

Associated Students Council
Humboldt State University
Monday, March 7, 2016
University Center Banquet Room
Minutes #18

Call to Order

Macias, Legislative Vice President, called the meeting to order at 3:00 p.m. in the University Center Banquet Room.

Roll Call

Representatives Present: Kathryn Guzman, Michael Ramirez, Alexia Siebuhr, Jason Jones, Jesse Benefiel, Candace Young, Sean Sesanto, Aisha Cissna, Eamon Daly

Officers Present: Juan Cervantes, Jonah Platt, Tiana Cannon, Zitlaly Macias

Advisors Present: Aaron Cobas, Natasha Sanders, Madison Whaley, Joan Tyson, Dr. Peg Blake

Chair's Report

Macias requested the Council to respect other member's comments, raise your placard, and keep the comments professional.

Approval of Agenda

MOTION: SESANTO/PLATT move to approve Agenda #18 dated March 7, 2016 APPROVED

I. Special Presentation

A. Dr. Alexander Enyedi, Provost and Vice President for Academic Affairs

Enyedi discussed wanting students to have the ability to conduct more research, publish their work, and attend competitions and conferences. Sanders asked Enyedi his short and long term goals. Enyedi believe the campus should embrace the strategic plan, especially reinforcing social justice, environmental justice, and promote a more diverse student population. Enyedi discussed refocusing on first year students with a program called, "Re-Imagining the First Year." HSU is one of 44 universities who are piloting a program that will focus on first year students to ensuring student retention and graduation. Enyedi noted his short term goal is to focus on increasing faculty positions, especially the tenure track positions. The present year budget has \$500,000 dollars for hiring additional faculty and there are presently four tenure-line positions in the process of being hired. Enyedi also wants to improve websites and on-line learning as well. Ramirez asked about hiring more people of color, especially Native-American persons. Enyedi responded there is a tenure-line track position for the Native-American Studies presently being filled. Enyedi also noted the Indian Tribal & Educational Personnel Program (ITEPP) position is in the process of being filled as well. Enyedi also expressed the importance of outreach to the local community. The campus

administration has already reached out to the Northern California Tribal Chair Association for the past several months. Enyedi is also reaching out within the campus and requesting feedback from faculty and staff. Enyedi stated the importance bringing a diverse population on campus, which includes making sure employment searches are finding the best and diverse candidate pool. Daly asked if Enyedi and his staff are reaching out to juniors and seniors to help support new students in the "Re-Imagining the First Year" program. Enyedi responded the program is a collaborative project. Enyedi is reaching out to students for their feedback into the program. Siebuhr asked Enyedi stance on the 5% raise for faculty. Enyedi noted he is here to support faculty and researchers and declining to comment.

Approval of Minutes

MOTION: JONES/DALY move to approve Minutes #17 dated February 22, 2016 APPROVED

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

John Sewardson, Campus Center of Appropriate Technology (CCAT) Community Gardner Co-Coordinator, notified the Council that CCAT will begin construction of the CCAT community garden.

Appointments to Committees and Council

A.S. President (Juan Cervantes)

No appointments

A.S. Administrative Vice President (Jonah Platt)

MOTION: RAMIREZ/SIEBUHR move to appoint Nathaniel McGuigan to the Diversity Program Funding Committee APPROVED

A.S. Legislative Vice President (Zitlaly Macias)

No appointments

A.S. Student Affairs Vice President (Tiana Cannon)

MOTION: RAMIREZ/DALY move to appoint Johnathan Hogan to the AS Presents Committee APPROVED

MOTION: GUZMAN/CERVANTES move to appoint Candace Young to the AS Student Affairs Advisory Committee APPROVED

Old Business

- A. Resolution In Support of Having Fruit Trees on Campus – **Second Reading**
A resolution to recognize and support the Fruit Tree Alliance proposal for the inclusion of fruit trees on the Humboldt State University campus.

Whaley presented on the second reading of the resolution. Whaley said most of the content stayed the same and only made a few minor changes.

Macias opened the floor to Public Comment:

Jonathan Hogan, At-Large student, asked about fruit that would not be used. Whaley responded that they have talked to other campus who have the same program and never saw any problems with fruit left on the ground. Hogan also asked about the type of fruit. Whaley said they are making sure the fruit is appropriate for the climate of Humboldt County. Jerry Dinzes, At-Large student, asked about the response from the HSU administration. Whaley discussed the administration has been concerned about wildlife coming onto campus, but there is action taking place and it shouldn't be a concern. Hogan discussed issues with homeless coming onto campus to eat the fruit. Whaley responded that Facilities hasn't discussed the issue and she doesn't see any issue. Dinzes is in support of the solution and the City of Arcata is growing fruit trees, but he is concerned with the type of fertilizer. Whaley responded that the fruit trees won't need of maintenance and won't need additional fertilizer.

MOTION: RAMIREZ/DALY move to approve the Resolution In Support of Having Fruit Trees on Campus
APPROVED
AS AMENDED

MOTION: CANNON/DALY move to strike out Jenny Zorn and include Alexander Enyedi
APPROVED

Back to the main motion

Ramirez asked about CCAT and the potential for composting, have they expressed any involvement with the program. Whaley discussed she has reached out to Waste-Reduction & Resource Awareness Program and they would be interested in assisting with the program, but CCAT is working on other projects.

MOTION RAMIREZ/BENEFIEL include "of" between inclusion and fruit trees on line 13
APPROVED

MOTION: RAMIREZ/CANNON strike out plant operations and include facilities management in line 13.
APPROVED

- B. Resolution of Legislative Stances for Spring 2016 Session – **First Reading**
The resolution resolves twenty-one legislative positions on State Legislative Bills on behalf of the Associated Students. The authors have requested a waiver vote.

Whaley discussed California Higher Education Student Summit (CHESS) is on March 11 – 13, 2016. The summit will include workshops and a lobbying day. On Lobbying day, students can advocate for legislation they support or don't support to state legislatures. Whaley noted she had distributed a summary of each legislative bill via email.

No Public Comment

MOTION: PLATT/BENEFIEL move to approve the Resolution of Legislative Stances for
Spring 2016 Session APPROVED
AS AMENDED

MOTION: CERVANTES/GUZMAN move to waiver the first reading APPROVED

Ramirez asked if the legislation in the resolution are going to be voted on by CSSA. Whaley said no; she is looking for support from AS. Ramirez also asked if there is a source to find additional information, specifically AB 1317. Ramirez asked what AS would be in support of if the bills is passed. Whaley responded the bill would require campus administration to have to have four years between the last tuition raise and their salary raise. Cervantes asked if the legislation was specific to University of California administration. Dinzes notes that is true, but there is a possibility CSU administration position could be added to the bill. Blake asked about AB 2064 and what is supposed to be mandatory. Whaley responded that the bill would extend to all employees within university systems. Blake also asked for more information for AB 1178. Cervantes responded that it's a very specific training focusing on forms of consent. Blake was concerned that there wasn't enough information on the document. Cervantes noted the version in the email included a hyperlink. Blake noted she did not receive that email. Cissna asked about AB 1914. Whaley and Dinzes responded the legislation would stop teachers from requiring students to pay extra for access code instead of acquiring a free copy. Ramirez asked if the legislation prevented teachers to reuse old access codes. Cervantes said it would not. Dinzes also responded and said it required the Chancellor's Office and the CSU Board of Trustees to review and develop new policy. Cissna asked about AB 2019 and wanted more information and the current status of the bill. Cervantes responded he wasn't sure how well this bill will move forward, especially with the current faculty negotiation. Assembly member Santiago's office sponsored the bill on behalf of the CFA. Platt asked for clarification on SB 1582. Cervantes responded the bill was a response to a controversy at CSU Fullerton. A faculty member used a textbook that was cheaper than the required book and was reprimanded for their actions. The required book was authored by the Department's Chair and cost significantly more than the book used by the faculty member. The bill addresses the conflict of interest. Cervantes likes the bill because it uses a system that already works and improves it.

Tyson noted AB 2064 is not on the descriptive list and that AB 2163 is on the descriptive list, but not on the resolution. Cervantes provided a summary of AB 2163. It requires public forums for campus President candidates before they are appointed. Cissna asked if there should be an amendment to include AB 2163. Cervantes noted AB 2163 was not the agenda and should not include it to the resolution.

Benefiel wanted more information on AB 2064. Cervantes limits how tuition get increased. The tuition can only be increase after four years from the previous increase or reflects a change in the consumer price index and the tuition can only change for that amount. Dinzes noted he had the pleasure of working with Whaley and Cervantes on the resolution. Dinzes praised Whaley for including social justice, food insecurities, and environmental justice bills. Cervantes mentioned AB 1045 came from members of the AS Council.

MOTION: CERVANTES/DALY add AB before 1005 and AB before 2156. APPROVED

MOTION: CISSNA/SESANTO strikeout all "Yes" and replace it with "support." APPROVED

Back to the main motion

Cissna asked who the names were on the resolution. Cervantes responded the names are the authors.

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

President (Juan Cervantes)

Cervantes reported that AS is currently going through, and continuing to go through changes. The time is not opportune as there has been multiple staff turnover, including the General Manager who will be retiring at the end of the semester. Cervantes also discussed staff restructuring and a three-year CSU Audit that will be conducted over the summer.

Cervantes noted that with all the changes the HSU University Leadership is threatening to, and seems committed to, pulling a fundamental framework of how AS will be conducting day-to-day operations out from under AS. Specifically the agreement the AS has with the UC for accounting and business services.

Cervantes noted he has had conversations with Peg Blake, Vice President of Student Affairs, HSU President Rossbacher, and Executive Director Nakamura regarding the Executive Director transition from state side to AS since last fall. Until recently there had been no mention of the termination of the AS/UC Agreement.

Cervantes also explained that Blake and President Rossbacher were concerned with ensuring that AS were compliant with state and federal law, as well as CSU, and HSU policy. Cervantes noted that at no point prior to last couple of months was the termination of the agreement mentioned. Cervantes believes it has been a side conversation between Peg Blake, Vice President of Student Affairs, HSU President Rossbacher, and Vice President of Administrative Affairs, Joyce Lopes. This conversation has seemed to be triggered as AS has moved forward with meeting the compliance requirements set forth by Joyce Lopes, Vice President of Administrative Affairs. Cervantes believes the conversation from the HSU Administration is seen to have precipitated by the desire to end the AS/UC agreement and which creates the appearance of the University Leadership acting in bad faith.

Cervantes also noted the conversation regarding the AS/UC agreement has begun only recently, but believe the “goal posts” for meeting the hiring of an ED have continuously been moved. Cervantes explained the HSU Administration has taken several stances during our Restructuring Special meetings from January through February, and those stances can be seen in our minutes. Stances have changed from "It's not appropriate", to "It's not a best practice, and the University Center should focus on its primary mission", to finally "It must go away due to a loss in confidence." All of these shifted week to week. Cervantes believes that “moving goal posts” gives a strong sense that a particular outcome has been long since identified, and rational is being developed and modified to fit that outcome. This type of decision making has reinforced the sentiment that the University Leadership is acting in bad faith.

Cervantes also believes the current argument centers on the notion that our University Center cannot be trusted to enter into, or continue business services agreements with anyone due to a lack of disclosure, and failure to process findings in a CalPERS Audit review. Cervantes also noted a mistake was made, one of disclosure, but not one of incompetence. A mistake that should not compromise an agreement with the UC, especially since doing so would have such a devastating effect on AS.

Cervantes also discussed the termination of our relationship with the Arcata Community Pool. Cervantes believes the relationship impacts the campus community, but also the community at large. Cervantes noted his frustration that HSU President Rossbacher made a decision without any consultation or any conversation with the University Center Board of Directors. Cervantes explained that he requested that the topic was added to the February UC board meeting agenda after being informed by Vice President Blake that the agreement was definitively coming to an end. Cervantes also explained that Blake did not have anything to say about the termination of the agreement other than the claim that there were issues with the agreement that she was not prepared to discuss. Cervantes also discussed there were six CalPERS findings. Two of which have been dealt with, and all of which have been in the process of being dealt with. Cervantes explained that communication between CalPERS and the University Center began with little to no response from CalPERS. Cervantes did note that all, but the sixth finding should be resolved soon.

Cervantes explained the sixth issue concerns a finding that impacts AS's ability to continue having a University Center employee as our AS Council Assistant. AS has employed that position since the summer of 2015 but not in the same manner. The sixth finding involves having state employees who actually work for the University Center. Cervantes noted that previously the AS Council Assistant was a University Center employee. This relationship is one that goes against CalPERS policies, but a situation that can be found across the CSU in other Auxiliaries.

Cervantes expressed that this is not the arrangement AS's wishes to continue into the future. Cervantes believe that in the foreseeable future, AS does not wish to have an Executive Director that works for the state, and does not intend to have an Executive Director enrolled in CalPERS. Cervantes noted that becoming a CalPERS member organization would be required for our employees to be enrolled in CalPERS, and that would take a long time, and a lot of work and might not even be possible. This has been communicated to both Blake and Rossbacher. Cervantes seeks to have AS employees work directly for the AS, with benefit packages that are not CalPERS, and which are similar to those found in other auxiliaries at HSU, and the system at large.

Administrative Vice President (Jonah Platt)

Platt reported the AS Event Funding Board received many grant applications. Platt reported there was a record number of grant applications. Platt is working with Dr. Tony Silvaggio, Sociology Professor, regarding a legal resource center. They are using a template from a similar program at San Francisco State University.

Board of Finance Report – February 29, 2016

1. 2016-17 Recommended Associated Students Budget – Information Item
The Board of Finance has completed its recommendations and the AS Council will receive the recommended budget at the end of this meeting. Action will be taken regarding the budget at the April 4, 2016 meeting. There will also be a meeting on Monday, March 21, 2016 to discuss the 2016-17 Recommended Budget.

Platt reported on the recommended budget and that the budget will be provided at the end of the meeting.

Student Affairs Vice President (Tiana Cannon)

Cannon reported it was great to see all the grant applications. Cannon will be attending attended a University Center Board meeting this Thursday, March 10, 2016. Cannon is also working to

schedule a meeting of the Student Affairs Advisory Committee.

Legislative Vice President (Zitlaly Macias)

Macias attended the Academic Policy Committee and they briefly discussed a resolution regarding grade mode revisions which would mostly effecting incoming freshman, updated language in the academic honesty policy, priority registration for Residence advisors, and U.Direct edits were approved.

Guzman – College of Arts, Humanities and Social Sciences

Guzman attended the Constitution Bylaws Committee a Lobby Corps meeting. Guzman reported that Arcata City Council member Sofia Pereira attended the Lobby Corps meeting. Guzman is looking into including a position for HSU students on the Arcata City Council.

Ramirez – College of Arts, Humanities and Social Sciences

Ramirez reported Oh Snap! is offering soup and accepting leftover food from HSU banquets and events. Traffic and Parking Committee has met, and discussed parking passes for staff and faculty, and complementary passes for temporary faculty and staff. The committee is also working on improving traffic flows during the commencement. ITEPP has a potential new candidate for the Director position.

Siebuhr – College of Arts, Humanities and Social Sciences

Siebuhr and Whaley meet with members of the NorthCoast Rape Crisis Team and the Sexual Assault Prevention Committee regarding Title IX. They will write a letter in support of Title IX to the Chancellor's Office. Siebuhr will is looking to passing a resolution in the AS Council and CSSA regarding no student being a mandated reporter except for community advocates in Housing.

Jones – College of Professional Studies

Jones attended the Student Fee Advisory Committee. The committee voted to increase class fees for a couple classes.

Benefiel – College of Professional Studies

Benefiel met with the Registrar regarding pronoun inclusions in classrooms.

Young – College of Professional Studies

Young attended a Phycology Club meeting and is working on a workshop about health and wellness.

Sesanto – College of Natural Resources and Sciences

Sesanto attended the CNRS Dean Search. Sesanto announced the CNRS social mixer is on March 28, 2016.

Cissna – College of Natural Resources and Sciences

Cissna attended the Parking and Transportation Committee. Cissna discussed the Committee is not in favor of complementary permits. Cissna noted there would be loose enforcement during commencement, HOP, and another program. Traci Ferdolage, Associate Vice President of Facilities, will consult with the President regarding the complementary permit. Cissna also submitted a HEIF proposal regarding smart parking. Cissna announced that Earth Week meetings are every Tuesday from 5-6pm in the AS Lounge and they moved Earth Week to April 20th-22nd in order to support CFA Strike.

Daly – Graduate Representative

Daly attended the Grievance Committee and they issued a decision for the case they had been investigating. Daly attended the Sponsored Program Incentives Committee he will present a report to the Sponsored Programs Foundation Board tomorrow morning.

External Affairs (Madison Whaley)

Whaley attended the Lobby Corps meeting. The Lobby Corps met Arcata Council member Sofia Pereira, talked about different policies through the CSSA and local issues as well. Whaley announced the next CSSA meeting is this weekend in Sacramento. Whaley is also attending the California Higher Education Student Summit with six other students in Sacramento.

AS Presents (Natasha Sanders)

Sanders reported this Wednesday, March 9, the HSU Circus will have a performance on the Art Quad from 12 to 3 pm. Sanders also reported Laura Jane Grace Meet and Greet; there was one only Department and one student signed up. Other departments will continue to be contacted. Sanders attended the AS Presents meeting and reviewed the '16 Fall schedule. The schedule would include the Flaming Lotus Girls, lecturers, art displays in the library, student showcase events, and merge events with an existing student led art sales event. Sanders sees it as a possibility to showcase more student art. Sanders announced the Philosophy Club will be presenting at a conference at Pacific University in Oregon.

Elections Commissioner (Aaron Cobas)

Cobas reported the AS Elections Packets are available and discussed important deadlines. The Elections Commission went over marketing ideas and reviewed the elections timeline.

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

No report.

General Manager (Joan Tyson)

Tyson will be distributing the recommended budget at the end of the meeting. Tyson noted at the next Council meeting the Council will discuss the budget, but not take an action on it. During the April 4 meeting, the Council will take action on the budget. Tyson asked the Council to bring the budget to each meeting so new budgets do not have to be printed each time. Tyson also distributed a document regarding the AS Compliance for Executive Director Position.

Tyson reviewed each item from the AS Executive Director document as follows:

AS Compliance for Executive Director Position
March 5, 2016

Prior to the hiring of employees, the following should either be in place and/or clarified:

1. Benefits Package (signed off by HSU Human Resources Senior AVP)
 - a. Health Benefits STATUS; Received Proposal from Wells Fargo Benefits Division and have sought a proposal from a local firm—the same firm used by SPF. Next step is to propose to the AS Council an employer contribution amount for different employee categories, for example employee only, employee plus one dependent, employee with family. The Wells Fargo proposal has been submitted to HSU HR for review and approval.

- b. Retirement: STATUS; Have received an option from Wells Fargo Benefits Division and a local capital management advisor regarding potential options. This is a more complex topic determining the appropriate employer contribution, vesting period, etc. I am also seeking advice from people that specialize in this field. A proposal will be presented for Council action.
2. Appointment Letter (signed off by HSU Human Resources Senior AVP)
 - a. Specify terms and conditions of employment; STATUS; I have received some examples.
3. Position Description (signed off by HSU Human Resources Senior AVP); SUBMITTED to HSU HR
4. Maintenance of Personnel Files (reviewed by HSU Human Resources Senior AVP) STATUS; University Center maintains all of the AS Personnel files for hourly employees as part of the AS/UC Agreement—Fulltime positions could be incorporated as well.
5. Compensation Management Plan (reviewed by HSU Human Resources Senior AVP) STATUS AS per AS Personnel Code; Immediately following a favorable vote by the AS Council and consultation with the University President, the proposed AS Executive Director and the AS President shall negotiate a contract of the proposed Executive Director in consultation with the University Center Executive Director or designee. The duration of the initial contract shall be two years or less. Each subsequent contract may be up to three (3) years in duration.
6. Background Checks (reviewed by HSU Human Resources Senior AVP) STATUS As per University policies and procedures and included in AS Employee Handbook
7. Payroll Plan/Internal Control - Conduct personnel/payroll operations accurately and in compliance with external and internal requirements of an employer. (reviewed by VP Administrative Affairs)
 - (a) Segregation of Duties. Establish a written controls system that ensures payroll preparation is segregated from the general ledger function and other personnel/payroll functions such as hiring authorization, timekeeping, and distribution of checks.
 - (b) Maintaining Accurate Personnel/Payroll Records. Establish a written system that ensures proper authorization, approval, documentation, and processing of new hires, terminations, changes in employment, salary and wage rates, and payroll deductions.
 - (c) Payroll Preparation and Record-Keeping. Establish a written system that ensures accurate and timely collection of payroll information such as timecards, effort reporting, attendance records, and funding sources.
 - (d) Distribution of Pay. Establish a written controls system that ensures proper payment of employees through direct deposit or by check, based upon submitted documentation.
 - (e) Safekeeping Personnel/Payroll Records. Restrict access to personnel/payroll records in accordance with federal and state requirements, including document retention schedule.
 - (f) Meeting Regulatory Requirements and Other Employer Responsibilities. Establish a written system that enables proper collection and timely remittance of payroll taxes and other withholdings for retirement and insurance programs, as well as all federal and state reporting requirements.

STATUS: For many of the questions asked in this section, I have referred to the Associated Students/University Center Administrative Services Agreement. The University Center provides administrative services, human resource management, accounting and business

- services, (IT) services, and facilities management for the Associated Students and responsibility for most of the functions are outlined in this agreement.
8. Personnel Policies and Procedures (reviewed by HSU Human Resources Senior AVP) STATUS: “a. thru g.” to be incorporated into AS Employee Handbook. AS Employee Handbook is complete and will be submitted to AS Council for review and approval. It has been reviewed by HSU HR and all comments have been incorporated.
 - a. Leaves
 - b. Performance Issues
 - c. Complaint Procedures
 - d. Conflict of Interest
 - e. Health and Safety
 - f. EEOC Policies
 - i. Discrimination, Harassment, Retaliation
 - g. Whistleblower Policy STATUS As per University policies and procedures and included in AS Employee Handbook.
 9. Onboarding Plan (reviewed by HSU Human Resources Senior AVP)
 - a. Legal/tax signups – I9 STATUS: Provided via AS/UC Agreement
 - b. Parking STATUS: As per University Policies and Procedures
 - c. Physical Workspace Set up
 - d. Identification Card: STATUS: As per University Policies and Procedures
 10. Training Plan (reviewed by HSU Human Resources Senior AVP)
 - a. On-the-job training
 - b. CSU Mandated Training
 - c. Professional Development
 11. Key and Access Plan (reviewed by VP Administrative Affairs)
 - a. Information Security Plan STATUS: AS/UC Agreement for Business Office staf; HSU for AS Council computers.
 - b. Confidentiality Agreement STATUS: Included in Employee Handbook for Salaried/Benefited Employees
 12. Absence Management Plan (reviewed by HSU Human Resources Senior AVP) STATUS: Incorporated into Employee Handbook for Salaried/Benefited Employees
 13. Separation/Termination Plan (reviewed by HSU Human Resources Senior AVP) STATUS : Incorporated into Employee Handbook for Salaried/Benefited Employees
 - a. Reconsideration Rights STATUS: Incorporated into Employee Handbook for Salaried/Benefited Employees

Young left the meeting at 4:55 p.m.

There were other documents that were provided to the Council in the original email dated February 8, 2016. Tyson assured the Council they are in compliance and paying close attention to those documents. There is also an ongoing discussion on the Interim AS Executive Director position.

General Council Discussion

Ramirez asked Platt about the Legal Resource Center and recommended a professor to contact. Ramirez recommended to Sanders a swap meet. Sanders noted AS Presents does not take on other swap meets. Sanders asked Ramirez if he met with Michael Moore, Event Coordinator for

CenterArts, about the Indigenous People's Week. Ramirez said he has not yet.

Announcements

Cannon announced St. Jude's Children's Hospital is having an event on April 9. Ramirez announced Louise Rosa Perez will be giving a presenting on Monday, March 7, 2016 at 5 p.m. Macias announced there will be free professional portraits provided to students on Tuesday and Thursday, March 2 and 4, 2016, in the UC Quad. Macias attended the Social Justice summit over the weekend. Cobas announced tomorrow at 6 pm in Founders Hall, Room 111, Arcata Council member Sofia Pereira will be discussing her experience in public service and what students can do after they graduate.

Adjournment

Macias adjourned the meeting without objection at 5:00 p.m.

Recorded by:
Patric Esh
AS Council Assistant

Approved by:

Zitlaly Macias
Legislative Vice President