detained by the government. These are extremely important services that are provided, and it was really terrible that people on the Exec Board who wrote the sheet that was distributed think these services are a myth.

On a point of personal privilege, Mr. Marchand said that as far as he knew, the document being referred to was not produced by the Executive Board, which didn't endorse it. A speaker asked if anybody could say who wrote the sheet. Ms. Ng said it seemed that nobody was willing to take responsibility for the sheet, and she would ask people to continue to discuss the matter at hand.

A Delegate said he represented a group that follows refugees through the process of asylum. It takes about 25 or 30 hours. They take people's declarations, represent them before the asylum officer, and follow them through the point of naturalization. No one is more appreciative than an immigration client. In terms of nobility of cause, the speaker said this has been the best thing he's worked on.

A speaker introduced herself and said she was one of the Co-chairs of the National Lawyers Guild. It was very offensive to read that their noble causes were a myth. Boalt is a laughing stock in the legal community because Prof. John Yoo, who wrote memos justifying torture, was still teaching there. Her group needs this funding to bring speakers there to counter the idea that his being here was an issue of academic freedom.

Mr. Kramer said they didn't have that much time for everyone there to talk, and there were far more groups with representatives present than they had time for. But people should understand that the Law School was really upset at what's been done. The Assembly that day has the opportunity to reverse the decision and to reinstate longstanding, established funding procedures that treat everyone equitably and fairly. There is a Resolution to reinstate funding procedures that had existed until the summer, and later in the meeting he'll move to consider it earlier in the agenda so it could be discussed while groups were still present.

Ms. Ng said the next announcement was from Rekia Jibrin. Ms. Jibrin introduced herself and said she was the Campus Affairs VP. There was a very tragic passing of a colleague of theirs, at the GA and on campus, Carmen Mitchell. She was a student in the African Studies Department, ran the Graduate Women's Project, and was an integral part of the GA and their community. Ms. Jibrin asked to hold a moment of silence and to reflect about the alienation of the University and how it made their work hard and divided them and the strength of their communities that they had to support. A moment of silence was observed. Ms. Jibrin said she wanted to thank them.

On a point of order, a Delegate said that the By-laws, 6.4.2.3, calls for Resolutions 1009a and 1009b to be moved to Resolution Referral. The By-laws state that all Resolutions had to be referred to committee for

Announcements (cont'd)

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Approval of the Minutes and Agenda

analysis before coming to the GA for a vote. Mr. Marchand said that 6.4.2.7 states that the Exec Board, by unanimous vote, can have a Resolution go to Immediate Consideration. The Delegate said according to the minutes, the only Resolution the GA approved to fast track was 1009c. Mr. Marchand said the Exec Board had an emergency meeting on September 2 where they decided to consider those other Resolutions. The minutes for that were online. A speaker said those minutes weren't online and haven't been posted with adequate notice, and said there's a seven-day notice for any material to be considered. Mr. Marchand said the Resolutions were sent with seven days notice.

APPROVAL OF THE MINUTES AND AGENDA

Mr. Rabkin moved to approve the May minutes. The motion was seconded.

A Delegate said she understood the desire to fast forward things, but there was a reason to send things to committee. The GA is a representative body and referring things to committee gave the GA a chance to scrutinize bills.

THE MOTION TO APPROVE THE MINUTES FROM THE GA MEETING OF MAY 6, 2010,
PASSED UNANIMOUSLY BY VOICE-VOTE.

Ms. Ng called for a motion to approve the agenda for the meeting that evening.

Mr. Kramer moved to amend the agenda and to consider 1009c immediately after Approval of the Agenda, between items II and III. The motion was seconded.

Ms. Pannu said there was a crisis in graduate funding that impacts the Law School and other departments. The last day for this funding round was that day, and if the funding issue wasn't addressed, they would destroy student groups that couldn't function because they didn't receive adequate funding. The GA should address issues for which people were at the meeting.

Ms. Ng said they were out of time for this agenda item.

The motion to approve Mr. Kramer's amendment to the agenda passed by hand-vote.

Mr. Kline moved to amend the agenda to consider Resolution 1005a before 1009c. The motion was seconded. Mr. Kline said 1005a was tabled in May, to be discussed at this time, and it could have an effect on 1009c. A Delegate said that the May minutes state that 1005a would be tabled until October in order for it to go to committee. Mr. Rabkin said he didn't think it would take long to consider 1005a.

Mr. Marchand said the May GA minutes state that a motion to fast track 1005a failed and the bill was referred to committee. The minutes don't specify considering the bill in October. Ms. Pannu said the

Exec Board minutes discuss this. If 1005a was considered that evening, that would mean it was fast tracked, since it didn't go to committee. Mr. Kline said a committee report will be given.

Ms. Ng said they were getting very behind on their agenda. She noted that no committee meeting had a quorum over the summer.

Approval of the Minutes and Agenda (cont'd)
Introduction to the Graduate Assembly

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A motion to call the question and end debate was made and seconded and passed with no objection. The motion to amend the agenda and consider 1005a before 1009c passed by hand-vote.

A Delegate moved to amend the agenda to move Resolutions 1009a and 1009b back to committees, despite the Exec Board having fast tracked them, to give Delegates a chance to review them. The motion was seconded.

A Delegate said there was no reason to delay consideration of these Resolutions, and people were wasting time.

Mr. Marchand said 1009a was written because the By-laws state the date of Delegate meetings. The date they would have met, September 9, was a Jewish holiday, Rosh Hashanah, so the Exec Board amended the By-laws to move the meeting to that evening, the 16th. If people didn't like the By-law change they could vote it down, but then it wouldn't be possible to move meetings. Resolution 1009b amends the budget because at the end of the fiscal year, in June, they learned they had a \$20,000 surplus. The Exec Board allocated the surplus and gave \$10,000 to funding so the money would be available at the beginning of the year. The GA would review and vote on the Resolutions at that time.

A Delegate said that if they were using Delegate cards for votes, she asked if they could ensure that all Delegates had a card. Ms. Ng asked if all Delegates had a card, and said that it appeared they did.

The motion to amend the agenda by moving Resolutions 1009a and 1009b to Resolution Referral failed by voice-vote.

Ms. Ng called for a vote to approve the agenda. THE MOTION TO APPROVE THE AGENDA, AS AMENDED, PASSED UNANIMOUSLY BY VOICE-VOTE.

INTRODUCTION TO THE GRADUATE ASSEMBLY

Mr. Marchand said he would like to welcome people to the Graduate Assembly. They have a new device that year, a Delegate Guide. If people have questions about anything not in the document, they should ask.

Mr. Marchand said the Graduate Assembly is the representative association of graduate and professional students at UC Berkeley. It's actually part of the ASUC. The GA has three main functions or services it provides to the graduate community. The first is advocacy. As the official representative of graduate students, the GA can appoint representatives to campus committees. They can also organize external campaigns as a member of State and national coalitions of student associations.

Another function of the GA was to foster community. They have GA projects that organize a number of events for different constituencies or for their own graduate communities. One event was being put on by the Grad Social Club that evening, right after the GA meeting. A third function was empowerment. One-fourth of their budget is to fund student groups to do advocacy and community activities, and empower student groups to do this work.

Introduction to the Graduate Assembly (cont'd)

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If the cost of administration and supplies is removed from the GA budget, the remainder of the GA budget was divided in thirds, among the Executive Board, projects, and student group funding.

Mr. Marchand said he would invite people to look at the organization chart. The Delegate Assembly has the power to direct all the Officers, Committee Chairs, and Project Coordinators of the GA. It is the main decision-making body. It was Delegates who elect Officers, not a general vote of the population. So it was very important that Delegates were representative of their departments.

Some Officers also oversee staff who are paid stipends, including Project Coordinators, who are represented by the PC Liaison, who sits on the Exec Board.

The GA Business Office is the administrative function of the GA. It's not directly a part of the GA but is part of the ASUC Auxiliary. In 1998 the Associated Students had financial trouble and the University had to bail them out. As a result, the University transferred from the ASUC to the Auxiliary the accounting, administrative functions, and commercial activities, such as the Student Store. Those are now done and managed by the ASUC Auxiliary. The Auxiliary holds these monies and resources in trust for the students. The Auxiliary is governed by the Store Operations Board, on which sit a number of students and administrators. If people were interested in being on the SOB, there's a search for new reps, and any interest could be noted on the feedback form.

Mr. Marchand said they would move to item B, Delegate Assembly. This was the Delegate Assembly. They meet once per month, normally on the first Tuesday of each month. Delegates are the highest power of the GA. They adopt standing policies, direct Officers to take actions on specific issues, and review Executive Board decisions.

The Delegate Assembly comprises Delegates from each department, one Delegate per 100 students, or fraction thereof, within an academic unit. In practice, each unit has one to ten Delegates. Alternate Delegates can only vote if the primary Delegate wasn't voting. If people haven't turned in their Delegate Certification Forms, they should do so. They need to get it signed by their department head. He would also ask them to please complete the survey. The feedback form is a way to take attendance and collect information from Delegates so they better understand the needs of graduate students in the departments they represent.

Mr. Marchand said that Delegates have a number of responsibilities. They are asked to remain in regular contact with their constituents. There's a suggestion in the Delegates Guide about sending an introductory e-mail to their department and getting a designated space on their department bulletin board for the many fliers they'll pick up.

Mr. Marchand said the Communication's Committee will develop an update system for Delegates to keep constituents informed of current events in the GA. They should feel free to send out e-mails to constituents once in a while when issues arise that are relevant to them.

Delegates were also encouraged to create a departmental graduate student association, which can receive GA funding. It can elect Delegates and collect student opinions. Delegates are also asked to read all of the material in advance of the meeting. They're e-mailed and are available on the Web site. There's very little time at GA meetings and it's assumed that Delegates are informed.

Introduction to the Graduate Assembly (cont'd)

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Resolution 1005a -- By-law Amendment to Accelerate Funding Application Review

Mr. Marchand said a typical meeting begins with announcements from student groups and administrators. If a Delegate would like to make an announcement, they should let the President know a week in advance. Minutes are posted 48-hours in advance, as is the report from the Exec Board. There's a new format to this report to make it more reader friendly. They'd like feedback on whether that was actually the case.

Any Delegate or Officer can offer a Resolution with one week's notice, preferably two. At the GA meeting, these are referred to committee for analysis. At the next meeting, Resolutions are debated and voted upon, unless they're fast tracked, in which case they can be voted on at the meeting they're introduced, with certain stipulations.

There are five types of Resolutions that can be introduced: on standing policy or a statement of the GA's position; a directed action, which orders an Officer to take a particular action; a budget amendment; a By-law amendment; and a funding procedure approval.

Mr. Marchand said that meetings are conducted using Robert's Rules of Order, which originated in the English Parliament to allow a large body of contentious people to have an equal chance to speak. The binder Delegates received includes a summary of Robert's Rules.

Ms. Ng said that to initiate any process in Robert's Rules, a Delegate makes a motion, which must be seconded. There's debate, followed by a vote. Page 6 has some typical main motions. Incidental motions are also listed. Votes can require a majority vote or a two-thirds vote. A motion to table means to set it aside for discussion later. Moving the question means moving immediately to a vote on the question at hand. If people have a question, they could call for a point of information. People should not hesitate to use points of information if they're not familiar with Robert's Rules. If people are hesitant to do that, they have instituted a new system where people can log in to G-chat or send a text message to Miguel Daal, the previous GA President, and get an expert to answer their question.

Resolution 1005a -- By-law Amendment to Accelerate Funding Application Review

Mr. Kramer said he and the Funding Committee Chair were offering this By-law amendment because they thought it would better enable the Funding Committee to serve student groups by getting funding to them quicker. In the institutional memory of the GA, no Funding Committee report has ever been questioned when it was brought to Delegates at a GA meeting. The requirement to wait every month for the GA meeting prevents the Funding Committee from getting funding allocations out to student groups.

The By-law amendment would empower the Funding Committee to make allocations without oversight from the Delegate body. This power was never been exercised previously by the GA anyway. There's an appeals process for line items in a funding report, and that was the appropriate path if someone was unhappy with a funding allocation, as opposed to having the entire body consider changing line items. This was particularly important for Contingency Fund requests on short timescales. Under the current system, an event next week couldn't be funded. But with this change, the Funding Committee could approve it.

Resolution 1005a -- By-law Amendment to Accelerate Funding Application Review (cont'd) - 11 -
Resolution 1009c -- On Assembly Review of E-Board Authorization, in Violation of
GA By-laws, of Divisive Funding Procedures and Funding Report

Mr. Rabkin said he thought this was an incredibly bad meeting to advance the argument that funding wasn't contentious, and moved to refer the Resolution to the Funding, Rules, and Budget Committees. The motion was seconded.

Mr. Kramer moved to postpone the Resolution indefinitely. He believed that took precedent over a motion to refer. Ms. Ng said that was correct. Mr. Marchand said that would mean the motion was killed.

A motion to call the question and end debate was made and seconded and failed by hand-vote.

Ms. Ng the motion to postpone indefinitely wasn't debatable and they'd proceed to a vote. The motion to postpone 1005a indefinitely failed by hand-vote.

Ms. Ng said they were back to the motion to refer the bill to committee.

Mr. Klein said the motion was reasonable, although the only downside was that they couldn't fund a request from the Contingency Fund. But that might not even be a big issue.

A Delegate noted that Contingency funding wasn't noted anywhere in the proposed By-law. It might make sense to say this change only applied to Contingency funding. Mr. Kramer said committees would report back on what they thought about that.

A Delegate said he thought it was wise to have committees look at this.

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

THE MOTION TO REFER RESOLUTION 1005a TO THE FUNDING, RULES, AND BUDGET COMMITTEES, PASSED UNANIMOUSLY BY VOICE-VOTE, RESOLUTION ON A BY-LAW AMENDMENT TO ACCELERATE THE FUNDING APPLICATION REVIEW.

Resolution 1009c

Ms. Ng said an amendment has been proposed. Mr. Kramer said the author of the amendment would like to withdraw the amendment.

The following Resolution, 1009c, was authored by Mr. Kramer:

RESOLUTION ON ASSEMBLY REVIEW OF EXECUTIVE BOARD AUTHORIZATION, IN VIOLATION OF GRADUATE ASSEMBLY BY-LAWS, OF DIVISIVE FUNDING PROCEDURES AND FUNDING REPORT

WHEREAS, Graduate Assembly By-law 4.13 provides: “Procedures. Each Committee or Workgroup shall promulgate all necessary procedures to fulfill its responsibilities, subject to annual

Resolution 1009c -- On Assembly Review of E-Board Authorization, in Violation of GA By-laws, - 12 -
of Divisive Funding Procedures and Funding Report (cont'd)

RESOLUTION ON ASSEMBLY REVIEW OF EXECUTIVE BOARD AUTHORIZATION, IN VIOLATION OF GRADUATE ASSEMBLY BY-LAWS, OF DIVISIVE FUNDING PROCEDURES AND FUNDING REPORT (cont'd)

review by the Rules Committee and approval by the Executive Board, *except that the Delegate Assembly must approve the Funding Committee’s procedures*. All procedures, which shall be made public, shall not conflict with the Charter or these By-laws”; and

WHEREAS, By-law 4.15.4 provides: “Funding. The Funding Committee shall make recommendations *to the Delegate Assembly* on how to allocate the funds under the authority of the Graduate Assembly. The goal of such recommendations shall be to improve the quality of graduate student life by supporting individual graduate students, departmental activities, and graduate student groups”; and

WHEREAS, By-law 6.4.1.5 provides: “Funding Procedure Approval. A Funding Procedure Approval may be introduced to establish, remove, or modify procedures which govern actions and decisions of the Funding Committee. *Passage requires at least a two-thirds (2/3) vote of the Delegate Assembly.*” And;

WHEREAS, these By-laws are abundantly clear that new funding procedures require a two-thirds vote of the Delegate Assembly, and cannot be instituted by the Executive Board; and

WHEREAS, the Executive Board on July 15, 2010, in direct contravention of these By-laws, instituted new funding procedures changing funding allocations among campus departments; and

WHEREAS, this was done with absolutely no public notice to students whose groups would be decimated by such new procedures, in violation of the By-laws’ open meeting requirement (By-law 4.9); and

WHEREAS, the Executive Board minutes of July 15 noted *nothing* about the allocation change, in violation of the public notes requirement of By-law 4.10; and

WHEREAS, the new procedures hit Law student groups especially hard, and these are groups for which many students work their asses off to provide substantial benefits of legal representation to marginal communities like asylum seekers, refugees, and the urban poor; and

WHEREAS, even students who attended funding workshops were not informed of the procedural change in funding allocations; and

WHEREAS, again in violation of GA By-laws, the Executive Board approved a new funding report, again without notifying affected students, and *without even posting minutes that they had done so*; and

WHEREAS, this causes Law students to question whether we are welcome in the Graduate Assembly, or whether we would be better served by severing ourselves from it as thoroughly as we are able; and

Resolution 1009c -- On Assembly Review of E-Board Authorization, in Violation of GA By-laws, - 13 -
of Divisive Funding Procedures and Funding Report (cont'd)

RESOLUTION ON ASSEMBLY REVIEW OF EXECUTIVE BOARD AUTHORIZATION, IN VIOLATION OF GRADUATE ASSEMBLY BY-LAWS, OF DIVISIVE FUNDING PROCEDURES AND FUNDING REPORT (cont'd)

WHEREAS, By-law 4.15.1.3 provides that such incomprehensible, divisive, and unconscionable behavior by our elected officials is remediable: “Assembly Review. All actions of the Executive Board are subject to approval, reversal, or modification by a majority vote of the Delegate Assembly, except in regard to contractual obligations agreed to by the Executive Board. This includes Executive Board actions on behalf of the Delegate Assembly when the Delegate Assembly is between sessions or not in session”;

THEREFORE BE IT RESOLVED that the Executive Board’s July 15 approval of new funding procedures, and the subsequent approval of a funding report enacted under the unlawful procedures, are hereby reversed.

Mr. Rabkin said it seemed that the Resolution would strike what the Executive Board did over the summer, in particular its funding decisions. If that happened, he asked what would happen to the funding allocations that have been made. Mr. Kramer said he had an amendment to the Resolution regarding that problem that he would like to introduce.

Mr. Kramer said that he put together the Resolution after trying to explain to the Executive Board that what it did over the summer violated the By-laws. The Exec Board refused to follow the By-laws and restore funding procedures as they were. The Board said it had authority in matters of immediate concern and could take action in place of the Delegate Assembly. That statement was true, but there were some problems with that. Changing funding procedures was not a matter of immediate concern, and the discussion to do that has been going on for years. The only reason to make these changes was because the E-Board didn't like the funding procedure, not due to any funding emergency.

Mr. Kramer said there three very specific By-laws, stated in the first three Whereas Clauses, clearly say that the Delegate Assembly must approve changes to Funding Committee procedures. The Assembly also had to pass changes to procedures by a two-thirds vote. By requiring that vote, the By-laws recognize that changes to funding procedures were a really big deal.

Mr. Kramer said he introduced the Resolution to go back to the way things have been done for years, until the Delegate Assembly had a chance to vote on this.

Mr. Kramer moved to amend the Resolved Clause to read as follows:

“Resolved, that the Delegate Assembly:

- “1. Reverse the funding procedures unlawfully imposed by the E-Board during the summer of 2010.
- “2. Directs the Funding Committee to ensure student groups allocated funding in the pending August 2010 funding report will receive no less than their reported allocation, and at least

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as much as they would have received under procedures in effect at the May 2010 Delegates Meeting.

- “3. That the deadline to apply for Round 2 funding will be extended to September 23 at 5 p.m. for the notification of student groups that funding procedures have returned to the procedures in the effect as of the May 2010 Delegates Meeting.
- “4. That due to confusion regarding the funding guidelines, groups should be not penalized for errors in their applications for all funding rounds in fall 2010.
- “5. And directs the Funding Committee to allocate any deficit to groups owed more funding than currently allocated (under the pending August 2010 Funding Report) from Contingency.”

Mr. Kramer said the amendment would just make it clearer as to what would happen when striking what the Exec Board did over the summer. The amendment would provide groups with the money they expected to get when the Delegates last had a chance to do anything about this. Paragraphs 3) and 4) were just for fairness, and 5) states that the money to make up for this problem would come from the Contingency Fund, which the Exec Board has assured him has plenty of money in it.

The motion to amend was seconded.

A Delegate moved to amend the amendment and strike paragraphs 3) and 4). The motion was seconded.

Mr. Kramer said that part of the problem with what the E-Board did over the summer was that a lot of student groups didn't know what the procedures were, and at a lot of funding workshops, groups were actually told things that weren't true about funding procedures. As a result, groups made a lot of mistakes. Paragraphs 3) and 4) were pretty minor, and would give groups until a deadline to submit proper forms and would state that groups wouldn't be penalized for mistakes made due to the confusion.

The Delegate asked to withdraw his motion to strike 3) and 4). Ms. Ng said the motion was seconded and could not be withdrawn.

A motion to call the question on the amendment to the amendment and end debate was made and seconded and passed by voice-vote. The motion to strike paragraphs 3) and 4) from the amendment

failed by hand-vote. Ms. Ng said that 3) and 4) remained part of the amendment. She called for debate on Mr. Kramer's amendment.

Ms. Hsueh introduced herself and said she was the Business Office Manager. Ms. Hsueh introduced herself and said she was the Business Office Manager. Ms. Pannu said that only Delegates and Alternates were authorized to speak. If Ms. Hsueh spoke, Ms. Pannu said she would ask a Delegate to yield her time.

A Delegate asked what the difference was between this and the funding procedures they'll vote on later. He asked how the two actually work together. Mr. Kramer said for people who are upset about this change, the most important point was that the new funding procedures the Exec Board put in place

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changed the way funding was allocated. For as long as anybody can remember, student groups that applied for funding were all treated equally. There was a certain amount of money to spend on groups, as set out in the budget. And that money would be divided equitably among all student groups.

Mr. Kline asked to have the statistics displayed that were presented at the September 2 Exec Board meeting, particularly the allocations made by super group that were made in Round 1. Ms. Pannu said that wasn't the topic of debate, which was whether or not to amend the Resolution. The question being asked didn't deal with the substance of the Resolution.

Mr. Rabkin said the GA wasn't voting on funding procedures that evening, and those procedures weren't on the agenda. The agenda refers this to committee, and following that practice would mean there would be no question as to how this would affect procedures. He yielded time to Ms. Hsueh.

Ms. Hsueh, Business Manager, said that if they postpone funding to the 23rd, it will take time for the Business Office to actually produce this Excel sheet and send it over to the Funding Committee for its review. Then the Funding Committee will meet and decide what and what not to award, and the Funding Chair will decide how much money to allocate. If they calculate all that, then she'd have to say that by October 7, the next time the GA met, the Funding report would not be ready. If people were willing to wait and change the Delegate meeting from October 7 to something else, that would be a different story. But if they stay at October 7, then the report wouldn't be ready for GA approval, and nobody would get any money until it was approved.

A Delegate said that it sounded like the October 7 meeting won't happen. He called the question on the amendment. The motion to end debate was seconded and passed with no objection.

Ms. Ng said the vote was on the amendment to the Resolved Clause that Mr. Kramer has proposed. **THE MOTION TO APPROVE THE AMENDMENT PASSED BY VOICE-VOTE.**

Ms. Ng start the Resolution was now amended with the five parts of the Resolved Clause. They would now proceed to a discussion of the bill, as amended.

Mr. Kline asked to bring up the table at that time. He said the table shows how Round 1 funding was allocated for GMER, events funding. All of the super groups received 100% of what they requested. He noted that GMER was not grants.

A Delegate moved to amend the Resolution as previously amended, to change the added subdivision deadline to a few days earlier for the Business Office, to the 20th. And she would also like to take out lines 39 and 40. Ms. Ng said they'd have to pass the amendment first to the Resolved Clause.

THE MOTION TO AMEND 3), TO EXTEND ROUND 2 FUNDING TO SEPTEMBER 20, PASSED UNANIMOUSLY BY VOICE-VOTE. As amended, 3) would read as follows:

“3. That the deadline to apply for Round 2 funding will be extended to September 20 at 5 p.m. for the notification of student groups that funding procedures have returned to the procedures in the effect as of the May 2010 Delegates Meeting.”

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A Delegate moved to amend line 40, to delete “their asses off.” For the professional record of the GA, she thought they should change that. Mr. Marchand said they only amend Whereas Clauses after the Resolved Clause passes. There was no point debating points that don't do anything if the motion didn't pass. He asked if they could agree that if the Resolution passes, they'd entertain that motion to amend the Whereas Clause. There was no objection.

Ms. Pannu said the stated facts on the board were incorrect. The Law School submitted a certified letter based on its enrollment records and had an October 1 update from the Registrar.

Mr. Rabkin said the Law School has more Delegates than were authorized, and moved to strike the previous record as Law School Delegates were out of order. Ms. Pannu said the Law School brought 11 Delegates to the meeting that evening because they understood there was confusion. They were authorized to have 12, since there are 1,106 students. But there was confusion on the part of the E-Board and Business Office, and to defer to that confusion, they only brought 11 Delegates. Mr. Rabkin withdrew his objection.

Ms. Ng called for debate on the main motion.

Bahar Navab introduced herself and said she was from the Health Services and Policy Program. Her student group didn't apply for funding in the last round, but the proposed change would impact her groups. She supported Mr. Kramer's Resolution because it should be up to the Delegate body to vote on behalf of their student bodies. Delegates were there on behalf of their departments, so it should be Delegates to decide what happens with funding procedures and distribution. There are four By-laws listed in the Resolution, as well as the Charter, which give Delegates that power, not the Executive Board. The GA should put the Board's decision aside and go back to funding procedures as they were. If people want to have a conversation about changing procedures as the Funding Chair was recommending, that would be okay.

A Delegate Jonathan asked about 5), and what it meant to allocate any deficit to groups owed more funding than currently allocated. Mr. Kramer said that in light of 2), student groups would get what they would have gotten under the procedures that were authorized at the May, 2010 GA meeting and wouldn't get any less than that. No one would lose money from the current funding report. Student groups that

were owed more money, based on the lawfully enacted decision in May, 2010, would get what they were owed.

A Delegate said the information that was corrected was up on the screen.

Mr. Kline said the super group and the Law School were not the same.

A speaker said the room was reserved for another group, which was outside getting ready to prepare the room for its meeting. So the GA had to think about an alternate space to finish the discussion.

Mr. Kramer said that what has made people upset was that the Funding Committee and the Exec Board didn't come to the Law School to ask what these groups were about and why they use so much money. Delegates heard an explanation of that earlier. It was offensive to say that the Law School was taking everyone's money because they were being selfish; and that the E-Board, on its own, without following

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procedures, could change funding procedures for the GA. Only the Delegate body could do that, with a two-thirds vote. The numbers being shown on the screen were irrelevant.

A Delegate said it was unlikely anybody disagreed that the Law School was doing good work. But at the same time, all the other student groups were contributing in their own ways. The question was how this would affect allocations to those groups. There was already a limited supply. He asked what would happen if they return to the previous way of making allocations that evening, and then at the next meeting, decide to adopt the Exec Board's recommended funding procedures. Mr. Marchand said that was accounted for in the Resolution, and any differences would be used by money from the Contingency Fund. Ms. Navab said the change would only impact future rounds of funding.

Ms. Pannu said the numbers being shown weren't accurate for what the Law School got. They're not saying Law deserves more or less than anyone else. She wrote a bill about this in 2008-9, because the GA had this same problem. What needed to happen was to have debate and talk to each other. Imposing a Draconian solution wasn't working. She didn't think the E-Board acted in a way to hurt people, and rather, wanted to solve a perpetual problem. But that hurt people and needed the consideration of more people, with all the departments in the room.

Mr. Apgar said there didn't need to be so much rhetoric against the Executive Board. It was within its purview to act in place of the GA when the Delegate body was not in session. And now the GA was doing what it had the right to do, which was to review such a decision. The GA enacted 0811c to prioritize departmental equity and distribution of funds among student organizations. Law groups were doing great things, but the data bears out that the funds were not currently equally distributed. That was part of the problem there, and what was getting non-Law super group people a little upset. The amendment that was going to be proposed was going to challenge the idea of super groups.

Mr. Kramer said that his Resolution, as amended, would eliminate the idea of super groups until the GA had a chance to vote on it, as required by the By-laws.

Ms. Pannu said she was the author of Resolution 0811c. There was a previous Resolution, 0809, which failed. When they said "equity," they did not mean per capita. They could check the minutes from the

December meeting. They're a little confusing, but there were a lot of questions about what "equity" meant. They asked the Funding Committee to return with an answer about what it felt about it. The Funding Committee came back and said they thought it was too much work.

Ms. Pannu said that "equity" didn't mean "per person" or "proportional." They did not feel that met the mission of the GA, at the time. The Law School groups apply individually, and certain departments apply with only one organization. It didn't seem fair to departments organized differently. Engineering, e.g., has one overall student government, and it got the same amount of money as one individual Law group. People didn't think that was fair, so they asked the Funding Committee to take into account that different departments were organized differently and to come up with funding amounts that would be fair, instead of using a rote, mechanical system that divided things differently. The Funding Committee never came back with a proposal and instead, said they weren't going to do it.

A Delegate said there were two main points in the Resolution. One was that the By-laws were violated, which he disagreed with. The other point was how to allocate funding. Law students object to the change

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that occurred. Law students do very good work. The GA wanted to distribute money as equitably as possible. The question, then, was what that meant. The answer to that question was "super groups." The student body would be divided into 10% slices, and the money would be given out equally. The motivation was that students in super groups were where the funds come from. Many groups do good work. The question was the process. He thought the super group process was the fairest way to distribute money. The Law School was about 10% of the population and got 20% of the money. He thought they've been treated more than fairly.

Ms. Ng said they had to form committees that evening in order for the GA to function and needed to leave time for that.

Mr. Ortega said they could table this discussion and form committees, and then come back to this discussion.

A speaker asked if it was possible to electronically form committees.

Mr. Rabkin moved to recess for 5 minutes, to form committees, and then resume debate. The motion was seconded. Ms. Ng said there wouldn't be enough time to give people an idea of what committees do, and then give them time to choose, especially given the number of people in the room.

Mr. Marchand said they could hear an explanation of committees and then recess. They'd need a motion to table the debate on the Resolution. A motion to recess for five minutes, for the purpose of forming committees, passed by voice-vote. This meeting was recessed.

Back in session, Ms. Ng said there will be elections for Graduate Council Representatives and for the GA President at the next meeting.

A motion to extend time on discussion of the Resolution until 7:55 was made and seconded and passed with no objection.

Ms. Ng she was next on the speakers' list and would step out of the Chair position. Ms. Ng said she would like to speak as Rules Committee Chair. It's specified in the By-laws that the Executive Board can act as the Delegate Assembly during the summer. There are no caveats on that, except that the Delegate Assembly may approve or reject the Exec Board's decisions. The point of legality remained.

On a point of information, a Delegate said that 5.1.2, authority to act, states that the E-Board may act for the Assembly on matters of immediate concern, i.e., those matters in which the GA would normally take action but which require attention when the Assembly was not in session.

Ms. Ng said there have not been written funding procedures for the past couple of years. That needed to be rectified. Resolution 1009d establishes Funding Committee procedures and was referred to the Budget, Funding, and Rules Committees. It was also possible for someone, at the next GA meeting, to have competing procedures introduced and fast tracked.

Ms. Pannu said the discussion that evening was on Mr. Kramer's Resolution, not the By-laws. Ms. Ng said she was giving her informal analysis as Rules Chair. She would suggest having written funding

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procedures debated at the next meeting, and that instead of passing this Resolution, that they wait until the next meeting to establish new procedures.

Ms. Shekhar, Delegate for Jurisprudence and Social Policy, asked why voting down the motion would be advantageous instead of voting now.

On a point of order, Ms. Pannu said that according to the By-laws, Officers of the GA were not authorized to speak as Delegates on the floor. She would ask Delegates to yield them time if they would like to debate or make contentious comments.

Mr. Rabkin asked if there are existing funding procedures. He said he checked with Mr. Tuchman and the previous Rules Chair, Scott, and was told that Scott wrote Funding By-laws and that the GA never had written funding procedures. Funding procedures don't exist under the current system.

Ms. Pannu said that funding procedures were passed five years ago.

Ms. Ng said it was almost time to leave the room.

A motion to call the question was made and seconded.

Mr. Rabkin said they haven't heard the Executive Board's side of story.

The motion to call the question and end debate failed by hand-vote.

Ms. Ng said they needed to move from the room. This meeting was recessed.

Back in session, in Lower Sproul Plaza, Ms. Ng called for a motion extend time for the discussion of the Resolution. A motion to extend time by 20 minutes was made and seconded.

Ms. Ng said there apparently was a room in the Life Sciences Building that they could re-convene in.

A Delegate said they were arguing about funding procedures that they'll debate anyway. He would ask if their current situation would work, and moved to adjourn. Ms. Ng said there was no debate on that motion. A request was made for a roll-call vote. Ms. Ng said there were no rolls. The request was withdrawn. The motion to adjourn passed by division.

Ms. Ng said it was possible to call a Special Meeting.

This meeting adjourned at 8:10 p.m.

These minutes respectfully submitted by,

Steven I. Litwak
Recording Secretary