Associated Students Council
Humboldt State University
Meeting on Monday, November 5, 2012
University Center, South Lounge
2:00 p.m.
Agenda #9

I.       Call to Order

II.      Roll Call

III.     Approval of Agenda #9 – Action Item

IV.      Chair's Report

V.       Approval of Minutes

A.      Approval of Minutes #8 dated October 22, 2012 – Action Item

VI. Public Comments (As per the Gloria Romero Open Meeting Act of 2000 authorized by Section 89306.)

Every A. S. Council agenda for regular meetings shall provide an opportunity for members of the public to directly address the A. S. Council on any item affecting higher education at the campus or statewide level, provided that no action shall be taken on any item not appearing on the agenda. However, Council may briefly respond to statements made or questions posed by a person exercising his or her public testimony rights, may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. A. S. Council may also provide a reference to resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or request that a matter of business be placed on a future agenda.

Persons recognized by the Chair should first identify themselves by name. Time limits will be established by the Chair depending on the number of people wishing to speak and the length of the Agenda. The maximum amount of time per speaker shall not exceed 10 minutes. Public comments regarding items on the agenda will be taken prior to each agenda item.

VII. Program Presentations

Program Presentations are an opportunity for the AS Council to learn more about different AS funded Programs. A representative from the scheduled AS Program will present information regarding the activities of the program and opportunities to get involved. Programs are allotted ten minutes each.

A. Waste Reduction & Resource Awareness Program (Kaitlin Carney)

VIII. Appointments to Committees and Council

A. A. S. President (Ellyn Henderson)
B. A. S. Administrative Vice President (Paul Yzaguirre)
C. A. S. Legislative Vice President (Matthew Lutwen)
D. A. S. Student Affairs Vice President (Megan Reynolds)

IX. Old Business

A. Resolution No. 2012-13-5: Resolution of Opposition to the CSU’s Proposed Fee Package Hikes – Action Item
This resolution opposes the proposed fee package that includes the course repeat fee, the graduation incentive fee and the third tier fee.

B. Operating Agreement between California State University (CSU) and Associated Students of Humboldt State University – Action Item
   Approval of the Renewal of the Operating Agreement between the Associated Students of Humboldt State University and the California State University for a term of January 1, 2013 through December 31, 2017. The AS Executive Committee has recommended approval of the Operating Agreement.

X. Official Reports (10 minutes limit each speaker, additional time at discretion of Chair)
   A. Committee Reports from Students-at-Large (This is a time for students appointed to committees/boards to give a report to Council)
   B. College Representative Reports
   C. Graduate Student Representative (Raymond Alvarez)
   D. Vice President for Enrollment Management and Student Affairs (Dr. Peg Blake)
   E. General Manager (Joan Tyson)
   F. AS Presents (Jeff Novoa)
   G. CSSA (Jesse Hoskins)
   H. Legislative Vice President (Matthew Lutwen)
   I. Student Affairs Vice President (Megan Reynolds)
   J. Administrative Affairs Vice President (Paul Yzaguirre)

Board of Finance Report – October 22, 2012

1. Request from the California State Student Association (CSSA) to amend CSSA Budget Language #5 to allow two trips to the State Capitol in the Spring semester – Information Item
   The State Legislature is out of session until late January and little benefit would be gained from a lobbying trip in the Fall semester.

2. Request from Associated Students Government from Unallocated in an amount not to exceed $150 for the costs associated with the purchase of 20 t-shirts for the AS Council– Information Item
   The Associated Students Government would like to purchase white t-shirts that will be used to create program apparel for the 2012-13 AS Council and Staff.

3. Request from Associated Students Government from Unallocated in an amount not to exceed $948 for the costs associated with the purchase of a EZ-Up Canopy with custom graphics– Action Item
   The Associated Students Government would like to purchase a EZ-Up Canopy with custom graphics to improve outreach efforts. The canopy would be available for use by AS Programs.

4. Request from the MultiCultural Center for suspension of AS Budget Language #14 to approve the purchase of Food for the 2012 Moon Festival in an amount not to exceed $510 – Information Item
   AS Budget Language #14 sates: Clubs and Programs that receive a Cultural Programming Grant may spend up to $200 for food for that event. Food purchases must be an integral part of the program, not the sole purpose of the program/event (i.e., a dinner). Funding has been approved by the AS Events Funding Board however the program requesting funds was unaware of the budget language.
5. Cancel or Reschedule Board of Finance Meeting: 2:00 p.m. Wednesday, November 14, 2012 – Information Item
   The 2012-13 Board of Finance Meeting Calendar includes a meeting scheduled for Wednesday, November 14, 2012. Concern was risen that quorum may not be able to be met at the September 17, 2012 meeting. The Board may Cancel or Reschedule this meeting.

K. President (Ellyn Henderson)

XI. General Council Discussion (At this time Council members and Executives may follow-up with questions regarding reports.)

XII. New Business

XIII. General Council Work Session

XIV. Announcements

XV. Adjournment
Call to Order

Matt Lutwen, Legislative Vice President, called the meeting to order at 2:00 p.m. in the University Center, South Lounge.

Roll Call

Representatives Present: Ray Alvarez, Jesse Carpentier, Rachelle Dilley, Clay Gallardo, Daryl Grable, Mick Johnson, Tony Lapiz, Francesca McDonald, Évan Petillo, Greg Pfotenhauer, Zane St. Martin, Nina Ziccone

Officers Present: Ellyn Henderson, Matthew Lutwen, Megan Reynolds (late), Paul Yzaguirre

Advisors Present: Jesse Hoskins, Jeff Novoa, Joan Tyson

Advisors Absent: Dr. Peg Blake (excused)

Approval of Agenda

MOTION: ST. MARTIN/YZAGUIRRE move to approve Agenda #8 dated October 22, 2012

APPROVED

Chair’s Report

Lutwen welcomed the Council to the meeting.

Approval of Minutes

A. Approval of Minutes #7 dated October 8, 2012 – Action Item

MOTION: LAPIZ/PETILLOYZAGUIRRE move to approve Minutes #7 dated October 8, 2012

APPROVED

Public Comments (As per the Gloria Romero Open Meeting Act of 2000 authorized by Section 89306.)

There was no public comment.

Program Presentation

A. Women’s Resource Center (Liliana Gandarilla)

Liliana Gandarilla, the Women’s Resource Center (WRC) Fiscal Coordinator, was present on behalf of the
program. The WRC aims to provide tools, support and safe spaces for empowerment and for people to
dismantle systems of power, privilege and oppression. The center also hosts many annual program
including: Take Back the Night, Women’s Herstory Month and The Clothesline Project. More information
can be found at: www.humboldt.edu/hsuwomen

**Appointments to Committees and Council**

A.S. President (Ellyn Henderson)
No Appointments.

A.S. Administrative Vice President (Paul Yzaguirre)
No Appointments

A.S. Legislative Vice President (Matt Lutwen)

MOTION: YZAGUIRRE/GRABLE move to appoint Michelle Hameed to the International Programs
Screening Committee APPROVED

MOTION: LAPIZ/MCDONALD move to appoint Michelle Hameed to the Environmental Health and
Occupational Safety Committee APPROVED

A.S. Student Affairs Vice President (Megan Reynolds)
Reynolds made her appointment at 3:05 p.m. directly after A.S. Council Reports.

MOTION: LAPIZ/YZAGUIRRE move to appoint Haley Du Bois to the Student Health Center Advisory
Committee APPROVED

**Old Business**

A. Amendment to the Associated Students of Humboldt State University Articles of Incorporation –
Action Item
At the May 2012 CSU Board of Trustees meeting, a resolution was passed allowing the CSU
Chancellor, rather than the Board of Trustees, to approve the disposition of assets upon
dissolution of an auxiliary organization. An amendment to the Associated Students Articles of
Incorporation is required by December 31, 2012 to comply with revisions to Title 5. The AS
Executive Committee has recommended approval to the AS Council.

MOTION: YZAGUIRRE/LAPIZ move to approve the amendment to the Associated Students of
Humboldt State University Articles of Incorporation

Lutwen opened the floor to public comment. There was no public comment.

Tyson explained that the CSU Board of Trustees resolved that the Chancellor, rather than the Board of
Trustees, should have the authority to dispose of an Auxiliary assets upon dissolution of the organization.
As a result, the Associated Students Articles of Incorporation will need to be amended to reflect the
changes. Henderson noted that the process will allow the dissolution of assets to be handled quickly and
that a decision of net assets would be made at the campus level.

B. Halloween Cleanup Community Service – Action Item
The AS Council determined that a goal for 2012-13 would be campus unity and identified that assisting the community with downtown cleanup the day after Halloween would help the Council reach this goal. The AS Executive Committee has recommend approval of this community service activity.

Lutwen opened the floor to public comment.

Michelle Hameed, a student at large, asked if this was going to be an annual activity of the Associated Students Council. Tyson responded that as of this point the cleanup is a one-time special project.

MOTION: LAPIZ/HENDERSON move to approve the Halloween Cleanup Community Service activity

Tyson noted that the Associated Students is approving this activity to allow for insurance coverage of volunteers. The hours of the community service will be from 11:00 a.m. – 5:00 p.m. on Thursday, November 1 and 8:00 a.m. – 5:00 p.m. on Friday, November 2.

Official Reports (10 minutes limit each speaker, additional time at discretion of Chair)

St. Martin – College of Arts, Humanities and Social Sciences
St. Martin reported that the Voter Registration Pizza Event was successful and 75 students were registered to vote.

Petillo – College of Arts, Humanities and Social Sciences
Petillo reported that he attended the CAHSS Budget Committee meeting last Monday and that the budget has been forwarded to the Dean for approval.

Ziccone – College of Arts, Humanities and Social Sciences
Ziccone reported that she has introduced herself to YES as their AS liaison. Ziccone will be receiving updates on the activities of YES so that she may update the Council.

Lapiz – College of Professional Studies
Lapiz reported that he attended the University Senate meeting and that the proposal to change the University Academic Calendar revision item has been sent back to committee. The University Senate has been discussing Distance Education. Lapiz reported that the Voter Registration event was successful.

Carpentier – College of Professional Studies
Carpentier reported that she will be meeting with representatives from The Learning Center to which she is a Liaison to. Carpentier has reached out to the department of Theater, Film and Dance regarding a news stream production by Associated Students.

Gallardo – College of Professional Studies
Gallardo reported that he volunteered at the Latino Health Fair on Saturday. Gallardo reported that the MultiCultural Center is hosting study sessions on Tuesday evenings, but that there has been low attendance.

Dilley – College of Natural Resources and Sciences
Dilley reported that she will be attending the meetings of the Women’s Resource Center and the Eric Rofes MultiCultural Queer Resource Center and has signed up to be their liaison.

Grable – College of Natural Resources and Sciences
Grable reported that he performed with Demolishion at the Pep Rally on Friday. Grable attended the Student Fee Advisory Committee meeting this morning. Grable will be meeting with Henderson to discuss the “How to Get Lucky” website.

Pfotenhauer – College of Natural Resources and Sciences
Pfotenhauer reported that he attended the Student Fee Advisory Committee meeting this morning. Pfotenhauer also attended his first AS Presents committee meeting.

Johnson – At Large
Johnson reported that he attended the Pep Rally on Friday night.

McDonald – At Large
McDonald reported that there has been little feedback from people who are willing to volunteer for the Plaza Clean up event and that she is considering canceling the volunteer opportunity.

Alvarez – Graduate Representative
Alvarez reported that he has spoken to a student representative on the Graduate Student Council and will be working with her to create a social networking event for graduate students.

Vice President of Enrollment Management and Student Affairs (Peg Blake)
Absent.

General Manager (Joan Tyson)
Tyson reported that she attended the Pep Rally on Friday night and acknowledged Henderson’s work as emcee at the Pep Rally. Tyson also noted that Grable’s performance with Demolishion was outstanding. Tyson is seeking feedback on the Pep Rally.

AS Presents Coordinator (Jeffrey Novoa)
Novoa reported that Macklemore and Ryan Lewis will be performing on Tuesday, October 23 at 10:00 p.m. in the Depot. Brother Ali will be performing on Wednesday, October 24 at 9:00 p.m. in the Depot.

California State Student Association (CSSA) Representative (Jesse Hoskins)
Hoskins reported that over 726 students have been registered by Associated Students to vote and that Hoskins will be receiving a final count of registered voters by tomorrow. Hoskins thanked the Lobby Corps for their excellent efforts on voter registration. The Board of Trustees is considering a three fee package: The Graduation Incentive Fee will charge out of state tuition for students above 150 units; The Course Repeat Fee will charge an additional $100.00 per unit for each course repeated; The Third Tier Tuition Fee will charge an additional $200.00 per unit to students who are enrolled over 18 units. The CSU Academic Senate is considering a state wide campus ban on smoking. The CSSA Greenovation fund is providing grants for student programs. The Deadline for Greenovation funds is Friday, November 30.

Legislative Vice President (Matt Lutwen)
Lutwen reported that last week he worked with a couple of students from the Student General Assembly on a resolution. The General Assembly meets at 7:00 p.m. in the South Lounge. The Student General Assembly is trying to collect student testimonials about barriers to success that they encounter in their education. Lutwen was a judge in the RHA Door Decorating Contest. Provost Snyder has agreed to include students in the process of how CSU Graduation Incentives will be implemented on the campus level.

Student Affairs Vice President (Megan Reynolds)
Reynolds reported that she attended the Pep Rally on Friday, October 19. Reynolds has requested funds from the Board of Finance for t-shirts.

**Administrative Vice President Report (Paul Yzaguirre)**

Yzaguirre reported that he will be attending the AS Event Funding Committee meeting on Friday.

**Board of Finance Report – October 15, 2012**

1. Review and approval of Associated Students 2011/2012 Comparison of Budget to Actual – Action Item

As per AS Fiscal Code 9.01 the Board shall review and recommend approval of the annual comparison of budget to actual program budget details. The Comparison of Budget to Actual details the budgeted revenue and expense of each AS Program.

MOTION: HENDERSON/LAPIZ move to approve Associated Students 2011/2012 Comparison of Budget to Actual

APPROVED

Tyson reviewed the 2011/2012 Comparison of Budget to Actual with the AS Council. Lutwen asked if the Board of Finance would incorporate the 2011/2012 Comparison of Budget to Actual when planning the 2013-14 budget later in the year. Tyson stated that the document may be referenced but the Board of Finance would also be able to review the 2012/13 mid-year budget report. Tyson explained that unspent funds from the prior year are reallocated into the Associated Students Reserve funds.

2. Request from Associated Students General Operations from Unallocated in an amount not to exceed $1,500- for the costs associated with AS program website development – Action Item

The Waste Reduction & Resource Awareness Program is in need of website development services. The website will be updated to be compatible with the CSU Accessible Technology Initiative (ATI).

MOTION: HENDERSON/GRABLE move to approve request from Associated Students General Operations from Unallocated in an amount not to exceed $1,500 for the costs associated with AS program website development

APPROVED

Novoa asked if all AS Programs will be receiving new websites. Tyson responded that programs which are student-led have received assistance for website development.

**President (Ellyn Henderson)**

Henderson reported that she attended the Advancement Foundation Board of Director’s meeting on Friday, October 19. The Advancement Foundation reviewed projects from the goals that were set last year. Two of these projects include the Green and Gold Room Renovation and the Centennial Grove and both projects are on track to be completed. Henderson met with Dr. Teressa Gernot, Dean of the Library and President Richmond regarding extension of library hours during finals week and has discussed hosting the AS Study Lounge during finals week. Henderson is submitting a request for a canopy with an AS logo that can be used during inclement weather. Henderson attended the Student Fee Advisory Committee on October 22 and the Board of Finance meeting on October 15. Henderson is working with the Residence Housing Association on a HSUnity event for the spring semester.

**General Council Discussion**

Hoskins reported that there will be a voter education event on Monday, November 5 from 8:00 – 10:00 p.m.
in the Kate Buchanan Room. He will be proposing the event at the AS Executive Committee meeting on Wednesday. Hoskins will be seeking assistance from AS Council members for the event. Henderson stated that the AS Council should continue its volunteer efforts for the Halloween Clean Up service project. Henderson provided directions on how to register to vote online. Lapiz gave the You Rock Rock to Matthew Lutwen for his efforts with the Residence Housing Association. Pfotenhauer supported efforts to keep the Library opened during finals week. McDonald noted that assistance is needed from a Council member who can supervise cleanup efforts on Thursday, November 1 from 8:00 a.m. – 11:00 a.m. and that many more volunteers are needed.

**General Council Work Session**

There was no General Council Work Session.

**Announcements**

Lutwen announced that on November 14 from 10:30-11:30 a.m. he will be presenting his undergraduate thesis on post-colonial Africa in Nelson Hall East 106.

**Adjournment**

Lutwen adjourned the meeting without objection at 3:24 p.m.

Recorded by:

Rob Christensen
AS Council Assistant

Approved by:

Matt Lutwen
Legislative Vice President
Call to Order

Paul Yzaguirre called the Board of Finance meeting to order at 2:00 p.m. on Monday, October 29, 2012 in the Nelson Hall East 120.

Roll Call

Members Present: Paul Yzaguirre, Ellyn Henderson, Jesse Carpentier, Stefan Kreid, Tony Lapiz
Advisor Present: Joan Tyson

Approval of the Agenda

MOTION: HENDERSON/KREID move to approve Agenda #4 APPROVED

Chair's Report

Yzaguirre reported that the Board of Finance will now include Public Comment.

Public Comment

There was no Public Comment.

Approval of the Minutes

A. Approval of Minutes #3 dated October 15, 2012 – Action Item

MOTION: LAPIZ/CARPENTIER move to approve the Board of Finance Minutes #3 dated October 15, 2012 as corrected APPROVED

Christensen noted that the minutes incorrectly listed Tyson as absent.

Old Business

A. Request from the California State Student Association (CSSA) to amend CSSA Budget Language #5 to allow two trips to the State Capitol in the Spring semester – Action Item
The State Legislature is out of session until late January and little benefit would be gained from a lobbying trip in the Fall semester.

MOTION: LAPIZ/KREID move to approve the request from CSSA to amend CSSA Budget Language #5 to allow two trips to the State Capitol in the Spring Semester APPROVED
Lapiz was present on behalf of the request. Lapiz explained that the Legislature is not currently in session and that the funds would be moved to allow for an additional lobby trip in the spring.

B. Request from Associated Students Government from Unallocated in an amount not to exceed $150 for the costs associated with the purchase of 20 t-shirts for the AS Council—Action Item
   The Associated Students Government would like to purchase white t-shirts that will be used to create program apparel for the 2012-13 AS Council and Staff.

MOTION: HENDERSON/LAPIZ move to approve the request from Associated Students Government from Unallocated in an amount not to exceed $150 for the costs associated with the purchase of 20 t-shirts for the AS Council APPROVED

Henderson was present on behalf of the request. Henderson stated that the shirts will be tie-dyed and the costs associated with tie-dye materials will be purchased with the Student Affairs Vice President’s Special Projects funds. The Board of Finance advised that other options than tie-dye be made available.

C. Request from Associated Students Government from Unallocated in an amount not to exceed $948 for the costs associated with the purchase of a EZ-Up Canopy with custom graphics—Action Item
   The Associated Students Government would like to purchase an EZ-Up Canopy with custom graphics to improve outreach efforts. The canopy would be available for use by AS Programs.

MOTION: HENDERSON/LAPIZ move to approve the request from Associated Students Government from Unallocated in an amount not to exceed $948 for the costs associated with the purchase of a EZ-Up Canopy with custom graphics APPROVED

Henderson was present on behalf of the request. Henderson stated that she would like to invest in a canopy for the Associated Students to use while tabling at events. The canopy would be similar to canopies purchased by CenterArts and Center Activities. The canopy would come with a two year warranty.

D. Request from the MultiCultural Center for suspension of AS Budget Language #14 to approve the purchase of Food for the 2012 Moon Festival in an amount not to exceed $510—Action Item
   AS Budget Language #14 states: Clubs and Programs that receive a Cultural Programming Grant may spend up to $200 for food for that event. Food purchases must be an integral part of the program, not the sole purpose of the program/event (i.e., a dinner). Funding has been approved by the AS Events Funding Board however the program requesting funds was unaware of the budget language.

MOTION: LAPIZ/HENDERSON move to approve the request from the MultiCultural Center for suspension of AS Budget Language #14 to approve the purchase of Food for the 2012 Moon Festival in an amount not to exceed $510 APPROVED

Yzaguirre explained that the Board of Finance has received a request from Marylyn Paik-Nicely, Director of the MultiCultural Center, seeking an exception to AS Budget Language #14. In the
memo Paik Nicely explained that she made an oversight by not reading the changes to the budget language and apologized for the occurrence. Tyson explained that if the Board were not to approve this than Paik Nicely would only be able to receive a $200 reimbursement. Lapiz asked why there was an inside limit on food purchases with funds from Cultural Programming Grants. Tyson explained that placing a limit on the amount of food purchases allow funding to be preserved for other grants. Lapiz asked if the budget language only applies to the MultiCultural Center. Tyson noted that the language applies to any club or program that receives a Cultural Programming Grant. Yzaguirre noted that clubs and programs are not limited to spending only $200 on food purchases, but may only use $200 in grant funds for food purchases.

E. Cancel or Reschedule Board of Finance Meeting: 2:00 p.m. Wednesday, November 14, 2012 – Action Item
The 2012-13 Board of Finance Meeting Calendar includes a meeting scheduled for Wednesday, November 14, 2012. Concern was risen that quorum may not be able to be met at the September 17, 2012 meeting. The Board may Cancel or Reschedule this meeting.

MOTION: LAPIZ/HENDERSON move to reschedule the Board of Finance Meeting originally scheduled for Wednesday, November 14, 2012 at 2:00 p.m. to 1:00 p.m. APPROVED

It was determined that a quorum would be reached for a meeting at 1:00 p.m. on Wednesday, November 14, 2012.

Announcements

Lapiz reminded the Board that the Federal Election is Tuesday, November 5.

Adjournment

Yzaguirre adjourned the meeting at 2:33 p.m. without objection.

Recorded by:

Rob Christensen
A.S. Council Assistant

Approved by:

Paul Yzaguirre
A.S. Administrative Vice President
Chair Board of Finance
This agreement is made and entered into by and between the Chancellor of the California State University on behalf of the Board of Trustees (CSU) and Associated Students of Humboldt State University (Auxiliary). The term of this agreement shall be January 1, 2013 through December 31, 2017 unless sooner terminated as herein provided.

1. PURPOSE

The purpose of this agreement is to set forth the terms and conditions under which Auxiliary may operate as an auxiliary organization pursuant to Education Code Sections 89900 et seq. and Sections 42400 et seq. of Title 5 of the California Code of Regulations (CCR). In entering this agreement, CSU finds that certain functions important to its mission are more effectively accomplished by the use of an auxiliary organization rather than the usual state procedures.

2. PRIMARY FUNCTION OF THE AUXILIARY

In consideration of receiving recognition as an official auxiliary organization of the CSU, Auxiliary agrees, for the period covered by this agreement, that its primary activity generally can be classified as:

• Student Body Organization

In carrying out this activity, the Auxiliary engages in the following functions authorized by Section 42500, Title 5, CCR, which are activities essential and integral to the educational mission of the University:

1. Student Body Organization Programs
2. Instructionally related Programs and activities, including Agriculture, Athletics, Radio and Television Stations, Newspapers, Films, Transportation, Printing and other Instructionally Related Programs and Activities

Auxiliary further agrees to receive and apply exclusively the funds and properties coming into its possession toward furthering these purposes. Prior to initiating any additional functions, Auxiliary agrees to amend the existing operating agreement.

3. CAMPUS OVERSIGHT AND OPERATIONAL REVIEW

The responsibility and authority of the campus president regarding auxiliary organizations is outlined in Title 5 Section 42402, which in part requires that auxiliary organizations operate in conformity with policy of the Board of Trustees and the campus. The campus President has been delegated authority by the CSU Board of Trustees (Standing Orders Section IV) to carry out all necessary functions for the operation of the campus. The operations and activities of Auxiliary under this agreement shall be integrated with campus operations and policies established by the President and shall be overseen by the campus Chief Financial Officer or designee so as to assure compliance with objectives stated in Title 5 Section 42401.
Auxiliary agrees to assist the Chief Financial Officer and his or her designee in carrying out the compliance and operational reviews required by applicable Executive Orders and related policies.

4. OPERATIONAL COMPLIANCE

Auxiliary agrees to maintain and operate its organization in accordance with all applicable laws, regulations and policies promulgated by the Federal Government, the State, Chancellor and Campus on which the Auxiliary operates. Failure of Auxiliary to comply with any term of this agreement may result in the removal, suspension or placing on probation of Auxiliary as an auxiliary organization in good standing. Such action by CSU may involve the limitation or removal of Auxiliary's right to utilize the resources and facilities of Campus (ref. Title 5, CCR, 42406).

5. CONFLICT OF INTEREST

No officer or employee of the CSU shall be appointed or employed by Auxiliary if such appointment or employment would be incompatible, inconsistent or in conflict with his or her duties as a CSU officer or employee.

6. EXPENDITURES AUGMENTING CSU APPROPRIATIONS

With respect to expenditures for public relations or other purposes which would serve to augment appropriations for CSU operations, Auxiliary may expend funds in such amount and for such purposes as are approved by Auxiliary's governing body. Auxiliary shall file, as Attachment 1 to this Agreement, a statement of Auxiliary's policy on accumulation and use of public relations funds. The statement shall include the policy and procedures for solicitation of funds, the purposes for which the funds may be used, the allowable expenditures and procedures of control.

7. FISCAL AUDITS

Auxiliary agrees to comply with CSU policy and the provisions of Section 42408 of Title 5, CCR regarding fiscal audits. All fiscal audits shall be conducted by auditors meeting the guidelines established the Integrated CSU Administrative Manual (ICSUAM).

The campus Chief Financial Officer shall submit to the Chancellor’s Office (see Notices below) the written evaluation of the external audit firm selected by the Auxiliary. This review must be conducted annually and prior to entering into an engagement letter with an external audit firm. If the Auxiliary has not changed auditor and the audit firm was previously subjected to this review only a limited review need be submitted.

9. CHANGE OR MODIFICATION OF CORPORATE STATUS

Auxiliary shall provide notice to the CSU upon any change in Auxiliary's legal, operational or tax status including but not limited to changes in Articles of Incorporation, bylaws, tax status, bankruptcy, dissolution or change in name.
10. FAIR EMPLOYMENT PRACTICES

In the performance of this agreement, and in accordance with Government Code 12900 et. seq., Auxiliary shall not deny employment opportunities to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation or veteran's status. Auxiliary shall adopt employment procedures consistent with the policy statement on nondiscrimination and affirmative action in employment adopted by the CSU.

11. DISPOSITION OF ASSETS

Attached hereto as Attachment 2 is a copy of Auxiliary's Constitution or Articles of Incorporation (as applicable) which establishes that upon dissolution of Auxiliary, the net assets other than trust funds shall be distributed in accord with Section 42600, Title 5, CCR. For the period covered by this agreement, Auxiliary agrees to maintain this provision as part of its Constitution or Articles of Incorporation. In the event Auxiliary should change this provision to make other dispositions possible, this agreement shall terminate as of the date immediately preceding the date such change becomes effective and all net assets shall become the property of CSU.

Alternatively, upon termination or breach of this agreement, CSU, at its sole discretion, may require Auxiliary to transfer all assets in its possession to a successor nonprofit corporation qualifying as an auxiliary organization. This remedy shall be in addition to any other remedies available to CSU upon termination or breach of this agreement.

12. USE OF CAMPUS FACILITIES

Auxiliary may use those facilities identified for its use in a lease agreement executed between Campus and Auxiliary.

Auxiliary may use Campus facilities and resources for research projects and for institutes, workshops, and conferences only when such use does not interfere with the instructional program of Campus and upon the written approval from appropriate Campus administrators with such specific delegated authority. Auxiliary shall reimburse Campus for costs of any such use.

13. DISPOSITION OF NET EARNINGS

Auxiliary agrees to comply with CSU and Campus policy on expenditure of funds including, but not limited to, CSU guidelines for the disposition of revenues in excess of expenses and CSU policies on maintaining appropriate reserves.

14. ACCEPTANCE, ADMINISTRATION, AND USE OF GIFTS

Auxiliary agrees, if authorized to do so in Section 2 above, that it will accept and administer gifts, grants, contracts, scholarships, loan funds, fellowships, bequests, and devises in accordance with policies of CSU and Campus.
A. Delegation of Authority to Accept Gifts

If authorized, Auxiliary may evaluate and accept gifts, bequests and personal property on behalf of CSU. In acting pursuant to this delegation, due diligence shall be performed to ensure that all gifts accepted will aid in carrying out the CSU mission as specified in Education Code Sections 89720 and 66010.4(b).

B. Reporting Standards

Gifts shall be recorded in compliance with the Council for Advancement and Support of Education and California State University reporting standards and shall be reported to the Chancellor’s Office on an annual basis in accordance with Section 89720 of the Education Code.

C. Donor Rights

All donors of gifts, bequests and personal property shall be treated openly and fairly in accordance with the “Donor Bill of Rights” found at: http://www.calstate.edu/foundation/donor.shtml.

15. INDEMNIFICATION

Auxiliary agrees to indemnify, defend and save harmless the CSU, its officers, agents, employees and constituent campuses (all of which are hereafter referred to as “CSU”) from any and all loss, damage, or liability that may be suffered or incurred by CSU, caused by, arising out of, or in any way connected with the operation of Auxiliary as an auxiliary organization.

16. INSURANCE

Auxiliary shall maintain insurance protecting the CSU and Campus as provided in this section. CSU’s Systemwide Office of Risk Management shall establish minimum insurance requirements for Auxiliaries, based on the insurance requirements described in Technical Letter RM “RM 2011-04” or its successor then in effect. Auxiliary agrees to maintain at least these minimum insurance requirements.

Auxiliary’s participation in a coverage program of the California State University Risk Management Authority (CSURMA) shall fully comply with the insurance requirement for each type of required coverage (which may include but not be limited to, general liability, auto liability, directors and officers liability, fiduciary liability, professional liability, employer’s liability, pollution liability, workers’ compensation, fidelity, property and any other coverage necessary based on Auxiliary’s operations). Auxiliary shall ensure that CSU and campus are scheduled as additional insured or loss payee as its interests may appear.

17. NOTICES

All notices required to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed to all parties as provided below.
Notice to Auxiliary shall be addressed as follows:

Associated Students  
Humboldt State University  
Arcata, California  95521

Notice to the CSU shall be addressed to:

Trustees of the California State University  
401 Golden Shore  
Long Beach, California  90802  
Attention: Director, Contract Services & Procurement

Notice to the Campus shall be addressed as follows:

President  
Humboldt State University  
Arcata, California  95521

IN WITNESS WHEREOF, this agreement has been executed by the parties hereto.

Approved: _________________, 2012  
HUMBOLDT STATE UNIVERSITY

By ___________________________  
President

Executed on _________________, 2012  
ASSOCIATED STUDENTS,  
HUMBOLDT STATE UNIVERSITY

By ___________________________  
General Manager

Executed on _________________, 2012  
California State University  
Office of the Chancellor  
Contract Services and Procurement

By ___________________________
RESOLUTION No. 2012-13-5

REFERRED TO: AS COUNCIL
ACTION SCHEDULED: November 5, 2012

SIGNED BY: *Ten Students At-large

SUBJECT: Resolution of Opposition to the CSU’s Proposed Fee Package Hikes

1.) WHEREAS, The State Legislature mandates within the Donahoe Higher Education Act that the people of California “should have the opportunity to continue as long and as far as his or her capacity and motivation, as indicated by academic performance and commitment to educational advancement, will lead him or her to meet academic standards and institutional requirements” (66201); and,

2.) WHEREAS, The CSU’s declared mission statement “requires of its advanced degree and credential recipients a depth of knowledge, completeness of understanding, and appreciation of excellence that enables them to contribute continuously to the advancement of their fields and professions;” and,

3.) WHEREAS, The proposed Course Repeat Fee, Graduation Incentive Fee, and Third Tier Fee, which shall further be referred to jointly as the “Fee Package”, seek to continue to close the CSU funding gap with yet another round of fee/tuition increases; and,

4.) WHEREAS, According to HSU’s Campus Quality Survey (Fall 2012), “The greatest obstacle to completing an education is financial factors. Nearly 30% of students ranked this [as their number one obstacle];” and,

5.) WHEREAS, The Third Tier Fee for resident undergraduates would increase the fee per unit by $200 for every unit beyond 16 units in a semester (BOT Agenda September 2012); and,

6.) WHEREAS, At HSU 11.2% of the student body (excluding graduate and credential based students) took over 17 units during the Fall 2011, averaging 18.9 units per student (extrapolated from Institutional Research and Planning data); and,

7.) WHEREAS, Policies that prevent students from enrolling in empty seats, prior to the enrollment deadline, do not sensibly function at the betterment of students, nor do they increase graduation rates, a stated intention of the Fee Package; and,

8.) WHEREAS, The Course Repeat Fee for resident undergraduates would increase the fee per unit of repeated courses by $100 per unit; and

9.) WHEREAS, Humboldt State University has already implemented a policy regarding students’ ability to repeat courses, and further policy would amount to bureaucratic redundancy; and,

10.) WHEREAS, According to CSU Statistical Abstracts, the tuition of students affected by the Graduation Incentive Fee has already increased 64% in the last four years, and 318% over the last decade; and, the proposed addition of $372 per unit, or an amount equal to out of state tuition, for every unit beyond 150 units that a student enrolls in, would be a restricting barrier to their education; and,
WHEREAS, Many “super seniors” have qualitatively unique situations that have led them to approach the 150 unit mark more swiftly than others, such as career changes, vocational courses taken at community colleges, higher education exploration at community colleges, family commitments, multiple minors, extended education coursework, continuing education coursework, additional certificate programs, or double majors, all of which are not taken into consideration under the proposed Graduation Incentive Fee; and,

WHEREAS, HSU is well known for our environmental and biological science programs; and, data sets from the HSU Institutional Research and Planning illustrate that students who graduated between the Spring of 2006 and 2009 with BS degrees acquired an average total of 165.1 units, a comparatively higher number than the average of 149.7 units completed by students who graduate with a BA; thus students pursuing a BS would be disproportionately harmed by the proposed Graduation Incentive Fee; and,

WHEREAS, The State Legislature acknowledges the goal and significance of equity in public higher education in that the “state’s future economic, social, and cultural development depends upon ensuring that all its citizens have opportunities to contribute their best to society” (66002 (f)(1)); and,

WHEREAS, Students from disadvantaged and underfunded public schools, as well as English Language Learners, may require more units at college due to matriculation, remediation, and prerequisite courses before completing traditional degree requirements; and,

WHEREAS, The 6 year Underrepresented Minority (URM) graduation rate at HSU has plummeted by 14% during the last decade, a period which has also seen a 318% tuition increase; and, the Chancellor’s office has not sufficiently shown that the proposed Fee Package will not result in lower graduation rates among URM students; and,

WHEREAS, According to the HSU Report on English Remediation (Fall 2011), “Students with disabilities had a higher proportion (42%) of students who needed English remediation as compared to all students (31%),” and as the proposed Fee Package does not account for the needs of disabled students, a high potential for disproportionate affects exists; and,

WHEREAS, The Associated Students of Humboldt State University are committed to the interests of those students currently enrolled in the CSU higher education system who have been actively pursuing both bachelor’s and master’s degrees and should be allowed to complete their college academic plans without undue restraints, while also desiring the creation of policy that protects the interests of incoming freshman and transfer students as well; and,

WHEREAS, The Associated Students of Humboldt State University recognizes the tough and complex decisions that the Board of Trustees has had to make, and, acknowledges that it is clear that a piecemeal approach based upon continuous fee increases is no longer a viable and sustainable solution; therefore, be it,

RESOLVED, That the Associated Students of Humboldt State University are opposed to the proposed Fee Package that could prevent current and future students from obtaining degrees in a timely fashion, if at all; and be it further,

RESOLVED, That before a Graduation Incentive Fee is approved, or any other fee declaring a hard limit on financial aid based upon a specific unit cap, the Board of Trustees should analyze the effects of such a regulation upon California’s URM students who have a protected status and a rich history within the CSU; and be it finally,

RESOLVED, That the Associated Students of Humboldt State University call upon the Board of Trustees to better represent the individuals of the various CSU institutes by implementing further measures to solicit and examine the opinions and ideas of students, alumni, and faculty, in seeking the creation of solutions to complex educational issues.

* Original Signatures are on file in the Associated Students Business Office