ASSOCIATED STUDENTS BOARD OF DIRECTORS
Humboldt State University
Meeting on Monday, October 29, 2018
University Center Banquet Room
3:00 pm

Agenda #8

I. Call to Order

II. Roll Call

III. Approval of Agenda #8 dated August 20, 2018 – Action Item

IV. Approval of Minutes– Tabled Action Items
a. August 20, 2018
b. August 27, 2018
c. September 14, 2018
d. September 17, 2018
e. October 1, 2018

V. Chair's Report

VI. Public Comments

As per the Gloria Romero Open Meeting Act of 2000 authorized by Section 89306. Every A.S. Board of Directors agenda for regular meetings shall provide an opportunity for members of the public to directly address the A.S. Board of Directors 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, the Board of Directors may briefly respond to statements made or questions posed by a person exercising their public testimony rights, may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. The A.S. Board of Directors 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. Presentations
a. The College of Professional Studies – Manohar Singh, Dean of the College of Professional Studies
   Presentation on the College of Professional Studies including responses to Board-provided questions.

b. KHSU – Craig Wruck, Vice President of University Advancement
   A presentation on the value of the state-run, student-funded KHSU to students.
VII. Appointments to the Board of Directors and Committees – **Action Items**

a. A.S. President
   i. Student Fee Advisory Committee – Bennett Perrault

b. A.S. Administrative Vice President
   i. Graduate Pledge Alliance – Maria Sanchez
   ii. Center for Community Based Learning Committee – Jami Henry
   iii. Sexual Assault Prevention Committee – Maria Sanchez
   iv. AS Presents – Maria Sanchez

c. A.S. Legislative Vice President
   i. A.S. Public Relations Committee – Genesea Black-Lanouette

   *The Executive Committee unanimously recommended Genesea be able to serve on more than the limit of two committees (Government Code Section 3.05)*

VIII. Old Business

a. Goals Progress Report

   *Review the A.S. 2018-19 goals and check-in on personal and group efforts.*

IX. New Business

a. Associated Students Perspective on Prospective HSU President – Discussion Item

   *A discussion to generate the characteristics and qualifications that the Associated Students Board of Directors would like to see in the next HSU President.*

b. Associated Students of HSU 401K Plan Amendment #1 – **Action Item**

   *Effective July 1, 2018, the Associated Students Employer will make a nonelective contribution equal to 10% of the employees current salary that will be contributed to the Associated Students Retirement Contribution Plan.*

c. Resolution No. 2018-19-04 An Act to Support the Creation of a CSU Executive Compensation Policy – **First Reading**

   *The Board will discuss and take action on a resolution to support the creation of a CSU system-wide executive compensation policy. The policy would model a more equitable distribution of wealth with stipulations on researching California-wide executive positions, considering increases to tenure line and permanent faculty positions and a voluntary presidential pay cut.*


   *The Board will discuss and take action on a resolution that would support installing the eco-minded web browser, Ecosia on all HSU library computers.*

X. Official Reports

*10 minute limit each speaker, additional time at discretion of Chair*

a. President
   i. Executive Committee Meeting

b. Administrative Vice President
i. Board of Finance Meeting
c. Legislative Vice President
d. Student Affairs Vice President
e. Environmental Sustainability Officer
f. Social Justice and Equity Officer
g. External Affairs Representative
h. ASPresents Representative
i. Public Relations Officer
j. Student-at-Large Representatives
k. Graduate Representative
l. College of Natural Resources & Sciences Representatives
m. College of Arts, Humanities & Social Sciences Representatives
n. College of Professional Studies Representatives
o. Advisor
p. Executive Director

XI. General Discussion
At this time the Board of Directors membership may follow-up with questions regarding reports.

XII. General Session
a. Visit the Humboldt County Homeless College Student Photovoice Project
Photography and narrative stories by the students who experience(d) homelessness and housing insecurity. This project is the product of the partnership of Social work Professor Dr. Pamela Bowers, 8 HSU students and Associated Student’s Student Access Gallery (SAG).

XIII. Announcements

XIV. Adjournment

This event is wheelchair accessible. Persons who wish to request disability-related accommodations, including sign-language interpreters, should contact Casey Park, AS Board Coordinator, at cgp135@humboldt.edu or call (707) 826-4221. Some accommodations may take up to several weeks to arrange.
Board of Director Committee Applicants:

AS Presents & Sexual Assault Prevention Committee

Maria Sanchez
College: College of Professional Studies
Major: Social Work
Class Standing: Junior

Please explain why you are interested in this position: I am interested in applying for these two varies position because sexual assault is something that has not been taken seriously at any level. I want to be a part of a committee that focuses on the needs of those who have been through this trauma and how to help them heal rather than brush it to the side. I am also looking to apply for the A.S Presents committee because I want to improve my networking skills in order to showcase an event that is not only entertaining but relevant to the issues that all students are dealing with this year.

Briefly describe any past experience, campus activities, and/or skills that you feel qualify you for this position: I have held events such as that brought up a lot of heavy topics such as coming out and helped with a poetry slam that helped heal a bit of people's lives. I have interned at the mental health facility in which I had to do intake for each client and listen to their past trauma including sexual assault.

Center for Community Based Learned Committee

Jami Henry
College: College of Arts, Humanities, and Social Sciences
Majors: Environmental Studies
Class standing: Junior

Please explain why you are interested in this position: I am currently completing an environmental studies degree with an emphasis on community organizing. I believe the committee will relate to my career field and broaden my horizons.

Briefly describe any past experience, campus activities, and/or skills that you feel qualify you for this position: I have been manager of a coffee shop in the past giving me leadership skills. I also volunteer at Jefferson community center though a YES house program, environmental education.

Graduate Pledge Alliance

Paul Hilton
College: College of Arts, Humanities, and Social Sciences
**Majors:** Political Science  
**Class Standing:** Senior

**Please explain why you are interested in this position:** Committee experience and a shared passion with the Alliance regarding operating on a small carbon footprint and keeping the human community and natural communities clean and rid of pollutants.

**Briefly describe any past experience, campus activities, and/or skills that you feel qualify you for position:** Involvement in North Coast People's Alliance, Political Science club leadership, personal commitments to living "green", Arcata City Hall research internship, punctual and works well in response to unexpected issues.

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**Student Fee Advisory Committee**

**Bennett Perrault**  
**College:** College of Natural Resources and Sciences  
**Majors:** Wildlife Biology  
**Class standing:** Senior+

**Please explain why you are interested in this position:** As Chair of the Board of Finance and being in the most financially savvy Associated Students role I think I should be on the table to look at Student Fee Advisory Committee to understand these fees and advocate for best possible options.

**Briefly describe any past experience, campus activities, and/or skills that you feel qualify you for this position:** I am currently on the Board and in many AS committees.
RESOLUTION No. 2015-16-12

AUTHORED BY: Board of Finance

REFERRED TO: AS COUNCIL

ACTION SCHEDULED: May 2, 2016

SUBJECT: 2016-17 Employer Retirement Contribution

WHEREAS, The Associated Students is a 501(c)(3) nonprofit corporation which serves as an auxiliary organization of Humboldt State University (HSU); and,

WHEREAS, The Associated Students of HSU intends to provides salaries, working conditions and benefits for the full-time employees that are comparable to those provided California State University employees performing similar services as per Education Code Section 89900 (c); and,

WHEREAS, The Associated Students is exempt under this section of the Education Code from the requirement of providing retirement benefits because it is funded primarily by mandatory student fees, and

WHEREAS, The Associated Students intends to provide this retirement benefit irregardless that it is exempt, and

WHEREAS, The opportunity to research, evaluate, and obtain approval by HSU Human Resources regarding possible retirement plan options is still on-going and a work in progress by the 2015-16 AS Council, and,

WHEREAS, The goal to provide a retirement plan for our benefited employees is important to this organization, therefore, be it

RESOLVED, The 2016-17 AS Council continue to research this option to provide this benefit and contribute to a Retirement Plan. It is recommended by the 2015-16 AS Council employees that are full-time salaried position within the Associated Students shall have 10% of their current salary contributed to this plan by the Associated Students of HSU with a vesting period and other plan options to be determined, and

RESOLVED: Every year, as part of the AS Budget process, the Board of Finance shall review these contributions. Any recommended change shall be presented to the AS Council prior to the presentation of the following year’s AS budget.

Juan Cervantes,
AS President

Zitlaly Macias,
Legislative Vice President
October 5, 2018

Jenessa Lund
Associated Students of HSU
1 Harpst Street
Arcata CA 95521

RE: Associated Students of HSU 401(k) Plan

Dear Jenessa:

Enclosed with this letter are the documents necessary to amend Article III, Questions 27 and 28 of the retirement plan.

The following must be signed and dated, as indicated, prior to November 1, 2018:

- Special Meeting of the Members – Resolution
- Waiver of Notice and Consent – Resolution
- Amendment to the Plan
- Notice to Plan Participants – Summary of Material Modifications
- Execution Page – Adoption Agreement
- Replacement Page(s) 16 and 17 – Adoption Agreement

Retain the original documents in the retirement plan files and return the duplicate copies to our office as soon as possible.

Also, please update the Adoption Agreement with the enclosed replacement page(s) and insert the signed and dated originals of the Amendment and Execution Page into the “Additional Documents” section of the retirement plan binder.

If you have any questions, please call.

Sincerely,

Greg Lynn
Senior Consultant
Enclosures
SPECIAL MEETING OF THE MEMBERS
OF
ASSOCIATED STUDENTS OF HSU

At a meeting of the Members of Associated Students of HSU duly called and held in accordance with the law and the bylaws at its office on the ____ day of ______________, 2018, at which a quorum of the Members were present, the following resolution was adopted, to wit:

WHEREAS, the Members deem it to be in the best interest of this entity to amend its present Associated Students of HSU 401(k) Plan.

NOW, THEREFORE, be it:

RESOLVED, THAT effective July 1, 2018, Associated Students of HSU 401(k) Plan be changed according to the amendment attached hereto.

I, _____________, a Member of Associated Students of HSU, do hereby certify that I am a Member of said entity above named; that foregoing is a full, true and correct copy of a resolution of the Members of said entity, duly and regularly passed and adopted at a meeting of the Members of said entity on the ____ day of ____________, 2018, at which meeting a majority of the Members of said entity was present and voted in favor of said resolution; and that said resolution is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as a Member of said entity this ____ day of ________, 2018.

Member
The undersigned, being a majority of the Members of Associated Students of HSU, hereby waive notice of and consent to the holding of a special meeting of the Members held at the principal executive office on the ____ day of ________, 2018, for the purpose of:

1. Considering the amendment of the qualified retirement plan for the benefit of the employees of Associated Students of HSU.

2. Transacting such other business as may come before the meeting.

This waiver of notice and consent to the meeting is made and the undersigned hereby consent to the waiver being made a part of the records of the meeting, for the purpose of showing that any business transacted at the meeting is as valid as if the meeting had been regularly called and noticed.

Dated: ____________________________

Member

Member

Member

Member
AMENDMENT #1
TO ASSOCIATED STUDENTS OF HSU 401(K) PLAN

Effective July 1, 2018, Associated Students of HSU 401(k) Plan shall be amended to read as follows:

1. Article III, Question 27 of the Adoption Agreement shall be amended to read:

27. NONELECTIVE CONTRIBUTIONS (TYPE/AMOUNT) INCLUDING PREVAILING WAGE CONTRIBUTIONS (3.04(A)).

The Employer Nonelective Contributions under Election 6(d) are subject to the following additional elections as to type and amount (Choose one or more of (a) through (e) as applicable): 27 p.1627

(a) [X] Discretionary. An amount the Employer in its sole discretion may determine.

(b) [X] Fixed. (Choose one or more of (1) through (3) as applicable):

(1) [X] Uniform %, 10 % of each Participant’s Compensation, per Plan Year, (e.g., Plan Year, month).

(2) [ ] Fixed dollar amount. $____, per _____________ (e.g., Plan Year, month, HOS, per Participant per month).

(3) [ ] Describe:

(The formula described must satisfy the definitely determinable requirement under Treas. Reg. §1.401-1(b). If the formula is non-uniform, it is not a design-based safe harbor for nondiscrimination purposes.)

[Note: The Employer under Election 27(b)(3) may specify any Fixed Nonelective Contribution formula not described under Elections 27(b)(1) or (2) (e.g., For each Plan Year, 2% of net profits exceeding $50,000, or The cash value of unused paid time off, as described in Section 3.04(A)(2)(a) and the Employer’s Paid Time Off Plan) and/or the Employer may describe different Fixed Nonelective Contributions as applicable to different Participant groups (e.g., A Fixed Nonelective Contribution equal to 5% of Plan Year Compensation applies to Division A Participants and a Fixed Nonelective Contribution equal to $500 per Participant each Plan Year applies to Division B Participants).]

(c) [ ] Prevailing Wage Contribution. The Prevailing Wage Contribution amount(s) specified for the Plan Year or other applicable period in the Employer’s Prevailing Wage Contract(s). The Employer will make a Prevailing Wage Contribution only to Participants covered by the Contract and only as to Compensation paid under the Contract. The Employer must specify the Prevailing Wage Contribution by attaching an appendix to the Adoption Agreement that indicates the contribution rate(s) applicable to the prevailing wage employment/job classification(s). If the Participant accrues an allocation of Employer Contributions (including forfeitures) under the Plan or any other Employer plan in addition to the Prevailing Wage Contribution, the Plan Administrator will (Choose one of (1) or (2)):

(1) [ ] No offset. Not reduce the Participant’s Employer Contribution allocation by the amount of the Prevailing Wage Contribution.

(2) [ ] Offset. Reduce the Participant’s Employer Contribution allocation by the amount of the Prevailing Wage Contribution.

(d) [ ] Related and Participating Employers. If any Related and Participating Employers (or in the case of a Multiple Employer Plan, Participating Employers regardless of whether they are Related Employers) contribute Nonelective Contributions to the Plan, the contribution formula(s) (Choose one of (1) or (2)).

(1) [ ] All the same. Is (are) the same as for the Signatory Employer under this Election 27.

(2) [ ] At least one different. Is (are) as follows:

[Note: Unless the Plan is a Multiple Employer Plan, the Employer should not elect 27(d) unless there are Related Employers which are also Participating Employers. See Section 1.24(3). The Employer electing 27(d) also must complete Election 28(g) as to the allocation methods which apply to the Participating Employers.]

(e) [ ] Describe:

(The formula described must satisfy the definitely determinable requirement under Treas. Reg. §1.4011(b). If the formula is nonuniform, it is not a design-based safe harbor for nondiscrimination purposes.)

[Note: Under Election 27(e), the Employer may describe the amount and type of Nonelective Contributions from the elections available under Election 27 and/or a combination thereof as to a Participant group (e.g., A Discretionary Nonelective Contribution applies to Division A Employees. A Fixed Nonelective Contribution equal to 5% of Plan Year Compensation applies to Division B Employees).]
2. Article III, Question 28 of the Adoption Agreement shall be amended to read:

28. NONELECTIVE CONTRIBUTION ALLOCATION (3.04(B)): The Plan Administrator, subject to Section 3.06, will allocate to each Participant any Nonelective Contribution (excluding QNECs) under the following contribution allocation formula (Choose one or more of (a) through (h) as applicable):

(a) [X] Pro rata. As a uniform percentage of Participant Compensation.

(b) [X] Permitted disparity. In accordance with the permitted disparity allocation provisions of Section 3.04(B)(2), under which the following permitted disparity formula and definition of "Excess Compensation" apply (Complete (1) and (2)).

(1) Formula (Choose one or more of a., b., or c.):
   a. [X] Twotiered.
   b. [ ] Fourtiered.
   c. [X] Twotiered, except that the fourtiered formula will apply in any Plan Year for which the Plan is topheavy.

(2) Excess Compensation. For purposes of Section 3.04(B)(2), "Excess Compensation" means Compensation in excess of the integration level provided below (Choose one of a. or b.):
   a. [ ] Percentage amount, __% (not exceeding 100%) of the Taxable Wage Base in effect on the first day of the Plan Year, rounded to the next highest $ __ (not exceeding the Taxable Wage Base).
   b. [ ] Dollar amount. The following amount: $ __ (not exceeding the Taxable Wage Base in effect on the first day of the Plan Year).

(c) [X] Incorporation of contribution formula. The Plan Administrator will allocate any Fixed Nonelective Contribution under Elections 27(b), 27(d), or 27(e), or any Prevailing Wage Contribution under Election 27(c), in accordance with the contribution formula the Employer adopts under those Elections.

(d) [X] Classifications of Participants. [This is a nondesigned based safe harbor allocation method] In accordance with the classifications allocation provisions of Section 3.04(B)(3). (Complete (1) and (2)).

(1) Description of the classifications. [This is a nondesigned based safe harbor allocation method]. The classifications are (Choose one of a., b., or c.):
   b. [ ] NHCEs/HCEs. Nonhighly Compensated Employee/Participants and Highly Compensated Employee/Participants.
   c. [ ] Describe the classifications: ____________________________

[Note: Typically, the Employer would elect 28(d) where it intends to satisfy nondiscrimination requirements using "crosstesting" under Treas. Reg. §1.401(a)(4). However, choosing this election does not necessarily require application of crosstesting and the Plan may be able to satisfy nondiscrimination as to its classification-based allocations by testing allocation rates.]

(2) Allocation method within each classification. Allocate the Nonelective Contribution within each classification as follows (Choose one of a., b., or c.):
   a. [X] pro rata. As a uniform percentage of Compensation of each Participant within the classification.
   b. [ ] Flat dollar. The same dollar amount to each Participant within the classification.
   c. [ ] Describe:
      (e.g., Allocate pro rata to NHCEs and flat dollar to HCEs.)

(e) [X] Agebased. [This is a nondesigned based safe harbor allocation method]. In accordance with the agebased allocation provisions of Section 3.04(B)(5). The Plan Administrator will use the Actuarial Factors based on the following assumptions (Complete both (1) and (2)).

(1) Interest rate. (Choose one of a., b., or c.):
   a. [X] 7.5%
   b. [ ] 8.0%
   c. [ ] 8.5%
(2) Mortality table. (Choose one of a. or b.):

a. [ ] UP1984. See Appendix D.

b. [ ] Alternative: ________ (Specify 1983 GAM, 1983 IAM, 1971 GAM or 1971 IAM and attach applicable tables using such mortality table and the specified interest rate as replacement Appendix D.)

(f) Uniform points. In accordance with the uniform points allocation provisions of Section 3.04(B)(6). Under the uniform points allocation formula, a Participant receives (Choose one or both of (1) and (2). Choose (3) if applicable.):

(1) [ ] Years of Service. _________ point(s) for each Year of Service. The maximum number of Years of Service counted for points is ________.

"Year of Service" under this Election 28(f) means (Choose one of a. or b.):

a. [ ] Eligibility. Years of Service for eligibility in Election 16.

b. [ ] Vesting. Years of Service for vesting in Elections 43 and 44.

[Note: A Year of Service must satisfy Treas. Reg. §1.401(a)(4)(d)(3) for the uniform points allocation to qualify as a safe harbor allocation under Treas. Reg. §1.401(a)(4)(b)(3).]

(2) [ ] Age. _________ point(s) for each year of age attained during the Plan Year.

(3) [ ] Compensation. _________ point(s) for each $ _______ (not to exceed $200) increment of Plan Year Compensation.

(g) Related and Participating Employers. If any Related and Participating Employers (or in the case of a Multiple Employer Plan, Participating Employers regardless of whether they are Related Employers) contribute Nonelective Contributions to the Plan, the Plan Administrator will allocate the Nonelective Contributions made by the Participating Employer(s) under Election 27 (d) (Complete (1) and (2)).

(1) Allocation Method. (Choose one of a. or b.):

a. [ ] All the same. Using the same allocation method as applies to the Signatory Employer under this Election 28.

b. [ ] At least one different. Under the following allocation method(s): ________

(2) Allocation sharing. The Plan Administrator will allocate the Nonelective Contributions made by the Signatory Employer and by any Participating Employer (Choose one of a. or b.):

a. [ ] Employer by Employer. Only to the Participants directly employed by the contributing Employer.

b. [ ] Across Employer lines. To all Participants regardless of which Employer directly employs them and regardless of whether their direct Employer made Nonelective Contributions for the Plan Year.

[Note: Unless the Plan is a Multiple Employer Plan, the Employer should not elect 28(g) unless there are Related Employers which are also Participating Employers. See Section 1.24(D) and Election 27(d). If the Employer elects 28(g)(2)a., the Employer should also elect 11(k)(2), to disregard the Compensation paid by "Y" Participating Employer in determining the allocation of the "X" Participating Employer contribution to a Participant (and vice versa) who receives Compensation from both X and Y. If the Employer elects 28(g)(2)b., the Employer should not elect 11(k)(2). Election 28(g)(2)a. does not apply to Safe Harbor Nonelective Contributions.]

(h) [ ] Describe: ------------------------------------

([The formula described must satisfy the definitely determinable requirement under Treas. Reg. §1.401(b). If the formula is nonuniform, it is not a design-based safe harbor for nondiscrimination purposes.]

Executed this _______ day of ________, 2018.

By:

Associated Students of HSU
DATE: NOVEMBER 1, 2018
NOTICE TO: PLAN PARTICIPANTS OF ASSOCIATED STUDENTS OF HSU 401(K) PLAN
RE: SUMMARY OF MATERIAL MODIFICATIONS

Summary of Material Modification:

The following changes have been made to Associated Students of HSU 401(k) Plan:

Previously, each year, the Employer could make a discretionary nonelective contribution to the Plan. Your share of any contribution was determined below.

You would always share in the nonelective contribution regardless of the amount of service you completed during the Plan Year.

The nonelective contribution would have been "allocated" or divided among participants eligible to share in the contribution for the Plan Year.

Your share of the nonelective contribution was determined by the Employer each year.

Effective July 1, 2018, each Plan Year, the Employer will make to the Plan a nonelective contribution equal to 10% of the compensation of all participants eligible to share in allocations. Your share of the contribution is determined below. The Employer may also make an additional discretionary nonelective contribution.

You will always share in the nonelective contribution regardless of the amount of service you complete during the Plan Year.

The nonelective contribution will be "allocated" or divided among participants eligible to share in the contribution for the Plan Year.

Your share of the nonelective contribution will be determined by the formula for making that contribution.

Your share of the nonelective contribution will be determined by the Employer each year.

This modification amends your Summary Plan Description.

Sincerely,

Associated Students of HSU
Volume Submitter 401(k) Plan

EXECUTION PAGE

The Employer, by executing this Adoption Agreement, hereby agrees to the provisions of this Plan and Trust.

Employer: Associated Students of HSU

Date: ___________________ 
Signed: ___________________ 

[print name/title]

The Trustee (and Custodian, if applicable), by executing this Adoption Agreement, hereby accepts its position and agrees to all of the obligations, responsibilities and duties imposed upon the Trustee (or Custodian) under the Volume Submitter Plan and Trust. If the Employer under Election 5(c) or 5(e) will use a separate Trust, the Trustee need not execute this Adoption Agreement.

Discretionary Trustee(s): Jenessa Lund

Date: ___________________ 
Signed: ___________________ 

[print name/title]

Custodian(s) (Optional): 

Date: 
Signed: 

[print name/title]

Use of Adoption Agreement. Failure to complete properly the elections in this Adoption Agreement may result in disqualification of the Employer’s Plan. The Employer only may use this Adoption Agreement only in conjunction with the basic plan document referenced by its document number on Adoption Agreement page one.

Execution for Page Substitution Amendment Only. If this paragraph is completed, this Execution Page documents an amendment to Adoption Agreement Election(s) Article III, Question 27 and Article III, Question 28 effective July 1, 2018, by substitute Adoption Agreement page number(s) 16 and 17. The Employer should retain all Adoption Agreement Execution Pages and amended pages. [Note: The Effective Date may be retroactive or may be prospective as permitted under Applicable Law.]

Volume Submitter Plan Sponsor. The Volume Submitter Plan Sponsor identified on the first page of the basic plan document will notify all adopting Employers of any amendment to this Volume Submitter Plan or of any abandonment or discontinuance by the Volume Submitter Plan Sponsor of its maintenance of this Volume Submitter Plan. For inquiries regarding the adoption of the Volume Submitter Plan, the Volume Submitter Plan Sponsor’s intended meaning of any Plan provisions or the effect of the Advisory Letter issued to the Volume Submitter Plan Sponsor, please contact the Volume Submitter Plan Sponsor at the following address and telephone number: PO Box 1282, Chico, California 95927-1282, (530) 343-4233

Reliance on Sponsor Advisory Letter. The Volume Submitter Plan Sponsor has obtained from the IRS an Advisory Letter specifying the form of this Adoption Agreement and the basic plan document satisfy, as of the date of the Advisory Letter, Code §401. An adopting Employer may rely on the Volume Submitter Plan Sponsor’s IRS Advisory Letter only to the extent provided in Rev. Proc. 2011-49. The Employer may not rely on the Advisory Letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the Advisory Letter and in Rev. Proc. 2011-49, or subsequent guidance. In order to have reliance in such circumstances or with respect to such qualification requirements, the Employer must apply for a determination letter to Employee Plans Determinations of the IRS.

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27. **NONELECTIVE CONTRIBUTIONS (TYPE/AMOUNT) INCLUDING PREVAILING WAGE CONTRIBUTIONS (3.04(A))**: The Employer Nonelective Contributions under Election 6(d) are subject to the following additional elections as to type and amount (Choose one or more of (a) through (e) as applicable):

(a) [X] **Discretionary.** An amount the Employer in its sole discretion may determine.

(b) [X] **Fixed.** (Choose one or more of (1) through (3) as applicable):

1. [X] Uniform %. 10%, % of each Participant’s Compensation, per Plan Year (e.g., Plan Year, month).

2. [ ] Fixed dollar amount. $____, per ____________________ (e.g., Plan Year, month, HOS, per Participant per month).

3. [ ] Describe:

   (The formula described must satisfy the definitely determinable requirement under Treas. Reg. §1.401-1(b). If the formula is non-uniform, it is not a design-based safe harbor for nondiscrimination purposes.)

   [Note: The Employer under Election 27(b)(3) may specify any Fixed Nonelective Contribution formula not described under Elections 27(b)(1) or (2) (e.g., For each Plan Year, 2% of net profits exceeding $50,000, or The cash value of unused paid time off, as described in Section 3.04(A)(2)(a) and the Employer's Paid Time Off Plan) and/or the Employer may describe different Fixed Nonelective Contributions as applicable to different Participant groups (e.g., A Fixed Nonelective Contribution equal to 5% of Plan Year Compensation applies to Division A Participants and a Fixed Nonelective Contribution equal to $500 per Participant each Plan Year applies to Division B Participants).]

(c) [ ] **Prevailing Wage Contribution.** The Prevailing Wage Contribution amount(s) specified for the Plan Year or other applicable period in the Employer’s Prevailing Wage Contract(s). The Employer will make a Prevailing Wage Contribution only to Participants covered by the Contract and only as to Compensation paid under the Contract. The Employer must specify the Prevailing Wage Contribution by attaching an appendix to the Adoption Agreement that indicates the contribution rate(s) applicable to the prevailing wage employment/job classification(s). If the Participant accrues an allocation of Employer Contributions (including forfeitures) under the Plan or any other Employer plan in addition to the Prevailing Wage Contribution, the Plan Administrator will (Choose one of (1) or (2)).

1. [ ] No offset. Not reduce the Participant’s Employer Contribution allocation by the amount of the Prevailing Wage Contribution.

2. [ ] Offset. Reduce the Participant’s Employer Contribution allocation by the amount of the Prevailing Wage Contribution.

(d) [ ] **Related and Participating Employers.** If any Related and Participating Employers (or in the case of a Multiple Employer Plan, Participating Employers regardless of whether they are Related Employers) contribute Nonelective Contributions to the Plan, the contribution formula(s) (Choose one of (1) or (2)).

1. [ ] All the same. Is (are) the same as for the Signatory Employer under this Election 27.

2. [ ] At least one different. Is (are) as follows:

   [Note: Unless the Plan is a Multiple Employer Plan, the Employer should not elect 27(d) unless there are Related Employers which are also Participating Employers. See Section 1.24(D). The Employer electing 27(d) also must complete Election 28(g) as to the allocation methods which apply to the Participating Employers.]

(e) [ ] **Describe:**

   (The formula described must satisfy the definitely determinable requirement under Treas. Reg. §1.401-1(b). If the formula is non-uniform, it is not a design-based safe harbor for nondiscrimination purposes.)

   [Note: Under Election 27(e), the Employer may describe the amount and type of Nonelective Contributions from the elections available under Election 27 and/or a combination thereof as to a Participant group (e.g., A Discretionary Nonelective Contribution applies to Division A Employees. A Fixed Nonelective Contribution equal to 5% of Plan Year Compensation applies to Division B Employees).]

28. **NONELECTIVE CONTRIBUTION ALLOCATION (3.04(B)).** The Plan Administrator, subject to Section 3.06, will allocate to each Participant any Nonelective Contribution (excluding ONECs) under the following contribution allocation formula (Choose one or more of (a) through (h) as applicable).

(a) [ ] **Pro rata.** As a uniform percentage of Participant Compensation.

(b) [ ] **Permitted disparity.** In accordance with the permitted disparity allocation provisions of Section 3.04(B)(2), under which the following permitted disparity formula and definition of "Excess Compensation" apply (Complete (1) and (2)).

1. Formula (Choose one of a, b, or c):

   a. [ ] Two-tiered.

   b. [ ] Four-tiered.

   c. [ ] Two-tiered, except that the four-tiered formula will apply in any Plan Year for which the Plan is top-heavy.
(2) Excess Compensation. For purposes of Section 3.04(B)(2), "Excess Compensation" means Compensation in excess of the integration level provided below (Choose one of a. or b.):
   a. [ ] Percentage amount. _____% (not exceeding 100%) of the Taxable Wage Base in effect on the first day of the Plan Year, rounded to the next highest $_____ (not exceeding the Taxable Wage Base).
   b. [ ] Dollar amount. The following amount: $______ (not exceeding the Taxable Wage Base in effect on the first day of the Plan Year).

(c) [X] Incorporation of contribution formula. The Plan Administrator will allocate any Fixed Nonelective Contribution under Elections 27(d), 27(d), or 27(e), or any Prevailing Wage Contribution under Election 27(c), in accordance with the classifications allocation provisions of Section 3.04(B)(3). (Complete (1) and (2).):

(1) Description of the classifications. [This is a nondesigned based safe harbor allocation method.] In accordance with the classifications allocation provisions of Section 3.04(B)(3). (Complete (1) and (2).):

[Note: Typically, the Employer would elect 28(d) where it intends to satisfy nondiscrimination requirements using "cross-testing" under Treas. Reg. §1.401(a)(4)-8. However, choosing this election does not necessarily require application of cross-testing and the Plan may be able to satisfy nondiscrimination as to its classification-based allocations by testing allocation rates.]
   b. [ ] NHCEs/HCEs. Nonhighly Compensated Employee/Participants and Highly Compensated Employee/Participants.
   c. [ ] Describe the classifications:

[Note: Any classifications under Election 28(d) must result in a definitely determinable allocation under Treas. Reg. §1.401-1(b)(1)(ii). The classifications cannot limit the NHCEs benefiting under the Plan only to those NHCE/Participants with the lowest Compensation and/or the shortest periods of Service and who may represent the minimum number of benefiting NHCEs necessary to pass coverage under Code §410(b). In the case of a self-employed Participant (i.e., sole proprietorships or partnerships), the requirements of Treas. Reg. §1.401(a)-1(a)(6) apply and the allocation method should not result in a cash or deferred election for the self-employed Participant. The Employer by the due date of its tax return (including extensions) must advise the Plan Administrator or Trustee in writing as to the allocation rate applicable to each Participant under Election 28(d)(1)a. or applicable to each classification under Elections 28(d)(1)b. or c. for the allocation Plan Year.]

(2) Allocation method within each classification. Allocate the Nonelective Contribution within each classification as follows (Choose one of a. b. or c.):
   a. [ ] Pro rata. As a uniform percentage of Compensation of each Participant within the classification.
   b. [ ] Flat dollar. The same dollar amount to each Participant within the classification.
   c. [ ] Describe: ________

(Choose one of a., b., or c.):

(e) [ ] Age-based. [This is a nondesigned based safe harbor allocation method.] In accordance with the age-based allocation provisions of Section 3.04(B)(5). The Plan Administrator will use the Actuarial Factors based on the following assumptions (Complete both (1) and (2).):

(1) Interest rate. (Choose one of a, b, or c.):
   a. [ ] 7.5%
   b. [ ] 8.0%
   c. [ ] 8.5%

(2) Mortality table. (Choose one of a. or b.):
   a. [ ] UP-1984. See Appendix D.
   b. [ ] Alternative: __________________________ (Specify 1983 GAM, 1983 IAM, 1971 GAM or 1971 IAM and attach applicable tables using such mortality table and the specified interest rate as replacement Appendix D.)

(f) [ ] Uniform points. In accordance with the uniform points allocation provisions of Section 3.04(B)(6). Under the uniform points allocation formula, a Participant receives (Choose one or both of (1) and (2). Choose (3) if applicable):

(1) [ ] Years of Service. ________ point(s) for each Year of Service. The maximum number of Years of Service counted for points is __________

"Year of Service" under this Election 28(f) means (Choose one of a. or b.):
   a. [ ] Eligibility. Years of Service for eligibility in Election 16.
   b. [ ] Vesting. Years of Service for vesting in Elections 43 and 44.

[Note: A Year of Service must satisfy Treas. Reg. §1.401(a)(4)-11(d)(3) for the uniform points allocation to qualify as a safe harbor allocation under Treas. Reg. §1.401(a)(4)-2(b)(3).]

(2) [ ] Age. ________ point(s) for each year of age attained during the Plan Year.
RESOLUTION No. 2018-19-04

AUTHORED BY: Oliver Winfield-Perez, External Affairs
Maddie Halloran, Graduate Representative

REFERRED TO: AS BOARD OF DIRECTORS
ACTION SCHEDULED: 10/29/2018

SUBJECT: An Act to Support the Creation of a CSU Executive Compensation Policy

WHEREAS, The Associated Students (A.S.) Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 7,500 students; and,

WHEREAS, The Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

WHEREAS, Associated Students of HSU recognizes the importance of policy and the guidance it provides a governing body such as those in the California State University (CSU) system, and,

WHEREAS, A.S. of HSU is concerned with the basic needs crisis of students across the CSU system, along with the lack of sufficient pay for, and overworking of, temporary and permanent faculty, and,

WHEREAS, A.S. of HSU believes that continual increases in executive pay perpetuates the use of precious student funds, reduced investment in student education, and an over-investment in the top-paid positions of the CSU, and,

WHEREAS, A.S. of HSU questions the validity of the relationship between the quality of hires and the offering of exorbitant “competitive salaries”, and,

WHEREAS, The cost of living in Humboldt County is much less than in other metropolitan areas of California, and,

WHEREAS, The Board of Trustees and CSU Executives have increasingly restructured the CSU system in a top-down, privatized corporate model, siphoning funds from students and into managerial, supervisor, and executive positions; with a 19.2% increase in managerial/supervisor positions across the CSU between 2004-14, and a 3% decrease in tenure line faculty in the same time frame. At HSU specifically, the tenure line faculty decreased by 25% between 2004-14, and,

WHEREAS, From 2004-14, HSU managerial and supervisory staff salaries have seen an average increase of 42%, HSU faculty have only seen an average increase of 1%. Additionally, the decrease in
permanent faculty requires the same amount of teaching and work to be done by fewer people; therefore, be it,

**RESOLVED**, That the Associated Students Board of Directors of Humboldt State University, supports the creation of a CSU system-wide executive compensation policy, which models a more equitable distribution of wealth, for example, Spain’s Mondragon Corporation, where no executive can make more than six times the amount of the salary of the lowest level worker, be it also,

**RESOLVED**, A.S. of HSU calls for the Board of Trustees, in cooperation with the California Faculty Association, to review current compensation levels across the CSU system, as well as research the compensation packages of related executive positions across the state of California, be it further,

**RESOLVED**, A.S. of HSU calls for the CSU Board of Trustees to decrease executive compensation and the amount of managerial/supervisor positions, and to increase the number of tenure line and permanent faculty positions, along with an increase in faculty, staff, and student staff pay, be it further,

**RESOLVED**, A.S. of HSU calls for the next HSU President to take a voluntary pay cut of at least 10% in recognition of the recent budget cuts and current financial status of the university, be it further,

**RESOLVED**, That copies of this resolution be sent to, but not limited to, the CSU Board of Trustees, California Faculty Association, California State Student Association, Governor Jerry Brown, Chancellor Timothy White, HSU President Lisa Rossbacher, all HSU Vice Presidents, all HSU Deans, Provost Alex Enyedi, the Humboldt State University CFA.

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Oliver Winfield-Perez, Co-author
External Affairs

Maddie Halloran, Co-author
Graduate Representative

________________________
Jazmin Sandoval, A.S. President

Paola Valdivinos, Chair & Legislative Vice President

References:

CSU CFA, (2015). Race to the bottom: Salary, staffing priorities and the CSU’s 1%. www.calfac.org/race-to-the-bottom

RESOLUTION No. 2018-19-05

AUTHORED BY: Eden Lolley, College of Natural Resources and Sciences
Representative
Isabel Sanchez-Pacheco, AS Environmental Sustainability Officer

REFERRED TO: AS BOARD OF DIRECTORS
ACTION SCHEDULED: October 29, 2018

SUBJECT: An Act to Support Ecosia on Library Computers

WHEREAS, The Associated Students (A.S.) Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 7,500 students; and,

WHEREAS, The Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

WHEREAS, It is the Vision of Humboldt State University to be the premier center for the interdisciplinary study of the environment and its natural resources; and,

WHEREAS, It is the Vision of Humboldt State University to be renowned for social and environmental responsibility and action; and,

WHEREAS, It is the Value of Humboldt State University to assist in developing the abilities of individuals to take initiative, and to collaborate in matters resulting in responsible action; and,

WHEREAS, It is the Value of Humboldt State University that individuals must be environmentally, economically and socially responsible in the quest for viable and sustainable communities; and,

WHEREAS, Associated Students supports these values and visions; therefore, be it

RESOLVED, That the Associated Students fully support the use of Ecosia on Library computers; and,

RESOLVED, That copies of this resolution be sent to, but not limited to Dave Marshall, Cyril Oberlander, Chancellor White, Lisa Rossbacher, Brianne Hagen
Eden Lolley
A.S. College of Natural Resources and Sciences Representative

Isabel Sanchez-Pacheco
AS Environmental Sustainability Officer

Jazmin Sandoval
A.S. President

Paola Valdovinos
Chair & Legislative Vice President