

ASUC SENATE MEETING

November 12, 2008

Twelfth Week

This regular meeting of the ASUC Senate was called to order by Krystle Pasco at 7:12 p.m. in the ASUC Senate Chamber. Ms. Pasco said that given the circumstances that the Senate was in, and not being able to conduct business because the Elections Council Chair has not yet been selected, the agenda that evening would be different and they'd start with Guest Announcements.

APPROVAL OF THE MINUTES

The amendments to SB 103 were unavailable when the bill was approved under the Consent Calendar at the October 29 Senate meeting.

The following Resolution, SB 103, as amended, was approved at the October 29 Senate meeting. It was authored by Ms. Winston and Mr. Nahabet:

Resolution to Select a New ASUC Lawyer

Whereas, Mark Himelstein is the current ASUC lawyer and has been for over 30 years; and

Whereas, Mark Himelstein has expressed his desire to retire from holding this position; and

Whereas, the contract between the ASUC and Mark Himelstein expired on June 30, 2008; and

Whereas, since then the ASUC has been paying for Mark Himelstein's services at an hourly rate of \$190.00; and

Whereas, the ASUC, in the previous year, created a Temporary Committee for the Selection of the ASUC Lawyer; and

Whereas, the Temporary Committee for the Selection of the ASUC Lawyer did not, in fact, select a new lawyer; and

Whereas, there were two final teams: Mo Kashmiri and Michael Sorgen, and Claudia Castillo, Molly Jacobson, and Neil Taxi;

Therefore Be It Resolved, that the "Temporary Committee for the Selection of the ASUC Lawyer" be recreated.

Resolution to Select a New ASUC Lawyer (cont'd)

Be It Further Resolved, that the responsibility of this Committee be to finish the interview process begun last year and to select an ASUC lawyer from the two applicant teams and then present them to the Senate for approval.

Be It Further Resolved, that the Temporary Committee for the Selection of the ASUC Lawyer be composed of the ASUC President, Executive Vice President, four ASUC Senators nominated and approved by a two-thirds vote of the entire Senate, and one Graduate Assembly representative, to be appointed by the Graduate Assembly.

Be It Finally Resolved, that the Attorney General and the ASUC Auxiliary Director sit on the Committee as non-voting advisory members.

ANNOUNCEMENTS

Guest Announcements

Ms. Pasco said the first Guest Announcement was from Hillary Lehr. Ms. Lehr said she wanted to thank the Senate for hearing her, and wanted to congratulate them for being the campus which registered the most students to vote. Democracy was a pretty cool thing; and that's why she was there. She graduated last May and she was starting a campaign called "The Phoenix Project for UC Democracy." It's aimed at bringing together UC students from across the different UC campuses to start a campaign to democratize the Regents. It seems like it could be really effective to do that. Such a change would involve amending the California State Constitution; and to do that would require either a State ballot initiative or a two-thirds vote of the Legislature. There are also students from several UC campuses interested in making this happen. There should be some really cool events coming up around this issue and she just wanted to let the Senate know about a couple of them.

Ms. Lehr said that on Tuesday, November 18, there will be a town hall panel at the Hillside Club, 2286 Cedar. There will be UC Berkeley faculty, students, custodial workers, community members, City Council members, and other representatives of the California community, who will talk about what democratization of the UC Regents would mean for their particular constituencies and the groups they represent. The idea, especially on the student side, was that if Regents were elected it would be a lot easier to either freeze or reverse tuition hikes, as well as lower the amount of conflict of interest arrangements that occur among the UC Regents, who currently were appointed. Regents are appointed by the Governor for 12-year terms. If Regents were elected by the State, it would be a lot better for students to have their interests presented, or at least to improve the feedback loop. The panel will be on the 18th at 7 p.m. She could send Senators an e-mail with this information, if they didn't mind, and update them on what was going on. If they had any questions they could check out the Web site, ucdemocracy.org. It had all the information and made everything easy to access. Ms. Lehr said she wanted to thank the Senate for its time and she hoped to see them on Tuesday and at future events.

Mr. Mairena moved to go to Executive Officer Reports. The motion was seconded by Mr. Owens and passed with no objection.

Report from the President

Ms. Winston said she hadn't seen them for a long time. She'd start by telling them about the situation with the Elections Council Chair, since she knew that was what everyone was interested in. She will appoint a person by Monday night, before any committees meet. She will not appoint someone that evening. There were many reasons behind this decision. She didn't feel like there's been enough time specifically for the President, herself, to evaluate people who have applied and to make a decision that she felt was informed. With that said, someone will be appointed by Monday night. She had more information on the reasons for her decision if people were interested in asking.

As an update for the office, they're having a Salsa Dance Night November 5, to bring people together. There will be art done on that night, and people will be there to teach how to dance. The office was also doing a campaign with AFSCME workers, so if people were interested in labor issues, Ms. Winston said they should speak with her. She called for any questions.

Mr. Owens asked what she intended to do from now until Monday with respect to the Elections Council Chair. Ms. Winston said so far she's called Jan Crowder on Monday night, as soon as she heard there was a problem, and spoke with Ms. Crowder about past year's Elections Councils. She's also done research about the years that the young woman, Emily Liedblad, served, the nominee of the Elections Council Chair Selection Committee. Ms. Winston said she had the contact information for Jessica Wren, who was Elections Council Co-Chair, and called her, but hasn't spoken to her yet. She'll get in contact with her. Ms. Winston said she was also getting in contact with last year's Elections Council Chair. She's also talked to members of last year's Elections Council. She was going through every resource she knew of and was talking to people who had expertise and experience in working on elections to try and find someone she felt was qualified. She would definitely reference Senators to also discuss this with her. Ms. Winston said that now that the decision was in her hands, she wouldn't make a rash decision or a decision based on what one individual or specific individuals have requested or demanded that she do. So she was going to take the time to actually do a thorough job as this position was extremely important. It didn't make sense for her to try and do this within two hours or two days, especially when one of those days was a vacation day, Veterans Day. That was the background behind that.

Ms. Chen said that since she has contacted a lot of individuals, such as former Elections Council Chairs, she asked if Ms. Winston has talked to the Selection Committee for the ECC in terms of candidates they had and the Committee's discussions on qualifications as well. Ms. Winston said she got an e-mail from Ms. Cho and she spoke with Mr. Nahabet and Ms. Ude and with Ms. Hussain. So she's talked with every member of the Committee. She hasn't talked with Mr. Owens yet. But she's talked to everyone else she was aware of who was on the Committee. Ms. Winston said she also watched the interview of the woman people have recommended. But Ms. Winston said she intended to do background research on all the different options, and not think there was only one option available.

Roll call was taken for attendance.

MEMBERS LEGALLY PRESENT:

Sheila Chen	Christina Oatfield	Will Smelko
Sarah Cho	Tommy Owens	Lisa Tran
Meghana Dhar	Tara Raffi	Tu Tran
Mary June Flores	Claudia Rodriguez	Obiamaka Ude
Saira Hussain	Lyell Sakaue	Stephanie Yang
Oscar Mairena	Kifah Shah	Yishi Zuo
Eddie Nahabet		

MEMBERS PRESENT:

John Moghtader

Ms. Shah said that for clarification, Ms. Winston didn't find out until that day, technically, as a result of the J-Council ruling, that making the appointment her responsibility. Ms. Winston said she would like to clarify that. She found out Monday night that it was her responsibility to make the appointment when she read the Constitution and By-laws, which state that if the Selection Committee fails to appoint someone by the eighth week, then the president was responsible for appointing someone. So she did find out about that before the J-Council issued a statement basically saying the same exact thing. But she didn't have several weeks in which to make that appointment, and this situation developed quickly, and was moving fast.

Ms. Cho asked if she will look at Ms. Liedblad and other applicants, or if she was putting Ms. Liedblad's application aside. Ms. Winston said she was definitely looking into Ms. Liedblad's application. She called Ms. Liedblad that day and hopefully will get a chance to meet with her as well. Ms. Winston said she thought it was really important to not think there was only one option. There could be several options. Also, there are people on the campus who have worked on the Elections Council in the past and were still on campus. She wanted to tap into those resources. Maybe people who were part of the Elections Council in the past weren't interested in being chair, but they might have a lot of valuable information people could take from them. Ms. Winston said now that the selection was her responsibility, she wanted to look at all the possibilities and really be thorough about this appointment. She intended to speak with Ms. Liedblad and consider her as well.

Ms. Dhar asked what her interpretation of "immediately" was, since Title II states that the president had to appoint an Elections Council Chair immediately if the Senate failed to confirm one. Ms. Winston said she thought "immediately" was as soon as possible. With that said, "as soon as possible" really still meant with as much thought as possible as to how this would affect the students as possible. So while she saw the urgency of the situation, she didn't want to overlook the extreme importance of the appointment, and didn't want to simply get it done with.

Ms. Dhar asked if she realized that because of this decision all New Business was going to be postponed for another week and all student groups will have to wait for two weeks for their bills and for money for their events. Ms. Winston said she understood that. She thought it was unfortunate that the Senate wasn't able to appoint an Elections Council Chair within the eighth week. But now that it was her responsibility, she didn't have any plans on doing this half-behind.

Ms. Raffi said that since their rules state that it was ultimately the President's responsibility after the eighth week, the OP has, for the past couple of weeks been overlooking this issue. Seeing that the Elections Council Chair Selection Committee has put a lot of time and effort into looking at a lot of different options and into interviewing people, and really considering applicants, she asked if Ms. Winston would take their opinions with weight, considering the situation the Senate was in and the urgency they faced. Ms. Winston said she did take it with weight, and she did have respect for every individual in the room, the decisions they come to, and their opinions. So she was going to consider what they recommended. She has even made efforts to contact Ms. Liedblad and to speak with her. So she wasn't disregarding the Committee's decision. Regarding the question of urgency, Ms. Winston said she valued students' time as well, and valued the importance of the elections process. There could be huge differences in the election depending on who they select. They could have a cost-efficient election or an election that cost a lot of money. They could have an election with a huge turnout of voters, or a small turnout. That was all dependent on the Elections Council Chair. It wouldn't be doing students justice to rush through a process to select a person.

Ms. Raffi said that although it was an oversight of the Senate to not have appointed somebody by the eighth week, it was also an oversight of the OP to not know that it was its responsibility. She asked how Ms. Winston could make sure that the OP was separate from the Senate and did not find itself in this situation again. Ms. Winston said she appreciated the comment. While she could take blame for this as well, she would say that in the past, the ECC has been appointed by the Selection Committee, as has the Attorney General and so many other positions. So she hasn't done background work in terms of looking for a person who could potentially be Elections Council Chair because that was not delineated specifically as the President's responsibility. It was first and foremost the responsibility of the Senate. And when the Senate failed to do that, then it fell to the President to do. Ms. Pasco said speaking time had expired. Ms. Raffi moved to extend by three minutes. The motion was seconded by Mr. Owens and passed with no objection.

Ms. Raffi said that Ms. Winston found out on Monday night that the ECC appointment was her responsibility. But for a couple of weeks she didn't know that this was her responsibility. Ms. Winston said she wouldn't go so far as to say she didn't research what the President's responsibilities are, but in the past, the Elections Council Chair has been appointed by the Senate. It's not something previous Presidents would prepare them for, like reminding them that they'd need to appoint this position by the eighth week. It was really something the Senate has done in the past. Ms. Winston said that Ms. Raffi was correct, and it was a slight oversight on her part. But she didn't feel that the blame was entirely hers.

Ms. Winston said she would apologize, but just for a heads-up, she had a class at 7:00 and she wanted to get out of there. She could come back at 9:00.

Mr. Zuo asked what she thought would happen in the event that she appointed someone other than the person the Selection Committee recommended unanimously, and the Senate didn't approve them. He asked if that would impede Senate efficiency in weeks to come. Ms. Winston said it would. But she thought that situation could be reversed. One thing that she hadn't heard about was that the individual was approved unanimously by the Selection Committee. She hadn't heard that. Secondly, in terms of the Senate's business being impeded, yes, it has been impeded. They're in a situation now and it has already been taking place. It was sort of inevitable. If the selection had been made by the eighth week and this situation hadn't occurred, business would not have been impeded. But this is where they are at that time.

Mr. Zuo asked if she would agree that it was better to fix a problem rather than let it continue. Ms. Winston said she did. And she thought the problem will be fixed as soon as the person is appointed. She also thought that the Elections Council Chair was in charge of \$50,000 and the entire student election. So choosing the person to fill the position was not a decision to be made rashly. She thought they could view this as a problem, but in the greater scheme of serving students, it was important to do a thorough process and evaluate all the applicants and consider all the options, and to appoint someone who was fully qualified for the position and who would do an amazing job.

Ms. Shah said that Ms. Winston was notified that the Elections Council Chair Selection Committee did not appoint a Chair. She wasn't notified until November 3, by the Attorney General. Ms. Winston said that was correct.

Ms. Shah asked when Ms. Winston found out about the J-Council's decision that it was her responsibility to appoint the Elections Council Chair.

Ms. Pasco said speaking time had expired.

On a point of personal privilege, Ms. Rodriguez asked if the Senate could return to this report at 9 p.m. given that Ms. Winston had a class to attend.

Ms. Ude moved to move out of the President's report and to hear the next report on the agenda. The motion was seconded and passed by hand-vote 16-1-0.

Report from the Executive Vice President

With Ms. Vir-Banks chairing the meeting, Ms. Pasco said she hoped Senators were having a great day. She had a really good class that day, with a really good discussion.

In terms of the Senate, regarding lockers, Sens. T. Tran and Chen still had to get their codes from her. She would ask them to please see her at a recess or after the Senate meeting so they could do that. Regarding the internship program, they didn't meet that week as Tuesday was a holiday. They'll meet next week. The directors in her office, Jeremy De Nivea, Salma Vir-Banks, and David Velasquez, who work on getting Senators who do not have interns since there was some issues earlier in the process. So they're working on that, and she would ask Senators to please be patient. They're getting applications and they just need to look over them and make sure people were the right fit, for those without interns.

Regarding Lower Sproul, Ms. Pasco said the ecocharette, the sustainability workshop, happened last Friday and it was really, really good. She got a lot of information about simple ways that the campus, not just the project itself, could be more environmental supportive, such as bringing compost bins to campus, since they're currently just at residence halls or in Dining Commons. She got a lot of information that she didn't know about in terms of environmental sustainability. So it was really, really enlightening for her to be a part of that. And she was definitely looking forward to the next phase of Lower Sproul redevelopment. The Student Council, as Senators knew, was still meeting, and the Student Advisory

Board. It was really exciting to finally see this project move forward in a good direction, and not just being a microhistory, but trying to make it more environmentally sustainable.

Regarding the display cases, Ms. Pasco said people might have noticed that in one of the display cases in the Eshleman lobby, Senators' pictures and information was finally up. She just wanted to remind everyone to look at it and make sure their information was correct and that it was all up there. There were some empty spots. If people have any issues with this she would ask them to please contact Debbie Lemus on the 2nd floor.

Regarding the office, that weekend they're going to clean out some of the offices that were held by student organizations that no longer exist. So it should be a really exciting Saturday afternoon, cleaning out all that stuff.

Ms. Pasco said they had a staff potluck on Monday that was really good. It was at her house. They had a lot of food from all over the place, including from Ethiopia and the Philippines. It was really fun and exciting to see all the interns and directors just have a good time, get to know each other, and build community outside of the office. She called for any questions.

Report from the Academic Affairs Vice President

Mr. De la Cruz said he just had a couple of quick updates. Regarding Spring Welcome Week, they had a planning meeting that evening and will have one on Thursday evening to open it up for students who are interested in being part of the process. It's an open invitation because they want the process to really be organic and to allow for students who have an idea to really input their ideas, and have the space to do that, and to not just have AAVP directors come up with ideas and then go out to student groups and ask them to have groups implement those ideas. The planning meeting will be held from 7:30 to 9:30 on the 4th floor of MLK, the Tan Oak Room. They had a meeting that evening and will also have one on Thursday. That evening the meeting was for student performances, and on Thursday, the meeting will be for student services and academics.

In addition, they're having a meeting with the Auxiliary to discuss collaborating on Spring Welcome Week. The viewing party on Election Day was a collaboration between the EAVP and the Auxiliary, and Mr. De la Cruz said that in his opinion and the opinion of the EAVP, it was a great success. Mr. De la Cruz said they hope to duplicate that success with a large program like Spring Welcome Week and utilize the resources of the Auxiliary.

Regarding Bears Breaking Boundaries, the competition will be announced next semester. However, they're making presentations once a month starting December 3, showcasing the benefits of the projects that won and how these projects enhanced students' experience at Cal and really impact the overall student culture. Also on December 3, Annie, from Big Ideas at Cal, will also present to the Senate in a Special Order.

Mr. De la Cruz said Major Madness will be a weeklong series of events to help orient students towards the different majors that available on campus, both interdisciplinary and majors they may not have heard

of. And quite frankly, it was also to get a lot of the students who were currently interested in Haas. One panel will be "Money, Politics, and Policy." They had representation last year from majors such as Political Science, Political Economy of Industrial Societies, Development Studies, Legal Studies, Peace and Conflict Studies, Economics, and Environmental Economics and Policy. They will have panels for Biological Sciences, Social Sciences, and panels with several humanities professors. They're also looking into an additional panel, possibly one by ISF. They also want to include a workshop about careers for double majors.

In terms of the Research DE-Cal, on Mondays from 4:00 to 5:30, they're inviting professors to come. If anybody wanted a course control number, they'll have that available shortly. They're looking for speakers for a series. In terms of the office itself, they had an office-wide dinner and they're going to have a scavenger hunt on Lower Sproul. They'll also have a Thanksgiving potluck. He called for any questions.

Mr. Tran asked what time the Spring Welcome Week meeting will be. Mr. De la Cruz said it will be 7:30 to 9:30. The event is on Facebook and he believed e-mails were forwarded out to most Senators and student groups through Millicent Morris-Chaney. Mr. De la Cruz said he could forward that out.

Ms. Chen asked if he could report about student representatives who were appointed to Academic Senate and other committees, and their progress and things they've been working on. Mr. De la Cruz said his directors were working on finding and contacting student representatives who had something that would be beneficial to present to the Senate. He wanted people to keep in mind that there are over 70 student representatives. He didn't want to have each one come in and talk for ten minutes. That wouldn't be an efficient use of time. So they're trying to find those students who could really add something and speak about their experience and give all pertinent information to the Senate.

Ms. Chen said people didn't have to come in and talk and they could just make a report on things they've worked on, which could be forwarded out. Mr. De la Cruz said every week he's tried to relay the information that he thought was beneficial for the Senate to be aware of, whether it was the budget or the Consortium on Funding Higher Education (COFHE). Those were all things that were reported to him through student representatives. Mr. De la Cruz said he would do his best to do that. He could give a more formalized report in weeks to come. Seeing no further questions, Ms. Pasco said she would like to thank him for his report.

Ms. Pasco said the Chair would entertain a motion to move back to Reports from Representatives to the ASUC. It was so moved and seconded by Mr. Mairena and Ms. Rodriguez and passed with no objection.

REPORTS FROM REPRESENTATIVES TO THE ASUC

Report from the Faculty Representative

Prof. Lieu said the Student Affairs Committee of the Academic Senate met that afternoon. First, they endorsed the letter that was passed to the Committee, also from the Academic Senate, asking for the

Senate's assistance in reducing textbook costs and encouraging faculty members to submit textbook adoptions within the deadlines.

There were a couple of issues, budget-type questions, that don't directly concern the Committee but, in his opinion, had to do with student welfare. He thought the Senate should be made aware of some of the things that were happening as a result of budget cuts, reduced faculty, and the over-enrollment of students on campus.

The first thing was that faculty was being reduced and the number of classes was being reduced. As an example, something he wasn't sure if Senators were aware of or not, but Chem. 1A is being reduced by 240 seats next semester, a one-third reduction from the normal number of seats. Chem. 3A, also known as Organic Chemistry, was also being reduced by 240 seats. And Chem. 3B is being reduced by 90 seats. This represents a one-third reduction in seats available for those classes. Prof. Lieu said he thought that went a little further than just students not being able to take a class. There are many majors on campus, such as Bioengineering, that mandate Biological Science majors to take these classes. These are gateway courses, and for students to not be able to take these courses at the time they are required to take them means they delay their graduation by one semester for every semester they don't take these classes.

Prof. Lieu said he wasn't sure what could be done about this because it was a budget issue and it didn't directly affect the Academic Senate, which handles policy issues. But one thing students could do was to start talking about it among themselves. Probably the only person that he could think of to approach about these matters would be the Chancellor directly, or perhaps the Executive Vice Chancellor, George Breslauer.

There are other departments that were considering these types of cuts as well. He thought that every department will choose these cuts in a slightly different manner. This is the way Chemistry has decided to deal with the budget cuts.

Prof. Lieu said there was another matter as far as the budget was concerned. Because of the mid-year budget cuts, there are several items that were being considered by the Chancellor's office that the Senate should probably be aware of. The first item was that the Administration was seriously considering increasing the number of out-of-State and foreign students on the campus. They've already decided that they can't really afford to reduce the number of students. That was not the proper way to go. But the campus was thinking about increasing the number of out-of-State and foreign students, because they pay a lot more. This, of course, meant that there will be fewer students accepted within the State of California to come to this campus will be reduced.

Prof. Lieu said the last thing that was being considered, which could be found on the Chancellor's Web site, was that they're considering having different tuition and fees. That would mean that they're considering having selected campuses in the University System, Berkeley, UCLA, and San Diego, in particular, have a higher fee tuition structure than the rest of the campuses. Part of the revenue from the increase would go back to the lower economic strata schools, and financial aid would be increased. The percentage that was quoted to him was about 40%. This would mean that the increase in fees would actually help people in the lower economic levels and penalize people at the higher economic levels. Of course, the other campuses don't like this idea because they can't increase fees the same way that Berkeley could, or UCLA or San Diego. If other UCs increased their fees, students would start going to other schools. He called for any questions.

Ms. Tran asked how these changes would affect spring admits. Prof. Lieu said admissions in the spring will not be affected, and possible changes he reported on were just proposals. They're not things that will be enacted. But the Senate should be aware that these proposal were on the table and were being discussed without student representation.

Ms. Hussain asked how it would be possible to have students' voices heard in this manner. Prof. Lieu said he wasn't sure because these were financial matters. The specific committee to address this might be Educational Policy. He would start with the Chancellor and the Executive Vice Chancellor.

Ms. Cho asked if he knew what actions were being taken regarding disproportionate cuts to certain departments and colleges in the coming year. Prof. Lieu said he really didn't know. It was his understanding, which may not be true, that the cuts were even across-the-board. That meant that all departments would be affected equally.

Mr. Tran said that the issue of cuts to certain department stemmed from a reduction of money for GSIs. It was mentioned that the Graduate Assembly was actually very good at enacting a Resolution to stop the reduction. He asked how the ASUC could work on that. Prof. Lieu said this was an economic issue, a money issue, and he didn't have the experience to really answer that question. Ms. Pasco said that seeing no further questions, she would like to thank Prof. Lieu very much for his report.

Report from the UCPD Liaison

Sgt. Tucker said he had a few items. There were two recent Crime Alerts. The first had to do with a burglary at Cleary Hall on November 5 at 3 a.m. A couple of residents left at 10 p.m. and returned at 3 a.m. and discovered that their room had been entered via an open window or unlocked door, since both those situations were present. That was just another reminder of vulnerability that people could create that someone could take advantage of if they don't close windows and lock doors. There might be someone looking for that opportunity, and it was sort of like playing the lottery with their possessions.

Sgt. Tucker said that when he was reviewing the crime reports for that week, there seemed to be an increase in bike thefts, which were moving back up again. There were about 10 to 12 bike thefts over the past several days. He also noticed, anecdotally, a number of other burglaries. The one he reported on was the only residential burglary, but there were a couple of other on-campus burglaries of computer equipment. Offices were broken into. So that was an unfortunate trend. And this wasn't inconsistent with what he was familiar with at that time of year. They do see increased theft, and sometimes robbery as well. He didn't know if it was the time change or the weather, or the economic phase of the year, because it seems to persist regardless of the overall state of the economy. It just seemed to be the time of year.

Sgt. Tucker said that on the subject of bike thefts, he was happy to report that they did at least recover one bicycle and make an arrest on Tuesday, in the afternoon. An individual had their bike stolen in front of Urban Outfitters, on Bancroft. The person came right down to the police department, was able to describe the bicycle very quickly, and an officer a few blocks south of campus, past Dwight, saw a bicycle that matched the description, was able to make a stop, and the police were able to recover the bicycle

and make an arrest. So that was a great example of being on the spot, knowing one's bike, and making a report quickly, whether in-person or by phone. So that was a success story, the kind of thing he liked to bring to the Senate's attention.

One other incident that occurred on Monday, at about 6:30 in the evening. A gentleman was sitting on the steps of Doe Library, on the north side, facing the Glade, and he had his iPod on and was working on his laptop computer. Four people came up to him, one of them hit him on the back of the head, the other grabbed his laptop and ran. The police don't recommend that people chase their assailants, but that is what this person did. He grabbed his laptop back. The group of four individuals then proceeded to punch and kick him. He managed to escape from that with his laptop and called 911. It was hard not to cheer, but this wasn't something the police recommend. One didn't know what reaction would result. In this case, he was outnumbered four-to-one, and he didn't know if they did or didn't have a weapon and what exactly they'd be willing to do to them. It was fortunate in this case that it turned out that there was no major injury, that the gentleman got his property back, and that the police made two arrests. The suspects fled in all directions, and the investigation for the additional suspects continues.

Sgt. Tucker said they held the Student Forum upstairs, from 4:00 to 6:00, which he just came from, with Itamar Haritan. It was a positive experience, but he was a little disappointed in the turnout. There were more cops than there were students. While that made for some personalized attention to folks who were there, including Sen. Chen, who was there, they had a very interesting discussion. Someone brought up fake IDs. They also talked about date rape; the UCPD claim process; and UCPD relations with minority groups. He just wished more people had been there to engage in that dialogue. Sgt. Tucker said he sent an e-mail last week so Senators could be there, or share that with people who were interested. He knew everybody had a full plate, but this was an opportunity for people to take advantage of. If people didn't, he thought they'd have to think about doing other, more effective things to reach people. He really thought this was an important line of communication to keep up with. So he hoped Senators let people know about these forums, and that people show up. The next one will be either December 3 or December 10. He realized that part of the problem may be that they haven't gotten the schedule fleshed out, and he was hoping to get something more solid for next semester. They have the forums announced on the UCPD's Web page. He wasn't sure what other efforts were being made for raising awareness for students, but he would like to look at more ways to get the word out there so people take advantage of it.

Sgt. Tucker said he mentioned this last week, and said he would bring it up again, Big Game behavior and civility. What he wanted to ask Senators to do was to talk to their peers, student groups, social networks, anyone they think might benefit, about the civility and appropriate behavior that was appropriate at the Big Game. Really that was important at every football game, but for some reason, the Big Game was associated with a rivalry and so it's more intense and emotional, and people are a little bit more ramped up. And when alcohol, perhaps, is introduced into that situation, it doesn't create a good outcome all the time. Sgt. Tucker said he was talking about behavior inside and outside the Stadium, and the days leading up to the game. He'd be the first to knock on wood and say he's glad they haven't been in the papers a whole lot lately, and he'd really like to keep it that way. They don't need to give anybody an excuse to criticize Cal or Cal students, especially in a budget crisis situation. So he would really encourage Senators to start getting the message out to folks in the hope of avoiding any problems. He called for any questions.

Ms. Cho asked what day and time the burglary took place. Sgt. Tucker said he would find that out.

Ms. Shah said her interns attended the forum that afternoon, and she really appreciated last year's forums. According to what her interns reported back, the oversight committee meets only when complaints are filed. Sgt. Tucker asked if she was talking about the Police Review Board. Ms. Shah said she was. Sgt. Tucker said they didn't cover that in any detail at the Student forum. The Police Review Board is made up of several folks from the University community, a faculty representative, a Law School professor, and a student representative, appointed by the Senate. There's a name listed for that spot, although he didn't know if it was for this year or last year. The Police Review Board meets when a complaint investigation is appealed. In other words, the UCPD does its complaint investigation and then comes up with a result. If the complainant is not satisfied with that result they can apply to the appeal board. That hasn't happened in many, many years. So the PRB has not had that much opportunity to meet. But they do meet for other things occasionally. The Board changed its procedures a couple of years ago. This is an entity that was independent of the Police Department. If people were looking for more information on that, if they do a search from the Berkeley home page, in the text box, "Police Review Board," that should be one of the hits, and could provide the rules, the members, and so on.

Ms. Shah asked if the Board, then, doesn't look at the initial complaints, but at the appeals. Sgt. Tucker said that was correct, and the PRB only comes into play on an appeal. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded by Mr. Mairena and Ms. Shah and passed with no objection.

Mr. Owens asked about the historical nature of a robbery such as on the steps of Doe, and if that has happened before in his time there. He thought it seemed to be a very odd place to commit a robbery. Sgt. Tucker said there wasn't a right place to commit a robbery. There were a lot of elements that went into when and where robberies took place. It was unusual for it to happen in a place that was neither very private and special, like a home, which was a real intrusion and shocking event. It was unusual for it to occur in broad daylight with a lot of people around. That's not what they really had here, as it happened at 6:30 at night, after the Daylight Savings change. So it was already dark outside. He didn't know the whole set of circumstances, but the individual was sitting alone and Sgt. Tucker said he would venture a guess that there probably weren't a lot of other people around. Someone is probably not going to commit a crime and want to get caught. In a few cases, they do, but usually not. If people are looking for opportunities like that, and they come upon one, they might seize it.

Mr. Mairena said the 1st floor of Cleary, a theme house, has experienced a lot of burglaries in the recent past, and he's actually talked to a lot of individuals who have been robbed in that building. He asked if there were any precautions that could be taken, not just by the students, but maybe by the RSSP. Sgt. Tucker said he didn't personally know about that situation, although that didn't mean there wasn't someone aware of that. He'll follow-up with UCPD's housing sergeant, Sgt. Tejada, who was full-time, essentially, working with the RSSP and on security monitor stuff. He addresses some of these security issues and Sgt. Tucker said he could see what Sgt. Tejada had to say. At the same time, if Mr. Mairena was aware of anybody who has had a problem but hasn't reported it, he would ask Mr. Mairena to please encourage them to do so. It might feel futile at times to report a crime, and people wonder what the point was, and that they probably wouldn't get their stuff back. That might be true, but reporting the crime allows the UCPD to identify systemic problems and move their resources to address an issue, or allows them to see if there was some sort of pattern at a residence hall.

Mr. Mairena asked if he knew of any resources for students who have been robbed, such as any financial compensation or grants available for students who have been mugged. Along with being mugged, people

had to replace all the things that were lost. He asked if the University had any procedures or services available for students. Ms. Pasco said speaking time had expired. A motion to extend by two minutes was made and seconded by Mr. Owens and Ms. Tran and passed with no objection. Sgt. Tucker said he was not aware of any program where the University would pay for replacement of anything. He'd suppose that if somehow the University was negligent or at fault, someone might be able to explore that. He wasn't sure that really applied to any of the situations Mr. Mairena was referring to. Sgt. Tucker said he'd be surprised, but he'd suppose it could apply. As for other recourse, an insurance claim wouldn't be a bad idea. People might recover the loss under a guardian, or parents' policy. He believed that some homeowner policies apply to dependents leaving in dormitories or in res halls. Even if the house was somewhere else, or even with rental insurance, if the house was covered, that protection may be extended. He would suggest exploring that possibility to see if there was an insurance policy that covered the loss. He'd see if he could come up with anything else. But unfortunately, it's a loss and was expensive. People could file the loss on their taxes.

Ms. Tran asked where bike thefts usually happen. She was at the RHA and some residents were concerned about whether the bike rails in Unit 1 were accessible to the public and if it was safe. She asked if bike thefts happen more often in different areas. Sgt. Tucker said he couldn't answer that question directly, as far as statistically, and whether more bike thefts occur at residence halls versus other locations. But he could say that in looking at bike theft patterns, as he does from time to time, he specifically looked for clusters, or groups, and the answer really was that bike thefts happen wherever bikes are. There's no other geography to it that jumped out at him. One of the things the police sort of advise the campus on from time to time was to where to put bike racks or other safety and security features that are part of the environment. The police actually suggest that bicycle racks be out where people could see them, because it's about that discovery issue. People don't want to get caught. So if bike racks are put in an area where everybody could see them, and where there are eyes watching it regularly, that in and of itself provides a deterrent effect. The other component of that was to have a good lock and to actually lock the bike properly. Ms. Pasco said speaking time had expired. A motion to extend by one minute was made and seconded by Ms. Cho and Mr. Owens and passed with no objection.

Ms. Cho asked if the UCPD Student Forum would get more people if it was held at another time in the evening, when students were done with class. Sgt. Tucker said that was definitely worth considering. He knew there were a lot of evening commitments as well. One reason they prefer Wednesday is because they have a couple of extra personnel on. It's a little easier for the police to schedule something, and they could spare the staff. That's not to say they couldn't do it on another day. They wouldn't want to do it during an ASUC meeting, of course, but he wanted to look at next semester and set down the schedule and the locations so they could advertise it more effectively and with more certainty.

Sgt. Tucker said he wanted to find out if the Senate would prefer the Student Forum next month to be on December 3 or December 10. They had talked about December 10 initially, but that's the last day of instruction, and people might be focused on school at that point. So he wanted to find out if December 3 was a better date in general, and if they might get a better turnout. Ms. Pasco said speaking time had expired. A motion to extend by two minutes was made and seconded by Mr. Owens and Ms. Dhar and passed with no objection.

Ms. Dhar asked if he had any information about the mugging that happened on Tuesday at the parking garage at Channing and Ellsworth. Sgt. Tucker said he didn't. He asked if a police report was filed. Ms. Dhar said she didn't have any information. She heard about it. Sgt. Tucker said he'd see if he could find

out. That might be on the UCPD's Daily Activity Bulletin, which people could look at. He'd see if could find out and get that information for them.

Mr. Zuo asked if he's heard anything about a couch being stolen from Unit 3. Sgt. Tucker said he didn't know. But when something goes missing from a res hall, it's very expensive. Now someone has a couch, and no one else does. And it probably had to be replaced. It was hard to imagine someone's décor where an institutional couch would fit in. But he did not hear about that. One would think that if it was snuck out of a hall, someone would have seen it and said something. If it's still within a residence hall, it will probably turn up. He didn't know if there was more work to be done on that. Seeing no questions, Ms. Pasco said she would like to thank him for his report.

Report from the ASUC Store Operations Board

Mr. Spivey said Director Permaul was down south at a director's conference, for directors of UC campuses, being held at Price Center, UC San Diego. Mr. Permaul said that he'd bring back lots of pictures, ideas, and things he's learned while he was down there.

The Store Operations Board will meet next Tuesday, the 18th, at 6 p.m. in the Tan Oak Room, MLK. If anybody was interested in attending, he would ask them to please come.

Regarding building security and repairs to elevators, as they knew, the east elevator was dead. It was scraping and making horrible noises that week and last week and had a major breakdown. The elevator crew is on other emergencies and will start repairs on Friday and they anticipate repairs taking a week. He knew this was difficult, because so many people go up and down those elevators. It will be expensive and lengthy, as it was a major breakdown.

Mr. Spivey said the ID card usage should be operating, and he thought the problem has been resolved. The other elevator will run free, without card use, so people wouldn't have to worry about that. Mr. Spivey said he got an estimate about the security cameras from the UCPD, and the price tag was \$7,978 to fix them. He'll approach Capt. Bennett and let the Senate know about any meeting they have so Senators or Executives could attend few they were interested. They'll address building security, a whole bunch of items, including cameras, doors, alarms, and other such things. They'll have code access for doors on different floors. When a meeting is scheduled with Capt. Bennett, Mr. Spivey said he'd invite the group at-large and send a notice to the EVP.

Mr. Spivey said the SOB at its next meeting will consider The Scholar's Workstation. Mr. Permaul will present terms of a proposed contract with the University and Follett for sales of computer equipment, software, and peripherals to individuals, as opposed to departmental and institutional sales. The Board will also meet in closed session for that. The terms were still confidential because the University and Follett have not signed a contract. So the Auxiliary had to be careful about disclosing confidential information. But the terms remain the same as Mr. Permaul has outlined to the SOB, and there wasn't a lot of change from what the Board has been briefed on before. As soon as the SOB gives approval of terms, the University will move forward to a final contract, which could be disclosed at a Senate meeting. For

Senators who have interest in the Auxiliary's business affairs, they are able to attend closed sessions, although the content of those sessions still remains confidential. Any terms and conditions that are discussed with a client had to be kept confidential until they're agreed to and signed.

Regarding the Daily Cal proposal, the SOB will consider a proposal made by the Daily Cal at the last SOB meeting for rent relief.

Unfortunately, Kaplan has turned down the offer to move into the Postal Annex. The business insisted on using a portion of the space in the Bear's Lair Food Court that it wanted to remodel. The SOB unanimously rejected that proposal and said it wasn't an option. The Auxiliary will present another option to the Board on using the Postal Annex space. They'll ask the Board about other options for commercial use of the space that were physically and economically viable. If people had any ideas, they should let them know. The Postal Annex space didn't have a lot of plumbing. It has power and phone lines, and that was about it.

Mr. Spivey said that STA Travel, which tried to bring Kaplan to the ASUC, will soon give the Auxiliary a proposal to get out of the contract. Their contract is through November of next year, so they'll offer a proposal to buy out the agreement. They'll probably offer the Auxiliary less, but a lump sum, to end the agreement. That would free up that space to be used in another way. He anticipated getting the proposal in a week or so, and it will be presented to the Board.

Regarding the Brazil Café, the Auxiliary anticipates the Board will discuss, in closed session, the Café and its potential satellite location at the Union. The concern was that the campus will not approve an outdoor location on the roof of the Bear's Lair Pub. The assessment to do that continues to move forward, but the Auxiliary will offer the Board an opportunity to consider other options. It was very difficult to put something on sites other than where they currently have things. The campus was very careful about the way it looks on the outside.

Regarding Tully's Coffee, Mr. Spivey said the Auxiliary hoped to have a final term sheet for the proposal to the Board. He believed it was being reviewed by Real Estate Services. Tully's has agreed to its contents.

Regarding the Lower Sproul Planning Committee that occurred last Friday, that was already discussed by EVP Pasco. The focus was an exercise that envisioned basically closing their eyes and "not seeing in Lower Sproul what they saw in their imagination." He thought that was a great idea to envision environmentally and economically sustainable Student Union redevelopment. Participants were encouraged to imagine all the elements that they would want in a sustainable Student Union. A professor from the College of Environmental Design, a leading academic analyst of sustainability at Berkeley, outlined the elements of a successful, sustainable model that was economically viable. As they move forward in the planning, Mr. Spivey said he hoped that people will keep in mind that sustainability was a complex matrix that will require considerable resources to make it possible. There was no sustainability without economic visibility and the Auxiliary will continue to champion both before student government and the Store Operations Board.

Regarding the conduct of the student section at Los Angeles, for the USC game, Mr. Spivey said he wasn't sure if he should read this. Mr. Permaul asked if he would censor it, and Mr. Spivey said he

would. That past weekend, when he took his immediate family to Los Angeles to visit other members of his extended family, he was invited to attend the Cal-USC football game. He had to report that he was shocked by the behavior in general of Cal student rooters who attended the game. As he stood at the entrance to the vomitorium, the section where Cal fans, including myself were seated, one of the Coliseum employees handling the seating of the crowd asked me if it was acceptable for students to be so rude, drunk, and uncooperative. She repeated over and over, "It's not right, it's not right."

Mr. Spivey said he stood there and saw and experienced behavior that was embarrassing for students at the best public university in the nation. He had to agree with the employee that it wasn't right. Of course, not all students who attended the game were engaged in this conduct, but enough that police had to be called in to assist the seating attendants to keep control.

Mr. Spivey said people should feel free to send him an e-mail to ask any follow-up questions. They were also welcome to drop in on his Thursday office hours, from 2:00 to 3 p.m. He called for any questions.

Ms. Tran asked if there's been any notification to the Auxiliary as to how long repair of the elevator will take. Mr. Spivey said it would be a week. Ms. Tran asked if there will be public notice on the elevators. Mr. Spivey said the elevator was turned off. They could put a note up. It's literally shut down

Ms. Flores said that with regard to after hours, she asked if the other elevator will still function. Mr. Spivey said it will, and will run continuously.

Ms. Yang asked when Mr. Permaul will be back. Mr. Spivey said he'll be back on Monday.

Ms. Tran asked if the stairs will be available while the elevator was down. Mr. Spivey said they would be. Seeing no further questions, Ms. Pasco said she would like to thank him for his report.

Elected Official Announcements

Ms. Hussain said she had fliers for Peace Not Prejudice Week, which will be next week. She would ask people to please take one. She had a lot more if people wanted them. She would really encourage people to tell their constituents, communities, and student organizations about this. It will be a good event. There will be poetry slam on Monday in the MCC at 8 p.m.; a panel discussion on Tuesday; a mural-creating, expression, and community-building event on Wednesday; and a peace rally on Thursday. There will be performers, a forum, and hip-hop artists.

Ms. Hussain said she would also like to remind Senators to please be careful when they're walking. One of her friend's friends was walking in the morning, right outside on Hillegass and Dwight, and was crossing the street. She made eye contact with two girls as she was walking, and one of the girls proceeded to punch her in the face, without taking anything from her. So people should be really, really careful about keeping themselves safe and being aware of what was around them and their surroundings.

Ms. Oatfield said that as the Judicial Council suggested, there should be a By-law amendment to clarify what the ASUC could and could not consider while there was a lack of an Elections Council Chair. She's going to work on a bill in the next week to change the By-laws to clarify that. She planned on making a pretty minor change, just to clarify that if the Senate was in a situation like they currently were in, they couldn't consider any official business other than appointing an ECC. If people wanted to write the bill with her, work on it with her, or co-sponsor it, she would ask them to please contact her. She'll be working on that in the next few weeks.

Mr. Tran said he didn't have any fliers and he rarely talks about events, but there were two events he wanted to talk about. On Thursday the Vietnamese Student Association will have its Fall Showcase at 7 p.m. It's \$7 at the door. It will be a great show. Also, on next week, on November 18, Tuesday, from 12:00 to 1:00, there will be a rally in support of Cal Hep B Free and Project Michelle. And from 1:00 to 7:00 there will be free Hep B screenings as well as cheek swabs for the National Bone Marrow Registry. From 5:00 to 7:00 there will be a free concert in Lower Sproul with campus and outside performers.

Ms. Flores said that on Thursday, *Maganda Magazine* will have an open mic featuring "The Foundation." The theme will be "Our Progress." It's a good way in terms of branching out and learning more about other folks' means of artistic representation and talent. It will be from 6:30 to 9 p.m. in 88 Dwinelle. Also, on Saturday, the Pilipino American Alliance will have a party. The theme is "Clash." Ms. Flores said she was selling tickets, which are for \$10. She was extending an invitation to all Senators. If they need a break from studying, they could party on Saturday night. It will be at 10 p.m. at Kip's, the newly renovated space there. There will be a lot of people there.

Ms. Shah said that on the 14th and the 15th, on Friday starting at 8 p.m. until 10:00, and on Saturday, from 7:00 to 9:00, The Movement is having its Fall Showcase. Everybody loves The Movement. It was only \$9 to go and it will occur at Zellerbach Playhouse. Additionally, Jewish Voice for Peace has come out with some really cool postcards about Israeli youth who have denied conscription into the Israeli occupation forces, and basically, these are postcards that people sign on the back and send to the Israeli Minister of Defense. If any Senators were interested in signing a postcard, and maybe sending them out to their communities, she'd really appreciate it. She'd pass them around.

Ms. Chen said she went to the UCPD Forum that day, and it was actually really interesting. She couldn't stay for the whole time because she had another meeting. She hoped that people come out to these meetings since she found it very informational. Considering how a lot of their campaign issues and platforms they wanted to work on involved safety, she found it to be very informative and a very good venue for her to find out more information.

Ms. Chen said a student group was there to make an announcement earlier but they had to leave because they're working on last minute committee stuff. But Ms. Chen said she sent out an e-mail. It's a "Search for Talent at Cal." This was the "Cal's Got Talent" Bill, except the group changed its name because there was another event and they didn't want to confuse the two events. She had tickets and will collect money on the student's behalf. Tickets are \$7. It will be held on Thursday, the 13th, from 7:30. Also, she sent people a link about Nick Patera. For those who have watched him you YouTube, he's amazing. If people want, they could go and try and get autographs together. If people haven't heard of him they should go to YouTube. They could Google "Patera: A Whole New World." It was amazing. People should let her know if they're interested. Money from the tickets will be donated to the Blind Babies Foundation. Senators could go to the event and see what they've been allocating their money towards.

Ms. Rodriguez said the ASUC Resources Workshop will be on Tuesday, the 18th. She understood there is an SOB meeting right before that, from 6:00 to 8:00. So hopefully people could come out for a little bit, or send their interns. Some Senators were presenting, although she hasn't heard from everybody who was interested. If people were interested, she would ask them to please let her know. She knew it was really hard to coordinate a meeting between people in the room. She'll send out the content that would need to be finalized for people to participate. People could send her an e-mail if there was anything they wanted to talk about. They started contacting organizations mostly through Robert Jittrikawiphol and Millicent Morris-Chaney, on the 4th floor, but they'll also reach out to those who aren't ASUC sponsored yet because those were some of the organizations they want to make sure utilize this information. So next week Senators should look out for e-mails and she would ask them to let her know if they would like to present anything.

Ms. Dhar said she was disappointed about Pres. Winston's decision not to appoint the Elections Council Chair. To student groups reading the minutes, she hoped they will know that the reason their bills and waiver requests have not been granted, and will not be granted in the future, or in future weeks, is because of Pres. Winston's decision to ignore the unanimous vote of the Elections Council Chair Selection Committee and the Finance Committee.

Ms. Dhar said her frustration lies was the fact that not only was there no specific reasoning for this decision, but also in its blatant disregard of the Constitution, which states, in Title IV, Article 2, Section 3, that if the Senate fails to confirm an Elections Council Chair within the eighth Senate meeting of the Fall Semester, it's the responsibility of the President to appoint an Elections Council Chair immediately. Indeed, it was the Selection Committee's responsibility to nominate somebody a chair. But by the eighth week it was the President's job to do so. By postponing this decision more, they only hurt the ASUC and more importantly, the students they are trying to serve.

Ms. Dhar said Senate inefficiency has been commented on before, but it was now time to examine Executive decisions that, in the name of careful decision-making, end up hurting their progress our progress toward an efficient and transparent legislative body. By choosing to ignore the Senate's unanimous decision, the President takes dangerous steps towards power assertion and they were in a slippery slope.

Mr. Mairena said that unfortunately, as they knew, yes, they have more so than others progressive President-elect, but unfortunately, California passed Proposition 8. He wanted to invite people to a protest rally on Saturday, November 15, at 10:30 a.m. There will be a nationwide rally that will happen in San Francisco in front of the City Hall to show how unfair this particular Proposition has been and how it was really a step backwards in terms of not granting people rights and eliminating people's rights.

Mr. Mairena said he would like to point out that the Senate did not make a unanimous decision, at no point, in the way Sen. Ms. Dhar said. The Elections Council Chair Selection Committee made a decision, and as of that point he has not heard whether or not it was complete unanimous. He didn't know if there was a vote taken or not. Maybe someone on the Committee could inform him. He thought Senators need to take a large amount of responsibility for what happened, especially because Pres. Winston has been announcing for several weeks that she would be gone for a certain period of time during this time. So if the Senate wanted her to appoint someone to the ECC position, the Senate would have had to have let her know before she left. Secondly, they would have to have told her that she needed to appoint someone as well. Just like they, as 20 individuals in the room, overlooked the eighth-week deadline, so it should have

been their responsibility to let her know that Ms. Winston had to appoint someone. So Mr. Mairena said he wouldn't go on and mudsling like Sen. Ms. Dhar just tried to do, and put this all on the President. That wasn't the case. It was the case that the Selection Committee failed to do what it was supposed to do. And Senate failed to do what it was supposed to do. And now the President has a decision to make. The Senate, the ASUC, should not just rush into a random person who was extremely urged by former Senators to be the person selected for this position that should really be complete non-partisan. So when there's such a strong urge from a partisan in general to appoint someone, he thought that more deliberation should be taken. Just to be mindful that the Senate did not reach a decision at Fi-Comm's meeting to appoint someone that last Monday was complete unconstitutional as well, because that person was not appointed by the President, and was appointed by the Elections Council Chair Selection Committee.

Ms. Ude said a publication, "The Onyx," was having its release party on November 14 at 8 p.m. in Heller Lounge. It will be an open mic night and there will be lots of food and lots of fun. So people should come and get one of the first copies.

Ms. Raffi said that in response to Sen. Hussain's distribution of postcards, Ms. Raffi said she actually found this online. When she tried to look up the Israeli students' who refused, none of them were anywhere to be found in the document. She thought this was a very interesting issue. If people had access to this quoted document, she would ask them to please send it to her, or to anyone else interested in this issue. She thought some Senators might find it interesting as well.

Ms. Shah said that in response to Ms. Raffi, people could go to the Jewish Voice for Peace Web site and they'd find it on there. She really didn't think bringing up personal things was the best use of the Senate's time.

In response to Sen. Dhar, Ms. Shah said she thought the Senate hasn't done its job. Specifically, the Senate, and its committee, the Elections Council Chair Selection Committee, did not do its job. It wasn't the President who has not done her job because the Senate, as well as the President, were not aware of the fact that, until November 3, that there wasn't somebody appointed. The Senate itself wasn't responsible enough to tell the President, was what the Senate was supposed to do. In effect, if the committee hasn't appointed somebody by the specified time, then they tell the President to appoint somebody. So because the Committee didn't what it was supposed to do, the onus was on the Committee itself. And after Pres. Winston was informed of it, at that point she started to work on what her job was in relation to this appointment.

In addition, Ms. Shah said she really wanted to emphasize a "thank you" to AG Sinanian for handling everything at the J-Council so well. Also, the J-Council didn't come out with its full depiction of what the Senate should be doing until that day. The J-Council before that hadn't said what the Senate should be doing. But that day, Wednesday, everything was finalized. It wasn't until today that the J-Council specified that it was the President's duty now to appoint somebody to the position. So in terms of constitutionality, Ms. Shah said she thought the Senate has been abiding by what it should have been doing. And if the President were to have made a decision before this point, it probably would not have been valid. It wasn't the President's task to fill the position before that point. She thought that as Sen. Mairena said, mud slinging should not be what the Senate does, but rather, they should try and understand what was at hand. She thought the Senate, as 20 people, should be more accountable to each other and understand

that they should have urged the Selection Committee, which she wasn't on, to do its job instead of now, in the 12th week, trying to blame this on the President when that probably was really uncalled for.

On a point of personal privilege, Mr. Sakaue asked if Senators minded if they could move into Appointed Official Reports and hear from the Judicial Council.

A straw poll was taken on the number of people who were interested in going to Appointed Official Reports.

Mr. Sakaue moved to go to Appointed Official Reports. The motion was seconded by Ms. Rodriguez and passed with no objection.

Appointed Official Reports

Report from the Finance Officer

Ms. Batac said she had some updates on their financial condition. As of year-to-date, they have expended from the Senate Contingency Fund \$24,000. Comparing that to their initial budget, which was \$22,280, they were about \$1,800 over the budget. Because the Senate was not able to replenish the Fund through a bill, everything was now being taken out of carryforward. One of the Senate's main priorities at that time, in terms of fiscal responsibility, was to replenish the Contingency Fund and take out some money from carryforward and put in the Contingency Fund.

Ms. Batac said the Greek Opportunity Fund has \$6,700 spent, which was relatively less compared to last year. So they're in good shape with that.

Ms. Chen asked how much money was left in carryforward. Ms. Batac said she didn't have that figure.

Report from the Attorney General

Mr. Sinanian said he had a long list of issues to tackle four weeks ago, but he's been busy with Elections Council Chair stuff. He sent out a lot of e-mails that say what the Senate should do and what's happened. So it was all out there in the e-mails and he would just answer questions. He would say that he and the Solicitor General both agree that this should be taken as an opportunity to realize that the Senate had deadlines throughout the year, and in addition to this ECC selection, there were also election dates that were supposed to be set. Senators were all aware of that. He didn't want to repeat points that have been made, so he would field any questions people have.

Mr. Mairena asked if he'd be willing to take questions after they hear from the Judicial Council. Mr. Sinanian said that was probably a better idea.

Report from the City Affairs Lobby and Housing Director

Salina An introduced herself and said she wanted to let the Senate know about a couple of things going on in the City Department in the EAVP's office. They were currently in the middle of Tenant's Rights Week. She believed the EAVP sent out something about this last week, and she would invite people to check it out. They're on Sproul every day from 11:00 to 1:00.

Secondly, starting next week they'll start on a lot of City-related issues. They're going to work specifically on the Walk-thru on campus and surrounding neighborhoods that were occupied by students. She would invite people to come. She could send out information about dates and times. Ms. An said they'll also work on Safety Week, which will happen in the Spring Semester, as well as next semester's Tenant's Rights Week. She's also received the survey results from last year's survey, conducted by last year's CAL Housing Director, and she had those statistical results. She'll work through the survey and analyze it, and a report will be coming to them shortly. She called for any questions.

Ms. Chen asked if she mentioned a time and date for the neighborhood walk. Ms. An said that was undetermined at that point. Seeing no further questions, Ms. Pasco said she would like to thank her for her report.

Report from the Judicial Council Representative

Allison Day introduced herself and said she was Judicial Council Chair. Hopefully, all of them have read the Advisory Opinion and the Direct Judgment. She'd try and sum them up in case people haven't read them. The Advisory Opinion was in response to a specific question. The Judicial Council didn't want to go beyond answering the question. The question was whether the Senate could conduct official business if an Elections Council Chair has not been appointed and confirmed by the eighth regular Senate meeting. The Judicial Council said the Senate could not conduct any official business other than that which contributes to confirm the Elections Council Chair. That was the J-Council's interpretation of that section.

The By-laws specifically state "any official business," and the J-Council interpreted that to mean "any other" official business other than making the selection of the ECC. The J-Council also said that after the eighth week deadline has passed, the selection passes to the President, which is pretty much what the Constitution simply says.

As for the Direct Judgment, Ms. Day said the J-Council found against the ASUC Senate, and that the informal main motion to suspend the By-laws was unconstitutional, and that the Senate did have to post bills and main motions a week before they're going to be voted on, not a week before they're going to be acted on.

Ms. Day said those were the basic findings. She called for any questions.

Mr. Mairena said that at this point, if they could now post something and then vote on it next week. But it would technically be new business, and the Senate couldn't consider new business. He asked if

suspending the By-laws for this would be unconstitutional, since the only business the Senate could conduct had to relate to the Elections Council Chair. Ms. Day said she was a little confused as to what he was asking about. She asked what, in his question, the By-laws would be suspended for. Mr. Mairena said it was the main motion to suspend the By-laws that would prevent the Senate from considering any new business. Obviously acting on that would be considering new business. He asked if there was any way at that point they could do that. Ms. Day said that right now she felt that point was kind of moot. The President will appoint someone before the meeting next week. A main motion would have to be a bill. The soonest they could vote on appointment would be next week's meeting. So the question was kind of moot.

Ms. Flores said that in her experience on the J-Council, she asked if Ms. Day could cite some examples in which previous Senates have violated the Constitution and By-laws and also elaborate in terms of the ramifications and how it affected future bills. Ms. Day said she's only been on the J-Council for about a year, and in her personal experience, hasn't dealt with these issues before. The big ramification from the current case was that it wasn't realized until three weeks later, and that was the real issue. All the old J-Council cases were posted on the Web site, so that would be the best way to look into answering the question. But she personally didn't have any experience.

Ms. Flores asked if she thought the President has taken proactive steps in correcting this situation that the Senate started. Ms. Day said she couldn't really present her official position on anything without it being requested through an Advisory Opinion, that sort of thing. She really couldn't come to the table with something like that without conferring with the Council. Ms. Pasco said that seeing no further questions, she would like to thank her for her report.

Report from the Attorney General (cont'd)

Mr. Sinanian said he wanted to pick up on where they left off. He knew Ms. Day couldn't give any opinions, but he'd go ahead and do that, and answer some of the questions people had. He wished he could have advised the Senate a little bit better the week prior so that the informal motion need never have gone into effect. What they should have done was to stop what they were doing and just allow the President to pick somebody. He thought the point Ms. Day was trying to make was that the Elections Council Chair Selection Committee, regardless of Fi-Comm, interviewed people already. Even though they weren't supposed to, they did. And regardless, the Selection Committee put work and time into it; and the President should have considered the work the Committee did, and the people who were considered. That would just be to speed things up. But he didn't know how long it would take for Ms. Winston to come back with a nominee. Ultimately, this will cost everybody a week. It would probably be good if they were to pick somebody, anybody, hopefully the person the ECC Selection Committee chose, because of the time the Committee put into it. Ms. Winston could meet with that person and put effort into that.

Mr. Sinanian said that given that he didn't like what happened last week, he worked with it. They fought hard but they lost before the Judicial Council; but that was okay, and they'd fight another day. He called for any questions.

Mr. Mairena asked if he was there when Pres. Winston announced that she would consider individuals who were suggested by the Selection Committee, but that she wouldn't make a final decision on that based on the fact that she hasn't met with those individuals. Mr. Sinanian said he wasn't there for that and came in late. If that's what Ms. Winston said, that was good. He just hoped that she can be expeditious and do it quickly, and make a concerted effort, since now the burden was on her. It wasn't before. And you can't necessarily say "where were you?" after the eighth week. It wasn't the President's job to look through the By-laws and say, "Ohmigod, they didn't do that." At the same time, now that it was out in the open, it was the President's responsibility. That day was the day that Ms. Winston could step up and make a quick executive decision, with executive decisiveness.

Ms. Shah asked what his recommendations were to Pres. Winston as of Monday night as to what her actions should be. Mr. Sinanian said he had not heard from the Judicial Council until that morning, when everybody heard about it. So he did not make any recommendations to the President on Monday. As he understood it, some members of the ECC Selection Committee communicated with her about who they selected. That was all he knew. And then Ms. Winston said she would like to meet with them. Ms. Shah asked if he didn't make a recommendation, then that she should pick an ECC. Mr. Sinanian said he didn't; but she should. That wasn't the case on Monday, but now, she should.

Ms. Flores asked if he thought the President has been exercising more power in terms of the balance of power given to the Senate, the J-Council, and the Senate, or if she was exercising her power according to their rules. Mr. Sinanian said that was a good question because in the document the J-Council released, they said that right now it was uneven, and that the scales were a little bit in favor of the President over the Senate. It was interesting because the By-laws require 14 votes to pass whoever the President forwards. So that sort of brought the scales back. But given that the President was part of a stalled process, that really put the burden on her, at this point.

Ms. Chen said that in his opinion, at this point, if it was absolutely important that the President to communicate very effectively with the Senate so they could make sure that whoever she nominates will be approved. Mr. Sinanian said he thought it was important. Ms. Pasco's lines of communication have been very open, but he hasn't heard from the President at all on this issue; and he thought it would be very important for her to tackle this issue, so both sides of the room could get stuff done, and for everybody to get back to work.

Mr. Sinanian said he also wanted to say something about Fi-Comm, and the validity of what Fi-Comm did. In retrospect, the meeting Fi-Comm had was not valid. But back then they were working under the informal main motion that suspended the By-laws. That's why Fi-Comm met and approved the stipend. So if the President went ahead and selected the person who Fi-Comm approved, Fi-Comm shouldn't meet again because they already approved the stipend. He was sure the Senate could just pass a bill, or something.

Ms. Pasco said that Chair would recommend that all people who speak before the Senate not use divisive language, such as "this side," or "that side," as there were multiple sides to the Senate, rather than just two.

Ms. Hussain moved to go back to Reports from Representatives to the ASUC. The motion was seconded and passed with no objection.

Report from the Graduate Assembly Representative

Mr. Daal said the Lower Sproul Student Council meeting was held on Monday and they made a lot of progress. They decided to do a couple of things. One was to make an informational video to be streamed over a Web site to inform students as to what's going on with Lower Sproul and where they are in the process. They're also making a Web site for Lower Sproul to better inform students. Thirdly, they decided that they would start stepping forward to conduct focus groups with grad and undergrad students, to assess what the student support was for this referendum, to be considered not that coming spring, but the spring after, and to understand the challenges that might be faced in passing such a referendum. That was a very brief synopsis of what they talked about at the Lower Sproul Student Council meeting. The next meeting is scheduled for November 24 at 6 p.m.

Mr. Daal said the other thing he would like to inform the Senate about was that at the last GA meeting, last Thursday, they passed a Resolution, 0810C, Directed Action to Encourage Better Teaching by Increased Access to Course Evaluations Summary Statistics. He was mentioning this because he thought undergrads were interested in better teaching and in course evaluations. Mr. Daal said the gist of the Resolution was for him to work with the Chancellor to move toward placing teaching evaluation summaries online, on a Cal-authenticated site. That was something the Senate might be interested in. That was all he had to report that evening and he called for any questions.

Ms. Hussain asked what Web site the Lower Sproul video will be displayed on. Mr. Daal said it's LowerSproul.berkeley.edu. It hasn't been created yet, and the domain name becomes theirs at 3 a.m.

Ms. Rodriguez asked who will participate in the informational video. Mr. Daal said it will be as many people as they could get. Ms. Rodriguez asked how the Council will advertise it. Mr. Daal said perhaps they could do that on their Web site. Ms. Pasco said that seeing no further questions, she would like to thank him very much for his report.

Ms. Chen moved to go to Special Committee Reports. The motion was seconded by Mr. Sakaue and passed with no objection.

Special Committee Reports

Ms. Pasco called for any Senators who wished to make a report.

Reporting for the Selection Committee for the Public Relations Director (Title I), Mr. Sakaue said they met that day, created an application, and sent it out to the Senate. If Senators could forward that to people who were interested in the position, that would be appreciated. They'll notice there is a stipend attached to the position. The By-laws provide that the committee could choose a stipend. The Selection Committee felt that because this position was mandated by the By-laws to create press releases and graphics for any Senator who requested that for a program, event, or bill, the Selection Committee felt this person

should be compensated for that work, especially because graphic design was very specialized. Applications are due by next Wednesday. If Senators knew of anybody who was interested, he would ask them to please forward it to them.

Reporting for the Selection Committee for the Commissioner of Diversity Affairs, Ms. Flores said it had yet to meet. She wanted to take this time to say that it was imperative that this Committee meets. She's sent out more than five e-mails holding each Senator on the Selection Committee accountable. In lieu of what just happened in terms of the Elections Council Chair Selection Committee, she would really urge the Senators who have not yet responded to the e-mail to do so immediately so they could meet that week and prevent any similar types of things that could hinder the Senate's functionality. There have been a couple of inquiries into the position that the Committee hoped to process and look over soon.

Mr. Owens asked who was on the Selection Committee. Ms. Flores said it included herself and Sens. Shah, Raffi, Rodriguez, and Tran.

Reporting for the Services Board Director Selection Committee, Mr. Tran said the Committee has selected a nominee. He knew the Senate couldn't consider New Business, but people could ask him questions so that in the future, the nominee wouldn't have to come back in. This was an informal request. He made that same request weeks ago.

Reporting for the ASUC Outstanding Student Recognition Program Evaluation Committee, Ms. Yang said the Committee consists of herself and Sen. Hussain, and they'll meet on Friday.

Mr. Zuo moved to go to Appointed Official Reports. The motion was seconded by Ms. Chen and passed with no objection.

Report from the Solicitor General

Mr. Hollihan said this was really important, and will sound surprising. There had to be a bill drafted and posted online that night regarding the election dates. Otherwise there will be two weeks where the Senate couldn't do anything. So that was something they had to do that evening. Whatever happened with the President's appointment of the Elections Council Chair, the Senate's hands wouldn't be tied next week. But as soon as next week passed, they will be tied again because of the Constitution's tenth-week bond to set election dates. That was just a reminder to make sure that someone, somewhere, posted a bill that evening, before midnight.

Ms. Pasco said she wanted to add to that. Sen. Hussain actually brought this to her attention and took the initiative to look at the Constitution and By-laws. According to the By-laws, the elections will take place two weeks after Spring Break. So tentatively, if there are no religious conflicts with the dates, then the elections will be scheduled at that time. Mr. Sinanian said there had to be a main motion. Ms. Pasco said she was just informing people.

On a point of personal privilege, Ms. Shah said she wanted to let the Senate know that she was starting that bill and will submit it before midnight.

On a point of order, Mr. Mairena said he believed that their rules state that by default, election dates are the Tuesday, Wednesday, and Thursday of the second week after Spring Break. Mr. Hollihan asked if that was by default. Mr. Mairena said the exact wording was "by default," unless it interfered with any religious holidays.

Mr. Sinanian said that was in an e-mail he sent out.

Ms. Hussain said they've already made an effort into looking for the Jewish and Christian calendars to make sure there was nothing going on. She has asked people to look into other religions as well, to make sure the Senate was clear and that no students would be disenfranchised as a result of any religious holidays. Also, while the dates would be the 7th, 8th, and 9th, according to the By-laws, by default, they still had to have that in the form of a bill.

On a point of parliamentary inquiry, Mr. Mairena asked if there was any way they could actually submit a bill for the bill packet because technically that had to be done by Tuesday morning. He asked if the Senate could just put a bill into the bill packet without it going through the Secretariat. Ms. Pasco said that similar to the situation with the Elections Council Chair, if the Senate did not publicly post election dates, the Senate could not conduct business. So if they use the same process that they did for the Elections Council Chair, then they couldn't do anything until they posted those dates. So in that regard, no business would happen until they do that.

Mr. Sinanian said that as for the bill, there should be a Whereas Clause stating that there's no religious holiday; and Whereas this and that, then a resolved clause stating the dates of the election. That's probably what the bill should look like. As soon as it was out, they should get it to the Web master to put in the posting section. That wouldn't take action on it now because they couldn't. But as long as it's out there, as long as they have somebody by next week, approving the nominee was the first thing they'd do. And they'd be good to go.

Mr. Hollihan said that if, for some reason, the Senate doesn't confirm the Elections Council Chair the President has selected, which seemed to be a possibility, there would be a future lockout until an ECC was confirmed. So while the election dates may be posted and there may be a bill in the bill packet, including the one that retroactively enacts all the bills that the Senate previously passed, it was important to work closely with the President. He would desperately urge them to work closely with the President, because if the Senate failed to confirm the nominee, they would not be allowed to conduct business for another meeting.

Ms. Pasco said that just to clarify, the election dates they're talking about are April 7, 8, and 9, the Tuesday, Wednesday, and Thursday two weeks after Spring Break. That was as stated in the Constitution and By-laws.

Ms. Chen asked if there will be an issue in terms of turning in the bill if the deadline to turn in bills for next week was yesterday morning. Mr. Hollihan said that was brought up in the case itself, about whether or not theoretically they could post a bill that evening at 1 a.m. and just delay the proceedings until 1 a.m. the following day. It would be constitutional. But that's theoretical. So was the original main motion,

which was also theoretical. In an effort to spare themselves another lawsuit, he would advise that the Senate get the bill on the Web by midnight that evening.

Ms. Chen asked about due process and making sure the Secretariat was informed. Mr. Hollihan said he didn't know about the process with the Secretariat, but the Senate couldn't vote on a bill unless it's been posted a week. Ms. Chen the process was to send a bill to the Secretariat first, after which it was put online. Mr. Sinanian said that was not public. But the posting was. A bill had to be publicly posted, and it didn't matter if was in the Secretariat's packet. They shouldn't worry about that. That mattered was that it was posted to the Web.

Ms. Flores said the agenda packet was only important for the administrative task of having bills submitted. She asked if that equated to the public posting for a week for a bill to be considered the following week. Ms. Pasco said that Sen. Chen's question just clarified that.

Ms. Hussain said she believed Senators were getting confused. She didn't think a main motion was considered as being posted to the Senate bill section of the Web site. A main motion had to be made in the form of a bill. That's all that needed to be done. People could post it all over Eshleman, and it didn't need to go into the agenda packet and didn't need to be submitted to the Secretariat. It's not the same thing as bills that end up in Senators' agenda packets. She thought the Senate messed up with this last week and got confused by it. If they read the By-laws, as well as Robert's Rules, they'd realize that the two were not the same.

Mr. Mairena said he would like to ask the AG or SG whether a bill for the elections dates would be a main motion. Mr. Sinanian said it would be. It wasn't anything else. Mr. Hollihan said it was a main motion in the form of a bill. Mr. Sinanian said they couldn't make that main motion that evening.

Mr. Mairena said he understood that. But that's not a main motion. He asked if EVP Pasco had a list of what main motions were and could specify that. He believed this particular matter wasn't a main motion and it had to be in the form of a bill. Mr. Sinanian said that from what he recalled in the bill portion of the By-laws, it didn't really talk about what it should be in the form of, but states that the Senate must set election dates.

Mr. Mairena said he was saying that there are actual main motions that are specified. For example, appointments were main motions and don't require a bill. The By-laws specify what main motions are, and he didn't believe that the selecting the dates for the election was a main motion. So the problem was that even if it went in the bill packet that evening, it would still have to go to committee at some point. That meant it had to go through Con-Review. So even if the Committee approved someone on Monday, that would still have to go through Con-Review the following Monday. He asked if that was correct. Mr. Sinanian said they should clarify whether or not it's a main motion and if it required a bill. Three main motions were exempt from requiring a bill. One was approval of appointments. Ms. Pasco said the other two were overriding a presidential veto and taking action on a position or policy of a certain body, like the GA. Mr. Sinanian said he didn't think any of those qualified. Ms. Pasco said speaking time had expired. Ms. Ude moved to extend by three minutes. The motion was seconded by Ms. Yang and passed with no objection.

On a point of parliamentary inquiry, Mr. Mairena asked if the Chair could state the other ones that qualify as main motions that were on that same page. He said that it states that main motions must be in the form

of a bill, except for the three Mr. Sinanian just mentioned. The types of main motions are specified, but it doesn't mention that the selection of the Elections Council Chair was a main motion. He wasn't sure if it was a main motion. Mr. Sinanian said that people were watching, and to save them from suits, it was in their best interests if it was in the form of a bill. They couldn't go wrong. But what Mr. Mairena was saying was that if the Senate did that, the bill would have to go through committee.

Mr. Mairena said it doesn't qualify as a main motion. He understood not having it in the bill packet. That wasn't the question. But technically, this wasn't a main motion. Main motions were on the list he read from.

On a point of parliamentary inquiry, Ms. Chen said this was cross debate, and people shouldn't abuse Robert's Rules. If they're going to discuss this, they should follow procedure.

Mr. Sakaue asked if an appointment would need to be posted for a week. Mr. Hollihan said he didn't think it had to be. Mr. Sinanian said he believed it would need to be posted. Seeing no further questions, Ms. Pasco said she would like to thank Mr. Sinanian for his report.

Reports from ASUC Representatives

Reporting as the ASUC representative to the Residence Hall Assembly, Ms. Tran said that week the RHA will hold BearFest on Sunday from 12:00 to 4:00, at People's Park. It's free and open to all Berkeley students. Residents get free Top Dogs. There will also be rock climbing. It will be kind of like a carnival. All units, res halls, and Hall Associations will be there hosting booths.

Reporting as the ASUC representative to the Intellectual Community Fund/Educational Enhancement Fund, Ms. Hussain said they met that day. They allocated over \$2,000 to some really good programs. The fund started at \$8,500. Mr. Tran put in a bill asking for an additional \$4,000. She would ask Senators to please keep that in their thoughts and to remember what this grant meant to students. They've awarded more this year than in previous years, and the Senate should invest in this and think about the students.

Reporting as the ASUC representative to the Public Service Fund Committee, Ms. Chen said they met that day and they allocated around \$1,850. Also, she wanted to remind people that when they refer people to the Public Service Fund, it provides monetary support to facilitate public service efforts targeted towards communities outside the UC Berkeley campus. She would ask people to please keep that in mind when they refund groups to this Fund. There has been confusion about this in the past.

Reporting as the ASUC representative to the Graduate Assembly, Ms. Flores said the GA met last week, last Thursday, November 6. They heard a presentation on Lower Sproul redevelopment and the ecocharrette. There is a Graduate-Undergraduate Mentorship Program that hopefully more graduate students will participate in as a means to start a genuine relationship and mentorship with undergraduates. Mr. De la Cruz had more information about that if Senators, their friends, or constituents would like to participate.

Reporting as the ASUC representative to the Berkeley Student Cooperative, Ms. Oatfield said the BSC Vice President of External Affairs would like to give a ten-minute presentation to the Senate. She knew they couldn't officially put this on the agenda because the Senate couldn't conduct business, but if the VP attends the next Senate meeting, she asked if they'd be okay with hearing the presentation at that time. People should let her know if they had any problems with that.

Ms. Dhar moved to go to the report from ASUC SUPERB. The motion was seconded and passed with no objection.

Report from the SUPERB Representative

Mr. Huynh said he brought one of his interns, Saad Karamal. Mr. Huynh said he was bringing Mr. Karamal along as much as he could to show him some of the fun stuff SUPERB does. SUPERB has some busy weeks coming up, with a lot of things going on. That evening they just had an open mic comedy event. On Friday they'll show "The Dark Knight" in Wheeler Hall, and they're very excited about that. SUPERB will work with The Scholar's Workstation, which will present at the movie and raffle off some iPod shuffles. Rumor has it there will also be some performers dressed up in appropriate attire to entertain people in line, which he was really excited about.

Mr. Karamal said that on Friday they'll have "Immortal Technique" on Lower Sproul, and next month they'll show "Tropic Thunder."

Mr. Huynh said they've been too busy with groups' sound requests. It seems that this was the month for performances to happen. They just did "Berkeley Got Talent" and they're working with "The Vagina Monologues," and others. They're also working on the committee for Cal Day, with CalTV, the Blue & Gold, and the Californians.

Ms. Pasco said the Chair would entertain a motion to approve. It was so moved and seconded by Ms. Shah and Ms. Dhar. Ms. Pasco said she would rescind her request, and entertain a motion to recess until the discretion of the Chair. It was so moved and seconded by Ms. Shah and Ms. Ude and passed with no objection. This meeting was recessed.

Back in session, Ms. Pasco said the Chair would entertain a motion to move into Elected Official Announcements. It was so moved and seconded by Ms. Shah and Ms. Tran and. Ms. Pasco said she would rescind her request.

Mr. Sakaue moved to go to Executive Officer reports. The motion was seconded by Ms. Tran and passed with no objection.

Ms. Raffi moved to go to Guest Announcements. The motion was seconded by Ms. Dhar and passed with no objection.

Guest Announcements (cont'd)

Itamar Haritan introduced himself and said he facilitated the UCPD-Student Forum. They talked about a lot of interesting things. He wanted to apologize for not advertising the event enough. He sent out a bunch of e-mails to Senators, but he knew they got a lot of e-mails. The next Forum will be December 3 or December 10. He'll do his utmost to advertise more so that more students can come. There were just five students. It wasn't confrontational, but he thought students might be intimidated or might not bring up certain points. He would encourage Senators to push the representation at these Forums.

Mr. Mairena moved to go back to Executive Officer reports. The motion was seconded by Ms. Ude and passed with no objection.

Report from the President (cont'd)

Ms. Winston said there were a few things she wanted to mention before the meeting adjourned. She would like to assure the Senate that she was going to appoint someone by next Monday. She didn't plan on appointing someone haphazardly. She wanted to meet with the Committee, formerly known as the ECC Selection Committee, to discuss with them the different potentials they had for the Elections Council Chair.

Ms. Winston said she also wanted to give some background information as to why she's decided not to appoint someone so hastily. One reason was because she did some background research on the one person who was forwarded from the Selection Committee. She called the Elections Council Chairs from two years who served prior. She was waiting to hear back from that person. She also talked to Jan Crowder about this. She found out there are a lot of different things that go into the Elections Council and into coordinating elections. She didn't know if the Senate was familiar with the fact that the first year Ms. Liedblad served as Elections Council Assistant Chair, the actual Elections Council didn't run the elections, which was done by an outside consultant. So that was something to look into, and to see what kinds of responsibilities she had as Assistant Chair that year. If the Chair didn't run the elections, Ms. Winston said she would ask what the Assistant Chair did. So she called the Chair from that year to discuss that.

Ms. Winston said she also spoke with people from last year's Elections Council, who saved \$15,000 on their election. She didn't want to rush a decision on this so students could get bills passed, and spend maybe \$2,000 of Senate Contingency Fund money, as opposed to potentially waiting until Monday, doing thorough research, and figuring out a way to maybe save students \$15,000 for the elections process. There was also a higher turnout last year than in any year past. They can either transition to Ms. Liedblad, if she decided on that, or to someone else. Ms. Winston said she thought getting this information was very important.

Ms. Winston said she didn't want to place the blame for this on anyone because she believed they were there to serve students, and they had the students' interests at heart. She thought people would like to get

different things in the minutes, and Ms. Winston said she would like to get that in the minutes, that she was there serving students as well as anyone else.

Additionally, Ms. Winston said she wasn't trying to do this by herself, and she really wanted to keep the Senate informed on all decisions that are made. She could guarantee that a decision will be made by next Monday. Ms. Winston said she would like to yield some time to the Attorney General.

Mr. Sinanian called for any questions. Mr. Nahabet asked if there needed to be a week in between making the nomination and when it was voted on. Ms. Winston said she didn't believe that was the case, and as long as the nomination was made before business was discussed, it was valid and to be considered. Mr. Sinanian stated according to the Constitution and By-laws, an approval to appoint someone was a main motion but didn't have to be a bill. And main motions require seven days of public posting. So she would recommend that they post, independent to the election dates on the Web site, that Pres. Winston will appoint somebody next Wednesday. Because the J-Council has ruled that the President must pick somebody immediately, and had the power to pick someone, she felt that she should be allowed to conduct more interviews in the selection process, and that the Senate not specify who the appointed person is. They could just leave the notice as being an appointment. That would not be unconstitutional because the J-Council has allowed the President to do that.

Mr. Nahabet said that by posting that there would be an appointment, then on Wednesday this could be approved. Mr. Sinanian said that was correct. Mr. Nahabet asked if they could do that without the name of the appointment. Mr. Sinanian said they could.

Mr. Mairena said he would also like to clarify that Pres. Winston was, in fact, correct when she said that the business had to be done before the next meeting. Their rules state that main motions to approve appointments may be made during Announcements or during the appointing officer's or body's report. Such motions are automatically tabled and added to IC for the following week's meeting. If Pres. Winston were to send out a report on Sunday night or Monday, and in the report, stated her appointment for this position, then it should be in the following week's agenda, which would be next week's agenda. So it wouldn't be unconstitutional for her to appoint someone in that time as long as it's made public. Their rules don't really say that all main motions had to be posted for a week. But they do say that for this particular main motion, an appointment, it just had to be done before the following week in order to be discussed by that week.

Ms. Winston said the Attorney General mentioned earlier that business couldn't be conducted until the election dates were solidified. Those dates couldn't actually be solidified until Wednesday. To allow the extra time to really do a thorough interview and selection process on all of the applicants that applied, and other potential applicants, wouldn't halt business because the Senate still had to approve the dates of the election as well.

Mr. Sinanian said he thought it was absolutely imperative that while the President was trying to make a decision, that the Senate, in particular members of the ECC Selection Committee, work closely with her so that when the time comes to make an appointment, which as they all know, 14 votes of the Senate were required, that will happen. If that doesn't happen then things will really be late. He couldn't emphasize that enough. He would ask them to please work with the President to arrive at a decision about who to appoint.

Ms. Winston said she wanted to reiterate that she definitely wanted to work with anyone who was interested, specifically the people who served on the Selection Committee. She was also going to work closely with Mr. Sinanian and the J-Council to make sure everything was constitutionally sound. She hoped that if people have specific concerns that they feel comfortable in approaching her and that they could discuss them as fellow representatives of UC students.

Ms. Shah moved to adjourn. The motion was seconded by Mr. Mairena passed by hand-vote 10-7-1.

Roll call was taken for attendance. Members present were:

Sheila Chen	Christina Oatfield	Will Smelko
Sarah Cho	Tommy Owens	Lisa Tran
Meghana Dhar	Tara Raffi	Tu Tran
Mary June Flores	Claudia Rodriguez	Obiamaka Ude
Saira Hussain	Lyell Sakaue	Stephanie Yang
Oscar Mairena	Kifah Shah	Yishi Zuo
Eddie Nahabet		

This meeting adjourned at 10:03 p.m.

These minutes respectfully submitted by,

Steven I. Litwak
Recording Secretary